

## 1984 No. 253

## FINES

**Criminal Penalties etc. (Increase) Order (Northern Ireland) 1984**

*Made* . . . . . 19th July 1984

*Coming into operation* . . . . . 1st September 1984

*To be laid before Parliament.*

Whereas it appears to me that there has been a change in the value of money since 29th July 1977 justifying, as regards the sums specified in the provisions mentioned in Article 17(2) of the Fines and Penalties (Northern Ireland) Order 1984(a), the sums substituted therefor by this Order:

Now, therefore, I, in pursuance of Article 17(1) of that Order, hereby make the following Order:—

*Citation, commencement and interpretation*

1.—(1) This Order may be cited as the Criminal Penalties etc. (Increase) Order (Northern Ireland) 1984 and, subject to paragraph (2), shall come into operation on 1st September 1984.

(2) This Order shall not affect the amount of any fine imposed, nor the amount of any compensation order made, in respect of any offence committed before 1st September 1984 nor the amount of any fine imposed in respect of any act or omission taking place before that date.

(3) In this Order “the principal Order” means the Fines and Penalties (Northern Ireland) Order 1984.

*Increase of penalties and other sums*

2.—(1) For the sums specified in the provisions set out in column 1 of Schedule 1 and generally described in column 2 of that Schedule, the present amounts of which are set out in column 3, there shall be substituted the sums set out in column 4.

(2) For the sums specified in the Table set out in paragraph 1 of Schedule 3 to the Magistrates’ Courts (Northern Ireland) Order 1981(b), being sums for the purpose of determining the maximum periods of imprisonment applicable in default of payment in respect of certain orders of a magistrates’ court, the present amounts of which are set out in column 1 of Schedule 2 and which relate to the maximum period of imprisonment set out in column 3 of that Schedule, there shall be substituted the sums set out in column 2.

(3) For the sums specified in the provisions set out in column 1 of Schedule 3 (which provisions are mentioned in Schedules 4 and 5 to the principal Order) and generally described in column 2 of that Schedule, the present amounts of which are set out in column 3, there shall be substituted the sums set out in column 4.

(4) For the sums specified in Article 5(2) of the principal Order, which are set out in column 2 of Schedule 4 and which represent the amounts of the fines on the levels of the standard scale set out in column 1 of that Schedule, there shall be substituted the sums set out in column 3.

Northern Ireland Office  
19th July 1984

*James Prior*  
One of Her Majesty’s Principal  
Secretaries of State

(a) S.I. 1984/703 (N.I. 3)

(b) S.I. 1981/1675 (N.I. 26)

## SCHEDULE 1

Article 2(1)

## SUMS SPECIFIED IN PROVISIONS MENTIONED IN ARTICLE 17(2) OF THE PRINCIPAL ORDER WHICH ARE INCREASED BY ARTICLE 2(1)

1 <i>Provision</i>	2 <i>General description of sum</i>	3 <i>Present amount of sum</i>	4 <i>New amount of sum</i>
1. Article 4 of the principal Order.	The "prescribed sum" i.e. the maximum fine on summary conviction of an offence also punishable on conviction on indictment.	£1,000	£2,000
2. Section 72(1) of the Children and Young Persons Act (Northern Ireland) 1968(a).	(a) Maximum aggregate of fine and costs on conviction by a court of summary jurisdiction of child.	£50	£100
	(b) Maximum aggregate of fine and costs on conviction by a court of summary jurisdiction of young person.	£200	£400
3. Article 3(5) of the Criminal Justice (Northern Ireland) Order 1980(b).	Maximum amount of compensation order made by a magistrates' court.	£1,000	£2,000
4. Article 54(1)(b) of The Magistrates' Courts (Northern Ireland) Order 1981.	Maximum fine for an offence punishable on summary conviction only where enactment does not authorise fine.	£200	£400

(a) 1968 c. 34 (N.I.) as amended by Article 15 of the principal Order

(b) S.I. 1980/704 (N.I. 6)

## SCHEDULE 2

Article 2(2)

## SUMS SPECIFIED IN TABLE OF IMPRISONMENT FOR FINE DEFAULT WHICH ARE INCREASED BY ARTICLE 2(2)

1 <i>Present amount of sums</i>	2 <i>New amount of sums</i>	3 <i>Maximum period of imprisonment, etc. applicable to sum</i>
An amount not exceeding £25.	An amount not exceeding £50.	7 days
An amount exceeding £25 but not exceeding £50.	An amount exceeding £50 but not exceeding £100.	14 days
An amount exceeding £50 but not exceeding £200.	An amount exceeding £100 but not exceeding £400.	30 days
An amount exceeding £200 but not exceeding £500.	An amount exceeding £400 but not exceeding £1,000.	60 days
An amount exceeding £500 but not exceeding £1,000.	An amount exceeding £1,000 but not exceeding £2,000.	90 days
An amount exceeding £1,000 but not exceeding £2,500.	An amount exceeding £2,000 but not exceeding £5,000.	6 months
An amount exceeding £2,500 but not exceeding £5,000.	An amount exceeding £5,000 but not exceeding £10,000.	9 months
An amount exceeding £5,000.	An amount exceeding £10,000.	12 months

