

Status: Point in time view as at 01/01/2010.

Changes to legislation: Criminal Justice and Public Order Act 1994, SCHEDULE 8 is up to date with all changes known to be in force on or before 02 June 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)

SCHEDULE 8

Section 157.

INCREASE IN PENALTIES

Commencement Information

- II** Sch. 8 wholly in force at 3.2.1995; Sch. 8 not in force at Royal Assent see s. 172; Sch. 8 in force at 3.2.1995 subject to savings by S.I. 1995/127, art. 2(1), Sch. 1 (with art. 3)

PART I

INCREASE OF FINES FOR CERTAIN SEA FISHERIES OFFENCES

(1) Enactment creating offence	(2) Penalty enactment	(3) Old maximum fine	(4) New maximum fine
SEA FISHERIES (SHELLFISH) ACT 1967 (c.83).			
[^{F1} Offences under section 3(3) (dredging etc. for shellfish in contravention of restrictions etc. or without paying toll or royalty).]	[^{F1} Section 3(3).]	[^{F1} Level 2.]	[^{F1} Level 5.]
Offences under section 5(7) (obstruction of inspector or other person or refusal or failure to provide information to inspector etc.).	Section 5(7).	Level 3.	Level 5.
Offences under section 7(4) (fishing, dredging etc. in area where right of several fishery conferred or private oyster bed).	Section 7(4).	Level 3.	Level 5.
Offences under section 14(2) (contravention of order prohibiting the deposit or taking of shellfish, or importation of shellfish, or non-compliance	Section 14(2).	Level 4.	Level 5.

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with conditions of licences).

Offences under section 14(5) (obstruction of inspector).	Section 14(5).	Level 3.	Level 5.
Offences under section 16(1) (selling etc. of oysters between certain dates).	Section 16(1).	Level 1.	Level 4.
Offences under section 17(1) (taking and selling etc. of certain crabs).	Section 17(4).	Level 3.	Level 5.
Offences under section 17(3) (landing and selling etc. of certain lobsters).	Section 17(4).	Level 3.	Level 5.

Textual Amendments

- F1** Sch. 8 Pt. 1: entry repealed (S.) (1.8.2007) by [Aquaculture and Fisheries \(Scotland\) Act 2007 \(asp 12\)](#), ss. 41, 45, [Sch. para. 5](#) (with s. 39); S.S.I 2007/333, {art. 2(1)} (subject to arts. 3, 4)

PART II

INCREASE OF FINES FOR CERTAIN MISUSE OF DRUGS OFFENCES

Commencement Information

- I2** Sch. 8 Pt. II wholly in force at 3.2.1995; Sch. 8 Pt. II not in force at Royal Assent see s. 172; Sch. 8 Pt. II in force at 3.2.1995 subject to savings by S.I. 1995/127, art. 2(1), [Sch. 1](#) (with art. 3)

(1) Enactment creating offence	(2) Penalty enactment	(3) Old maximum fine	(4) New maximum fine
MISUSE OF DRUGS ACT 1971 (c. 38.)			
Offences under section 4(2) committed in relation to Class C drugs (production, or being concerned in the	Schedule 4, column 6.	£500	£2,500

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production of, a controlled drug).				
Offences under section 4(3) committed in relation to Class C drugs (supplying or offering to supply a controlled drug or being concerned in the doing of either activity by another).	Schedule 4, column 6.	£500		£2,500
Offences under section 5(2) committed in relation to Class B drugs (having possession of a controlled drug).	Schedule 4, column 5.	£500		£2,500
Offences under section 5(2) committed in relation to Class C drugs (having possession of a controlled drug).	Schedule 4, column 6.	£200		£1,000
Offences under section 5(3) committed in relation to Class C drugs (having possession of a controlled drug with intent to supply it to another).	Schedule 4, column 6.	£500		£2,500
Offences under section 8 committed in relation to Class C drugs (being the occupier, or concerned in the management, of premises and permitting or suffering certain activities to take place there).	Schedule 4, column 6.	£500		£2,500
Offences under section 12(6) committed in relation to Class C drugs (contravention of direction prohibiting	Schedule 4, column 6.	£500		£2,500

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practitioner etc. from possessing, supplying etc. controlled drugs).

