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## STATUTORY INSTRUMENTS

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# 1984 No. 703

## The Fines and Penalties (Northern Ireland) Order 1984

### *Abolition of enhanced penalties for offences punishable on summary conviction only*

#### **Enhanced penalties under Acts and Order**

9.—(1) Subject to paragraph (3), this Article applies where under a relevant provision a person convicted of an offence punishable on summary conviction only—

- (a) is liable to a fine or maximum fine of one amount in the case of a first conviction and of a different amount in the case of a second or subsequent conviction; or
- (b) is liable to imprisonment for a longer term in the case of a second or subsequent conviction; or
- (c) is only liable to imprisonment in the case of a second or subsequent conviction.

(2) Where this Article applies, a person guilty of such an offence shall be liable on summary conviction—

- (a) to a fine or, as the case may be, a maximum fine of an amount not exceeding the greatest amount;
- (b) to imprisonment for a term not exceeding the longest or only term.

to which he would have been liable before this Article came into force if his conviction had satisfied the conditions required for the imposition of a fine or maximum fine of that amount or imprisonment for that term.

(3) This Article does not apply to offences under section 13 of the Criminal Law Amendment Act 1885 (brothel-keeping).

(4) In this Article “relevant provision” means a provision contained in—

- (a) an Act of the Parliament of the United Kingdom;
- (b) an Act of the Parliament of Ireland;
- (c) an Act of the Parliament of Northern Ireland;
- (d) an Order in Council under section 1(3) of the Northern Ireland (Temporary Provisions) Act 1972; or
- (e) an Order in Council under Schedule 1 to the Northern Ireland Act 1974.

**Changes to legislation:**

The Fines and Penalties (Northern Ireland) Order 1984, Section 9 is up to date with all changes known to be in force on or before 25 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.

[View outstanding changes](#)

**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](#)