## SCHEDULE 3

Article 2(3)

## SUMS SPECIFIED IN SCHEDULES 4 AND 5 TO THE PRINCIPAL ORDER WHICH ARE INCREASED BY ARTICLE 2(3)

1 <i>Provision</i>	2 <i>General description of sum</i>	3 <i>Present amount of sum</i>	4 <i>New amount of sum</i>
1. Section 4(3) of the Probation Act (Northern Ireland) 1950(a).	Maximum fine for failure to comply with a probation order.	£200	£400
2. Section 26(1) of the Summary Jurisdiction Act (Northern Ireland) 1953(b).	Maximum sum in cases where an offence of wilful or malicious damage may be dealt with summarily if the amount of damage does not exceed the maximum sum.	£200	£400
3. Section 20(1) of the Coroners Act (Northern Ireland) 1959(c).	Maximum fine for failure to answer summons to serve as a juror or to give evidence.	£200	£400
4. Section 20(2) of the Coroners Act (Northern Ireland) 1959.	Maximum fine for refusal to serve as a juror or to give evidence.	£200	£400
5. Section 34 of the Coroners Act (Northern Ireland) 1959.	Maximum fine for contempt in coroners' court.	£500	£1,000
6. Article 9(3) and (5)(a) of the Treatment of Offenders (Northern Ireland) Order 1976(d).	Maximum fine for failure to comply with community service order.	£200	£400
7. Article 55(2) of the County Courts (Northern Ireland) Order 1980(e).	Maximum fine for contempt of court.	£500	£1,000
8. Article 122(2)(b) and (3) of the Judgments Enforcement (Northern Ireland) Order 1981(f).	Maximum fine for failure to comply with attachment of earnings order.	£1,000	£2,000
9. Section 14(2) of the Contempt of Court Act 1981(g).	Maximum fine for contempt in an inferior court.	£500	£1,000
10. Article 112(6)(a) of the Magistrates' Courts (Northern Ireland) Order 1981.	Maximum fine for disobedience of orders other than for payment of money.	£1,000	£2,000

(a) 1950 c. 7 (N.I.)

(b) 1953 c. 3 (N.I.)

(c) 1959 c. 15 (N.I.)

(d) S.I. 1976/226 (N.I. 4)

(e) S.I. 1980/397 (N.I. 3)

(f) S.I. 1981/226 (N.I. 6)

(g) 1981 c. 49

1 <i>Provision</i>	2 <i>General description of sum</i>	3 <i>Present amount of sum</i>	4 <i>New amount of sum</i>
11. Article 120(1) of the Magistrates' Courts (Northern Ireland) Order 1981.	Maximum fine for refusal to give evidence.	£500	£1,000
12. Article 160(2) of the Magistrates' Courts (Northern Ireland) Order 1981.	Maximum fine for misbehaviour in court.	£500	£1,000

THE AMOUNTS OF THE FINES ON THE STANDARD SCALE  
WHICH ARE INCREASED BY ARTICLE 2(4)

1 <i>Level on the scale</i>	2 <i>Present amount of fine</i>	3 <i>New amount of fine</i>
1	£25	£50
2	£50	£100
3	£200	£400
4	£500	£1,000
5	£1,000	£2,000

## EXPLANATORY NOTE

*(This note is not part of the Order.)*

By virtue of Article 17(1) of the Fines and Penalties (Northern Ireland) Order 1984 (the principal Order), the Secretary of State may by order substitute for the sums specified in the provisions mentioned in Article 17(2) of the principal Order such other sums as appear to him justified by the change in the value of money since "the relevant date". Under Article 17(3) of the principal Order the relevant date in relation to the first order made under Article 17(1) is 29th July 1977. This order, the first to be so made, doubles the amounts of all the sums specified in the provisions mentioned in Article 17(2) and comes into force on 1st September 1984.

The most important sums doubled by this order (with new amounts in brackets) are the "prescribed sum" i.e. the maximum fine on summary conviction of an offence also triable on indictment (£2,000); the fines on the standard scale (level 1 £50, level 2 £100, level 3 £400, level 4 £1,000 and level 5 £2,000); the maximum fine that a court of summary jurisdiction may impose on a young person (£400) and a child (£100); and the maximum amount of compensation that a magistrates' court may order (£2,000). The order also doubles the sums in the table in paragraph 1 of Schedule 3 to the Magistrates' Courts (Northern Ireland) Order 1981 prescribing the periods of imprisonment that may be imposed in default of payment of a fine; and it doubles certain maximum fines for contempt of court or failure to comply with certain court orders, such as a probation order.

This order places Northern Ireland fine maxima on levels corresponding to those introduced for the rest of the United Kingdom with effect from 1st May 1984.