
STATUTORY INSTRUMENTS

1996 No. 3160

The Criminal Justice (Northern Ireland) Order 1996

PART II

TREATMENT OF OFFENDERS

Financial penalties

Fixing of fines

29.—(1) Before fixing the amount of any fine to be imposed on an offender who is an individual, a court shall inquire into his financial circumstances.

(2) The amount of any fine fixed by a court shall be such as, in the opinion of the court, reflects the seriousness of the offence.

(3) In fixing the amount of any fine to be imposed on an offender (whether an individual or other person), a court shall take into account the circumstances of the case including, among other things, the financial circumstances of the offender so far as they are known, or appear, to the court.

(4) Where—

(a) an offender has been convicted in his absence in pursuance of Article 23 or 24 of the Magistrates' Courts (Northern Ireland) Order 1981 (non-appearance of accused), or

(b) an offender—

(i) has failed to comply with an order under Article 30(1); or

(ii) has otherwise failed to co-operate with the court in its inquiry into his financial circumstances,

and the court considers that it has insufficient information to make a proper determination of the financial circumstances of the offender, it may make such determination as it thinks fit.

(5) Paragraph (3) applies whether taking into account the financial circumstances of the offender has the effect of increasing or reducing the amount of the fine.

(6) The amendments made by Schedule 3 shall have effect.