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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. (See end of Document for details)

STATUTORY INSTRUMENTS

1981 No. 1675

The Magistrates' Courts (Northern Ireland) Order 1981

PART V

CRIMINAL JURISDICTION AND PROCEDURE

Sums adjudged to be paid by a conviction

Fixing sum adjudged to be paid by a conviction with regard to means of offender

53.—[**F1**(1) A magistrates' court, in fixing the amount of a sum adjudged to be paid by a conviction (other than a fine which falls to be fixed under Article 29 of the Criminal Justice (Northern Ireland) Order 1996)]shall, amongst other things, take into consideration the means of the offender so far as they appear or are known to the court, the expedience of allowing such amount to be paid by instalments and the amount and frequency of any such instalments.

[**F1**(2) Paragraph (1) applies whether taking into consideration the means of the offender has the effect of increasing or reducing the amount of the sum.]

F1	1996 NI 24

Power to impose fine in lieu of imprisonment

54.—(1) Without prejudice to any other enactment, where a magistrates' court has power to impose imprisonment for[**F2** an offence] and, apart from this Article, has not authority to impose a fine for that offence, the court may, subject to paragraph (2), instead of imposing a sentence of imprisonment impose a fine[**F2** which—

   (a) for an offence punishable on conviction on indictment or on summary conviction, shall not exceed the prescribed sum within the meaning of Article 4 of the Fines and Penalties (Northern Ireland) Order 1984; and

   (b) for an offence punishable on summary conviction only, shall—

      (i) not exceed[**F3** level 3 on the standard scale], and

      (ii) not be of such an amount as would subject the offender, in default of payment of the fine, to a longer term of imprisonment or detention than the term to which he is liable on conviction of the offence.]

Para. (2) rep. by 1984 NI 3

F2	1984 NI 3
F3	1994 NI 15

Power to reduce fine or pecuniary penalty under certain enactments

55.—(1) A magistrates' court may reduce the amount of any fine or other pecuniary penalty which it may impose for an offence under any enactment to which this Article applies, notwithstanding that the amount of the fine or other pecuniary penalty is prescribed under any such enactment.

(2) This Article applies to any enactment in force upon 1st January 1946, other than an enactment relating to Her Majesty's revenue under the control of the Commissioners of Inland Revenue or the Commissioners of Customs and Excise except in so far as that enactment has been adapted and applied in relation to duties and taxes in respect of the imposing, charging, levying and collection of which the Parliament of Northern Ireland had under section 21 of the Government of Ireland Act 1920[F4] power to make laws.

(3) Nothing in this Article shall prejudice or affect the operation of section 34 (2) of the Finance Act 1935[F5] or section 150 (2) of the Customs and Excise Management Act 1979[F6], (which relate to the enactments excluded by paragraph (2)).

F4	1920 c. 67
F5	1935 c. 24
F6	1979 c. 2