
STATUTORY INSTRUMENTS

1984 No. 703

The Fines and Penalties (Northern Ireland) Order 1984

Miscellaneous

Power to alter sums specified in certain provisions

17.—(1) If it appears to the Secretary of State that there has been a change in the value of money since the relevant date, he may by order substitute for the sum or sums for the time being specified in any provision mentioned in paragraph (2) such other sum or sums as appear to him justified by the change.

(2) The said provisions are—

(a) the definition of “the prescribed sum” in^[F1] Article 4(8)];

(b) Article 5(2);

(c) any provision mentioned in Schedules 4 and 5;

Sub#para.(d) rep. by 1998 NI 9

[^{F2}(e) Article 14(11) of the Criminal Justice (Northern Ireland) Order 1994 (compensation orders);]

Sub#para.(f) rep. by 1994 NI 15

[^{F3}(ff) Article 85B(3) of the Magistrates' Courts (Northern Ireland) Order 1981 (penalty for breach of maintenance order);]

(g) the Table in paragraph 1 of Schedule 3 to that Order of 1981 (default period of imprisonment for sums adjudged to be paid by a conviction).

Sub#para.(h) rep. by 1996 NI 24

[^{F2}(i) the Table in section 35(2) of the Criminal Justice Act (Northern Ireland) 1945 (default period of imprisonment).]

[^{F4}(k) column 5 or 6 of Schedule 4 to the Misuse of Drugs Act 1971 so far as the column in question relates to the offences under provisions of that Act specified in column 1 of that Schedule in respect of which the maximum fines were increased by Part II of Schedule 8 to the Criminal Justice and Public Order Act 1994.]

[^{F5}(l) paragraph 3(1)(a) or 4(1)(a) of Schedule 2 to the Criminal Justice (Northern Ireland) Order 1996 (fine for failure to comply with community order).]

[^{F2}(3) In paragraph (1) “the relevant date” means—

(a) the date of the coming into operation of Article 3 of the Criminal Justice (Northern Ireland) Order 1994 (increase of certain maxima); or

(b) where the sums specified in a provision mentioned in paragraph (2) have been substituted by an order under paragraph (1), the date of that order.]

[^{F2}(4) The Secretary of State may by order amend a statutory provision specifying a sum to which this paragraph applies so as to substitute for that sum such other sum as appears to him—

(a) to be justified by a change in the value of money appearing to him to have taken place since the last occasion on which the sum in question was fixed; or

Changes to legislation: The Fines and Penalties (Northern Ireland) Order 1984, Section 17 is up to date with all changes known to be in force on or before 10 May 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](#)

- (b) to be appropriate to take account of an order which has been made or is proposed to be made altering the statutory maximum or, as the case may be, the standard scale.
- (5) Paragraph (4) applies to—
 - (a) any sum which is specified as—
 - (i) the maximum fine which may be imposed on summary conviction in respect of an offence punishable on indictment or on summary conviction; and
 - (ii) is higher than the statutory maximum;
 - (b) any sum which is specified as—
 - (i) the maximum fine which may be imposed on conviction of an offence punishable on summary conviction only; and
 - (ii) is higher than level 5 on the standard scale.]
- (6) An order under paragraph (1) or (4)—
 - (a) shall be subject to^{F6} negative resolution]; and
 - (b) shall not affect the punishment for an offence committed before that order comes into force.

Para.(7) rep. by 1994 NI 15

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| F1 | 1986 NI 15 |
| F2 | 1994 NI 15 |
| F3 | 1993 NI 6 |
| F4 | 1994 c.33 |
| F5 | 1996 NI 24 |
| F6 | Words in art. 17(6)(a) substituted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976) , arts. 1(2), 4(3), Sch. 2 para. 9(2) (with arts. 28-31); S.I. 2010/977, art. 1(2) |

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Changes and effects yet to be applied to :

- Instrument am (prosp) by [S.I. 1994/2795 \(N.I.\) art.26\(1\)Sch.2 para 11](#)
- Instrument am (prosp) by [1994 c. 33 s. 157\(8\)](#)
- Instrument rev. in pt. (saving) (prosp.) by [1998 c. 32 s.74\(2\)\(3\)Schs.56](#)

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

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

- art.4(6) rev (prosp) by [S.I. 1994/2795 \(N.I.\) art.26\(2\)Sch.3](#)
- arts.11131517(2)(f)(7)Sch.2 paras 3891112242829Sch.6 para 2 rev (prosp) by [S.I. 1994/2795 \(N.I.\) art.26\(2\)Sch.3](#)