



# Criminal Justice Act 1988

## 1988 CHAPTER 33

### PART V

#### JURISDICTION, IMPRISONMENT, FINES, ETC.

##### *Fines and other pecuniary penalties—miscellaneous*

63 ..... <sup>F1</sup>

#### Textual Amendments

**F1** Ss. 37(2), 63, 68 repealed by Road Traffic (Consequential Provisions) Act 1988 (c. 54, SIF 107:1), ss. 3, 5, Sch. 1, Sch. 4 paras. 1, 2

#### 64 Increase of maximum fine under s.32 of the Game Act 1831.

- (1) In section 32 of the Game Act 1831 (persons found armed using violence etc.) for “level 1” there shall be substituted “level 4”.
- (2) Nothing in this section shall affect the punishment for an offence committed before this section comes into force.

#### 65 Powers of civilian fine enforcement officers.

- (1) The following paragraph shall be inserted after the first paragraph of subsection (2) of section 125 (warrants) of the <sup>M1</sup>Magistrates’ Courts Act 1980—

“A warrant of arrest, warrant of commitment or warrant of distress which is issued by a justice of the peace for the enforcement of a fine may also be executed by a person who—

- (a) is employed by an authority of a prescribed class;
- (b) is authorised in the prescribed manner to execute such warrants; and

*Status: Point in time view as at 01/04/2000.*

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- (c) is acting within the area for which the authority that employs him performs its functions.”.
- (2) In section 136(2)(a) of that Act (by virtue of which a warrant for the detention of a fine defaulter overnight in a police station may be executed by any police constable) after the word “constable” there shall be inserted the words “or any person who—
- (a) is employed by an authority of a prescribed class;  
 (b) is authorised in the prescribed manner to execute such warrants; and  
 (c) is acting within the area for which the authority that employs him performs its functions.”.

**Marginal Citations**

**M1** 1980 c. 43.

**66 Fisheries offences on River Tweed.**

- (1) Section 38 of the <sup>M2</sup>Fisheries Act 1981 (which applied certain enactments to so much of the River Tweed as is situated outwith Scotland as if it were situated in Scotland) shall be deemed not to have been excluded from the operation of section 38(1) of the <sup>M3</sup>Criminal Justice Act 1982 (general increase of fines for summary offences) by paragraph (c) of that subsection (exclusion of offences where fine or maximum fine altered since 29th July 1977).
- (2) Nothing in this section shall affect the punishment for an offence committed before this section comes into force.

**Marginal Citations**

**M2** 1981 c. 29.

**M3** 1982 c. 48.

**67 Fines imposed and recognizances forfeited by coroners.**

- (1) A fine imposed by a coroner, including a fine so imposed before this section comes into force, shall be treated for the purpose of its collection, enforcement and remission as having been imposed by the magistrates’ court for the area in which the coroner’s court was held, and the coroner shall as soon as practicable after imposing the fine give particulars of the fine to the [F2]justices’ chief executive for] that court.
- (2) A coroner shall proceed in the like manner under subsection (1) above in relation to a recognizance forfeited at an inquest held before him, including a recognizance so forfeited before this section comes into force, as if he had imposed a fine upon the person forfeiting that recognizance, and subsection (1) above shall apply accordingly.

**Textual Amendments**

**F2** Words in s. 67(1) substituted (1.4.2001) by 1999 c. 22, s. 90, **Sch. 13 para. 138** (with **Sch. 14 para 7(2)**); S.I. 2001/916, **art. 2(a)(ii)** (with **Sch. 2 para. 2**)

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- (2) A coroner shall proceed in the like manner under subsection (1) above in relation to a recognizance forfeited at an inquest held before him, including a recognizance so forfeited before this section comes into force, as if he had imposed a fine upon the person forfeiting that recognizance, and subsection (1) above shall apply accordingly.

**68** ..... F3

**Textual Amendments**

**F3** Ss. 37(2), 63, 68 repealed by Road Traffic (Consequential Provisions) Act 1988 (c. 54, SIF 107:1), ss. 3, 5, Sch. 1, Sch. 4 paras. 1, 2

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