



Criminal Justice Act 2003

2003 CHAPTER 44

PART 3

CONDITIONAL CAUTIONS

[^{F1}23A Financial penalties

- (1) A condition that the offender pay a financial penalty (a “financial penalty condition”) may not be attached to a conditional caution given in respect of an offence unless the offence is one that is prescribed, or of a description prescribed, in an order made by the Secretary of State.
- (2) An order under subsection (1) must prescribe, in respect of each offence or description of offence in the order, the maximum amount of the penalty that may be specified under subsection (5)(a).
- (3) The amount that may be prescribed in respect of any offence [^{F2}(other than one to which subsection (4A) applies)] must not exceed—
 - (a) one quarter of the amount of the maximum fine for which a person is liable on summary conviction of the offence, or
 - (b) £250,whichever is the lower.
- (4) The Secretary of State may by order amend subsection (3) by—
 - (a) substituting a different fraction in paragraph (a);
 - (b) substituting a different figure in paragraph (b).

[In the case of an offence for which a person is liable on summary conviction to a fine of ^{F3}(4A) an unlimited amount, the amount that may be prescribed must not exceed the amount for the time being specified in subsection (3)(b).]

- (5) Where a financial penalty condition is attached to a conditional caution, [^{F4}the condition must] specify—
 - (a) the amount of the penalty,

Status: Point in time view as at 12/03/2015.

Changes to legislation: Criminal Justice Act 2003, Section 23A is up to date with all changes known to be in force on or before 22 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)

[^{F5}(b) the person to whom the financial penalty is to be paid and how it may be paid.]

(6) To comply with the condition, the offender must pay the penalty [^{F6}in accordance with the provision specified under subsection (5)(b)].

[Where a financial penalty is (in accordance with the provision specified under ^{F7}(6A) subsection (5)(b)) paid to a person other than a designated officer for a local justice area, the person to whom it is paid must give the payment to such an officer.]

(7) ^{F8}

(8) ^{F8}

(9) ^{F8}]

Textual Amendments

- F1** S. 23A inserted (8.7.2009 for specified purposes, 16.11.2009 for specified purposes, 8.4.2013 in so far as not already in force) by [Police and Justice Act 2006 \(c. 48\)](#), **ss. 17(4)**, 53(1); S.I. 2009/1679, art. 2(1)(4); S.I. 2009/2774, art. 2(1)(3); S.I. 2013/592, art. 2(1)
- F2** Words in s. 23A(3) inserted (12.3.2015) by [The Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(Fines on Summary Conviction\) Regulations 2015 \(S.I. 2015/664\)](#), reg. 1(1), **Sch. 5 para. 10(2)** (with reg. 5(1))
- F3** S. 23A(4A) inserted (12.3.2015) by [The Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(Fines on Summary Conviction\) Regulations 2015 \(S.I. 2015/664\)](#), reg. 1(1), **Sch. 5 para. 10(3)** (with reg. 5(1))
- F4** Words in s. 23A(5) substituted (8.4.2013) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), **ss. 133(4)**, 151(1); S.I. 2013/453, art. 4(c)
- F5** S. 23A(5)(b) substituted for s. 23A(5)(b)(c) (8.7.2009 for specified purposes, 8.4.2013 in so far as not already in force) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), s. 153(7), **Sch. 26 para. 60(2)**; S.I. 2009/1678, art. 3(b)(ii); S.I. 2013/616, art. 2(c)(ii)
- F6** Words in s. 23A(6) substituted (8.7.2009 for specified purposes, 8.4.2013 in so far as not already in force) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), s. 153(7), **Sch. 26 para. 60(3)**; S.I. 2009/1678, art. 3(b)(ii); S.I. 2013/616, art. 2(c)(ii)
- F7** S. 23A(6A) inserted (8.7.2009 for specified purposes, 8.4.2013 in so far as not already in force) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), s. 153(7), **Sch. 26 para. 60(4)**; S.I. 2009/1678, art. 3(b)(ii); S.I. 2013/616, art. 2(c)(ii)
- F8** S. 23A(7)-(9) repealed (8.7.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), ss. 148, 149, 153, **Sch. 26 para. 60(5)**, **Sch. 28 Pt. 4**; S.I. 2009/1678, **art. 3(c)**

Status:

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Changes to legislation:

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