



## 2015 CHAPTER 9

### PART 3

#### PROSECUTORIAL FINES

##### *Prosecutorial fine*

##### **Amount of prosecutorial fine**

**19.—**(1) Except as provided by subsection (2), for the purposes of a notice under section 17(1) or 18(2), the amount of the prosecutorial fine in respect of any offence is the aggregate of—

- (a) such amount as the Public Prosecutor determines appropriate having regard to the circumstances of the offence; and
- (b) an offender levy of £10.

(2) In respect of an offence under Article 3(1) of the Criminal Damage (Northern Ireland) Order 1977, the amount of the prosecutorial fine for those purposes is the aggregate of—

- (a) such amount as the Public Prosecutor determines appropriate having regard to the circumstances of the offence;
- (b) an offender levy of £10; and
- (c) such amount (if any) as the Public Prosecutor determines appropriate to compensate any person in respect of any damage to the property of that person as a result of the offence.

(3) Except as provided by subsection (4), for the purposes of a notice under section 17(2) or 18(3), the amount of the prosecutorial fine in respect of all the offences is the aggregate of—

- (a) such amount as the Public Prosecutor determines appropriate having regard to the circumstances of the offences; and
  - (b) an offender levy of £10.
- (4) Where one or more of the offences is an offence under Article 3(1) of the Criminal Damage (Northern Ireland) Order 1977, the amount of the prosecutorial fine for those purposes is the aggregate of—
- (a) such amount as the Public Prosecutor determines appropriate having regard to the circumstances of the offences;
  - (b) an offender levy of £10; and
  - (c) such amount (if any) as the Public Prosecutor determines appropriate to compensate any person or persons in respect of any damage to their property as a result of the offence or offences.
- (5) The amount determined under subsection (1)(a), (2)(a), (3)(a) or (4)(a) may not exceed the amount for the time being of level 1 on the standard scale.
- (6) The amount determined under subsection (2)(c) or (4)(c) may not exceed the amount for the time being specified in Article 14(11) of the Criminal Justice (Northern Ireland) Order 1994 (maximum compensation under compensation order made by a magistrates' court).
- (7) In section 6(3) of the Justice Act (Northern Ireland) 2011 (power to increase amount of offender levy) at the end add “and the amount specified in section 19(1)(b), (2)(b), (3)(b) and (4)(b) of the Justice Act (Northern Ireland) 2015”.