
STATUTORY INSTRUMENTS

1987 No. 2025 (S.139)

CRIMINAL LAW, SCOTLAND

**The Criminal Justice (Scotland)
Act 1987 Fixed Penalty Order 1987**

Made - - - - *24th November 1987*
Laid before Parliament *4th December 1987*
Coming into force - - *1st January 1988*

The Secretary of State, in exercise of the powers conferred on him by section 56(7) of the Criminal Justice (Scotland) Act 1987⁽¹⁾ (“the Act”) and of all other powers enabling him in that behalf, hereby makes the following Order:

1. This Order may be cited as the Criminal Justice (Scotland) Act 1987 Fixed Penalty Order 1987 and shall come into force on 1st January 1988.

2. The amount of the fixed penalty under section 56 of the Act (conditional offer of fixed penalty by procurator fiscal) shall be £25.

3.—(1) Subject to article 4 such fixed penalty may be paid in five equal instalments of £5 in accordance with the following provisions of this article.

(2) Each instalment shall become due for payment as follows:—

(a) on the fourteenth day after acceptance of the conditional offer by payment of the first instalment in accordance with section 56 of the Act, the second instalment shall become due for payment;

(b) each subsequent instalment shall become due for payment on the fourteenth day after the immediately preceding instalment became so due.

(3) Subject to paragraph (4), payment of each instalment shall be made on or before the day on which that instalment becomes due for payment in accordance with paragraph (2).

(4) Where the day on which any instalment becomes due for payment under paragraph (2) falls on a Saturday, Sunday or court holiday prescribed for the relevant court, payment of that instalment may be made on the next day which is not a Saturday, Sunday or such court holiday.

4. Where payment of any instalment (other than the first instalment) has not been made in accordance with article 3 the whole of the amount of the fixed penalty then outstanding shall immediately fall due for payment.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

New St Andrew's House,
Edinburgh
24th November 1987

James Douglas-Hamilton
Parliamentary Under Secretary of State, Scottish
Office

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EXPLANATORY NOTE

(This note is not part of the Order)

Section 56 of the Criminal Justice (Scotland) Act 1987 enables a procurator fiscal to make a conditional offer to an alleged offender of payment of a fixed penalty as an alternative to prosecution for certain minor offences. This Order prescribes the amount of the fixed penalty (article 2) and makes provision for payment of that sum by instalments (articles 3 and 4).