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STATUTORY INSTRUMENTS

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**2007 No. 707**

**The Criminal Justice Act 2003 (Surcharge) Order 2007**

**Cases in which the duty to order payment of the surcharge does not apply**

**2.—**(1) Section 161A(1) of the 2003 Act (court's duty to order payment of surcharge) does not apply in the cases prescribed in paragraph (2).

(2) The cases referred to in paragraph (1) are those in which a court deals with a person for one or more offences other than only by—

- (a) imposing a fine, whether or not in addition to a costs order, or
- (b) imposing a fine and making a compensation order under section 130 of the Powers of Criminal Courts (Sentencing) Act 2000 **(1)** (compensation orders against convicted persons), whether or not in addition to a costs order.