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## STATUTORY INSTRUMENTS

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# 1981 No. 1675

## The Magistrates' Courts (Northern Ireland) Order 1981

### PART V

#### CRIMINAL JURISDICTION AND PROCEDURE

##### *Imprisonment*

##### **Consecutive terms of imprisonment**

**56.**—(1) Where a magistrates' court imposes imprisonment on any person, it may order that the term of that imprisonment shall commence on the expiration of any other term of imprisonment imposed by that or any other court; but where a magistrates' court imposes two or more terms of imprisonment to run consecutively the aggregate of those terms shall not, except as provided by this Article or any other enactment, exceed twelve months.

(2) Where two or more terms of imprisonment in respect of indictable offences tried summarily are imposed to run consecutively the aggregate of those terms shall not exceed eighteen months.

(3) Without prejudice to section 149 (3) of the Customs and Excise Management Act 1979 or section 63 of the Miscellaneous Transferred Excise Duties Act (Northern Ireland) 1972<sup>F1</sup>, where a person has been sentenced by a magistrates' court to imprisonment in default of payment of, or in default of sufficient distress to satisfy, a sum adjudged to be paid by a conviction the court may order that the sentence shall begin at the expiration of any term of imprisonment imposed for that offence on that person in addition to such sum, but so that the aggregate term of sentences of imprisonment to which this paragraph applies shall not where a person is convicted of a summary offence exceed twelve months or where a person is convicted of an indictable offence tried summarily exceed eighteen months.

**F1** 1972 c. 11 (NI)

##### **Power to order detention for one day in precincts of the court in lieu of imprisonment**

**57.**—(1) Without prejudice to any other enactment, where a magistrates' court has power to impose imprisonment, the court in lieu of imposing imprisonment may, subject to paragraph (2), order the offender to be detained within the precincts of the court, or at any police station, till such hour, not later than eight in the evening on the day on which he is convicted, as the court may direct.

(2) The court shall, in making an order under this Article, take into consideration the distance between the place of detention and the offender's abode (if his abode is known to, or ascertainable by, the court) and shall not make any such order of detention under this Article as will deprive the offender of a reasonable opportunity of returning to his abode on the day on which the order of detention is made.

**Status:**

Point in time view as at 01/01/2006.

**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Magistrates' Courts (Northern Ireland) Order 1981. Any changes that have already been made by the team appear in the content and are referenced with annotations.