
STATUTORY INSTRUMENTS

1994 No. 2795

The Criminal Justice (Northern Ireland) Order 1994

PART II

FINES AND PENALTIES

Financial and other penalties

Fines on companies

5.—(1) After section 35(4) of the Criminal Justice Act (Northern Ireland) 1945⁽¹⁾ (powers of Crown Court or county courts in relation to fines and forfeited recognizances) there shall be inserted—

“(4A) Where—

- (a) the Crown Court has imposed a fine on a company; and
- (b) the court has issued a warrant of distress under section 3 of the Fines Act (Ireland) 1851 for the purpose of levying the amount of the fine; and
- (c) it appears on the return to the warrant that the money and goods of the company are insufficient to satisfy the amount of the fine with the costs and charges of levying the same,

the chief clerk may make an application in relation to the company under Article 22 or 104 of the Insolvency (Northern Ireland) Order 1989 (administration or winding up).”.

(2) After Article 92 of the Magistrates' Courts (Northern Ireland) Order 1981⁽²⁾ there shall be inserted—

“Fines imposed on companies

92A.—(1) Where—

- (a) a magistrates' court has, or is treated by any statutory provision as having, adjudged a company by a conviction to pay a sum; and
- (b) the court has issued a warrant of distress under Article 92(1)(a) for the purpose of levying the sum; and
- (c) it appears on the return to the warrant that the money and goods of the company are insufficient to satisfy the sum with the costs and charges of levying the same,

the clerk of petty sessions may make an application in relation to the company under Article 22 or 104 of the Insolvency (Northern Ireland) Order 1989 (administration or winding up).”.

(1) 1945 c. 15 (N.I.)
(2) 1981 NI 26

Status: *This is the original version (as it was originally made).*
