

Status: This version of this cross heading contains provisions that are prospective.
Changes to legislation: Justice Act (Northern Ireland) 2015, Cross Heading: Payment of prosecutorial fine is up to date with all changes known to be in force on or before 13 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes



2015 CHAPTER 9

PART 3

PROSECUTORIAL FINES

PROSPECTIVE

Payment of prosecutorial fine

Payment of prosecutorial fine

21.—(1) Payment of a prosecutorial fine must be made to, or at the office of, the fines clerk specified in the prosecutorial fine notice relating to that fine; and references in this Part, in relation to any prosecutorial fine or prosecutorial fine notice, to the fines clerk are to the fines clerk specified in the prosecutorial fine notice relating to that prosecutorial fine or (as the case may be) in that prosecutorial fine notice.

(2) Without prejudice to payment by any other method, payment of a prosecutorial fine may be made by properly addressing, pre-paying and posting a letter containing the prosecutorial fine notice and the amount of the fine and, unless the contrary is proved, shall be regarded as having been made at the time at which that letter would be delivered in the ordinary course of post.

(3) A letter is properly addressed for the purposes of subsection (2) if it is addressed to the fines clerk at the address specified in the prosecutorial fine notice as the address at which the fine may be paid.

(4) Except in a case to which subsection (5) or (6) applies, sums paid by way of a prosecutorial fine for an offence shall be treated as if they were fines imposed on summary conviction of that offence.

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(5) Where—

- (a) the offence in respect of which a prosecutorial fine notice is issued under section 18(2) is an offence under Article 3(1) of the Criminal Damage (Northern Ireland) Order 1977, and
- (b) in calculating the prosecutorial fine an amount has been included under paragraph (c) of section 19(2),

the fines clerk must arrange for that amount to be paid to the person mentioned in that paragraph.

(6) Where—

- (a) the offences in respect of which a prosecutorial fine notice is issued under section 18(3) include one or more offences under Article 3(1) of the Criminal Damage (Northern Ireland) Order 1977; and
- (b) in calculating the prosecutorial fine an amount has been included under paragraph (c) of section 19(4),

the fines clerk must arrange for that amount to be paid to the person mentioned in that paragraph or, if more than one person is so mentioned, to those persons in such proportions as the Public Prosecutor may determine.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 13(2)(2A) substituted for s. 13(2) by [2022 c. 4 \(N.I.\) s. 4\(5\)](#)
- s. 13(4)(5) added by [2022 c. 4 \(N.I.\) s. 4\(6\)](#)
- s. 13A inserted by [2022 c. 4 \(N.I.\) s. 4\(7\)](#)
- s. 13A inserted by [2022 c. 4 \(N.I.\) s. 4\(7\)](#)
- Sch. 2 para. 8(1) Sch. 2 para. 8 renumbered as Sch. 2 para. 8(1) by [2022 c. 4 \(N.I.\) s. 4\(9\)\(f\)\(i\)](#)
- Sch. 2 para. 8(2) inserted by [2022 c. 4 \(N.I.\) s. 4\(9\)\(f\)\(iii\)](#)
- Sch. 2 para. 8(1) words substituted by [2022 c. 4 \(N.I.\) s. 4\(9\)\(f\)\(ii\)](#)