Offences under section 13(3) committed in relation to Class C drugs (contravention of direction prohibiting practitioner etc. from prescribing, supplying etc. controlled drugs).	Schedule 4, column 6.	£500	£2,500
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PART III

INCREASE IN PENALTIES FOR CERTAIN FIREARMS OFFENCES

Commencement Information

I3 [Sch. 8 Pt. III](#) wholly in force at 3.2.1995; [Sch. 8 Pt. III](#) not in force at Royal Assent see s. 172; [Sch. 8 Pt. III](#) in force at 3.2.1995 subject to savings by [S.I. 1995/127](#), art. 2(1), [Sch. 1](#) (with art. 3)

(1) Enactment creating offence	(2) Penalty enactment	(3) Old maximum term of imprisonment	(4) New maximum term of imprisonment
FIREARMS ACT 1968 (c.27).			
Offences under section 1(1) committed in an aggravated form within the meaning of section 4(4) (possessing etc. shortened shot gun or converted firearm without firearm certificate).	Schedule 6, column 4.	5 years.	7 years.
Offences under section 1(1) in any other case (possessing etc. firearms or ammunition without firearm certificate).	Schedule 6, column 4.	3 years.	5 years.
Offences under section 2(1)	Schedule 6, column 4.	3 years.	5 years.

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(possessing etc. shot gun without shot gun certificate).				
Offences under section 3(1) (trading in firearms without being registered as a firearms dealer).	Schedule 6, column 4.	3 years.		5 years.
Offences under section 3(2) (selling firearms to person without a certificate).	Schedule 6, column 4.	3 years.		5 years.
Offences under section 3(3) (repairing, testing etc. firearm for person without a certificate).	Schedule 6, column 4.	3 years.		5 years.
Offences under section 3(5) (falsifying certificate, etc., with view to acquisition of firearm).	Schedule 6, column 4.	3 years.		5 years.
Offences under section 4(1) (shortening a shot gun).	Schedule 6, column 4.	5 years.		7 years.
Offences under section 4(3) (conversion of firearms).	Schedule 6, column 4.	5 years.		7 years.
Offences under section 5(1) (possessing or distributing prohibited weapons or ammunition).	Schedule 6, column 4.	5 years.		10 years.
Offences under section 5(1A) (possessing or distributing other prohibited weapons).	Schedule 6, column 4.	(a) On summary conviction, 3 months. (b) On conviction on indictment, 2 years.		(a) On summary conviction, 6 months. (b) On conviction on indictment, 10 years.
F2	F2	F2		F2
...
Offences under section 20(1) (trespassing with	Schedule 6, column 4.	5 years.		7 years.

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firearm other than
air weapon in a
building).

Offences under section 21(4) (contravention of provisions denying firearms to ex- prisoners and the like).	Schedule 6, column 4.	3 years.	5 years.
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Offences under section 21(5) (supplying firearms to person denied them under section 21).	Schedule 6, column 4.	3 years.	5 years.
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Offences under section 42 (failure to comply with instructions in firearm certificate when transferring firearm to person other than registered dealer; failure to report transaction to police).	Schedule 6, column 4.	3 years.	5 years.
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FIREARMS (NORTHERN IRELAND) ORDER 1981 (SI 1981/155 (NI 2))

Offences under Article 3(1) (possessing etc. firearms or ammunition without firearm certificate).	Schedule 2, column 4.	3 years.	5 years.
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Offences under Article 4(1) (trading in firearms without being registered as a firearms dealer).	Schedule 2, column 4.	3 years.	5 years.
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Offences under Article 4(2) (selling firearms to person without a certificate).	Schedule 2, column 4.	3 years.	5 years.
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Offences under Article 4(3) (repairing, testing etc. firearm for person without a certificate).	Schedule 2, column 4.	3 years.	5 years.
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Offences under Article 4(4) (falsifying certificate, etc., with view to acquisition of firearm).	Schedule 2, column 4.	3 years.	5 years.
Offences under Article 5(1) (shortening a shot gun).	Schedule 2, column 4.	5 years.	7 years.
Offences under Article 5(3) (conversion of firearms).	Schedule 2, column 4.	5 years.	7 years.
Offences under Article 6(1) (possessing or distributing prohibited weapons or ammunition).	Schedule 2, column 4.	5 years.	10 years.
Offences under Article 6(1A) (possessing or distributing other prohibited weapons).	Schedule 2, column 4.	(a) On summary conviction, 3 months. (b) On conviction on indictment, 2 years.	(a) On summary conviction, 6 months. (b) On conviction on indictment, 10 years.
Offences under Article 22(5) (contravention of provisions denying firearms to ex-prisoners and the like).	Schedule 2, column 4.	3 years.	5 years.
Offences under Article 22(7) (supplying firearms to person denied them under Article 22).	Schedule 2, column 4.	3 years.	5 years.
Offences under Article 43 (failure to comply with instructions in firearm certificate when transferring firearm to person other than registered dealer; failure to report transaction to police).	Schedule 2, column 4.	3 years.	5 years.

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Textual Amendments

- F2** Sch. 8 Pt. 3 Table: entry relating to "offences under section 19" repealed (1.10.2007) by [Violent Crime Reduction Act 2006 \(c. 38\)](#), ss. 65, 66(2)(3), [Sch. 5](#); S.I. 2007/2518, [art. 3\(d\)](#)

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