



2011 CHAPTER 24

PART 5

TREATMENT OF OFFENDERS

**Supervised activity order in respect of certain financial penalties**

**58.**—(1) Article 45 of the Criminal Justice (Northern Ireland) Order 2008 (supervised activity orders for default in payment of certain fines) is amended as follows.

(2) After paragraph (1) insert—

“(1A) Where—

- (a) section 88(6) of the Criminal Justice and Immigration Act 2008 (financial penalty enforceable in Northern Ireland in accordance with Framework Decision) applies to a financial penalty (within the meaning given in section 92(2) of that Act);
- (b) a magistrates’ court would, but for this Article, make an order or issue a warrant for the committal of that person for default in paying the financial penalty or any instalment of that penalty by the due date; and
- (c) the court considers a supervised activity order more appropriate than such committal,

the court may, instead of making that order or issuing that warrant, make a supervised activity order in respect of that person.”

(3) In paragraphs (5) and (6) after “fine” (wherever occurring) insert “or penalty”.

(4) In paragraph (7) at the end add “or, as the case may be, the penalty mentioned in paragraph (1A)(a)”.