
STATUTORY INSTRUMENTS

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.

Enhanced penalties under instruments

10.—(1) This Article applies where a relevant provision (however framed or worded) confers power by instrument to authorise with respect to an offence punishable on summary conviction only (whether or not created by the instrument)—

- (a) 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) to imprisonment for a longer term in the case of a second or subsequent conviction; or
- (c) to imprisonment only in the case of a second or subsequent conviction.

Changes to legislation: *The Fines and Penalties (Northern Ireland) Order 1984, Abolition of enhanced penalties for offences punishable on summary conviction only is up to date with all changes known to be in force on or before 10 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. (See end of Document for details) [View outstanding changes](#)*

- (2) Any such relevant provision shall have effect as if it conferred power by instrument to authorise with respect to any such offence—
- (a) a fine or, as the case may be, a maximum fine of an amount not exceeding the greatest amount;
 - (b) imprisonment for a term not exceeding the longest or only term, which could have been authorised before this Article came into force.
- (3) In this Article “relevant provision” has the same meaning as in Article 9.

Changes to legislation:

The Fines and Penalties (Northern Ireland) Order 1984, Abolition of enhanced penalties for offences punishable on summary conviction only is up to date with all changes known to be in force on or before 10 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.

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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](#)