



2011 CHAPTER 24

**PART 1**

VICTIMS AND WITNESSES

CHAPTER 1

THE OFFENDER LEVY

*Offender levy imposed by court*

**Offender levy imposed by court: other supplementary provisions**

4.—(1) A court shall not, at the time of sentencing an offender, exercise any power to issue a warrant committing the offender to prison in respect of the non-payment of an offender levy imposed by the court.

(2) Where an offender is liable to pay both a fine and an offender levy imposed by a court, any amount paid by an offender in respect of that liability shall be treated as first discharging the liability to pay the offender levy.

(3) A court may remit all or part of an offender levy imposed by it on an offender if—

- (a) the court in dealing with the offender imposed both a fine and an offender levy;
- (b) the offender has defaulted in paying the fine; and
- (c) in consequence of that default the court either—
  - (i) commits that person to prison; or
  - (ii) makes a supervised activity order under Article 45 of the Criminal Justice (Northern Ireland) Order 2008 (NI 1).

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*Changes to legislation: There are currently no known outstanding effects for the Justice Act (Northern Ireland) 2011, Section 4. (See end of Document for details)*

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(4) If—

- (a) the court in dealing with the offender imposed both a determinate sentence of imprisonment or detention (other than a suspended sentence) and an offender levy; and
- (b) the liability of the offender to pay the offender levy was reduced, but not discharged, by deductions made under section 3,

the levy is, by virtue of this subsection, discharged on the expiry of the sentence.

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**Commencement Information**

**II** S. 4 in operation at 6.6.2012 by S.R. 2012/214, **art. 2(f)**

**Changes to legislation:**

There are currently no known outstanding effects for the Justice Act (Northern Ireland) 2011, Section 4.