



Criminal Justice Act 1991

1991 CHAPTER 53

PART I

POWERS OF COURTS TO DEAL WITH OFFENDERS

Financial penalties

17 Increase of certain maxima.

- (1) In section 37 (standard scale of fines) of the ^{M1}Criminal Justice Act 1982 (“the 1982 Act”) and section 289G of the ^{M2}Criminal Procedure (Scotland) Act 1975 (corresponding Scottish provision), for subsection (2) there shall be substituted the following subsection—

“(2) The standard scale is shown below—

<i>Level on the scale</i>	<i>Amount of fine</i>
1	£200
2	£500
3	£1,000
4	£2,500
5	£5,000”.

- (2) Part I of the ^{M3}Magistrates’ Courts Act 1980 (“the 1980 Act”) shall be amended as follows—
- (a) in section 24(3) and (4) (maximum fine on summary conviction of young person for indictable offence) ^{F1}. . . , for “£400” there shall be substituted “£1,000”;
 - (b) in section 24(4) (maximum fine on summary conviction of child for indictable offence) ^{F1}. . . , for “£100” there shall be substituted “£250”; and

Status: Point in time view as at 03/12/2012.

Changes to legislation: Criminal Justice Act 1991, Cross Heading: Financial penalties is up to date with all changes known to be in force on or before 18 August 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)

- (c) in section 32(9) (maximum fine on summary conviction of offence triable either way), for “c£2,000” there shall be substituted “£5,000”;
- and in section 289B(6) of the Criminal Procedure (Scotland) Act 1975 (interpretation), in the definition of “prescribed sum”, for “£2,000” there shall be substituted “£5,000”.

(3) Schedule 4 to this Act shall have effect as follows—

- (a) in each of the provisions mentioned in column 1 of Part I (the general description of which is given in column 2), for the amount specified in column 3 there shall be substituted the amount specified in column 4;
- (b) in each of the provisions mentioned in column 1 of Part II (the general description of which is given in column 2), for the amount specified in column 3 there shall be substituted the level on the standard scale specified in column 4;
- (c) in each of the provisions mentioned in column 1 of Part III (the general description of which is given in column 2), for the amount specified in column 3 there shall be substituted a reference to the statutory maximum;
- (d) the provisions set out in Part IV shall be substituted for Schedule 6A to the 1980 Act (fines that may be altered under section 143); and
- (e) ^{F2}

Extent Information	
E1	S. 17 extends to England and Wales; s. 17(1)(2) also extend to Scotland see s. 102(4)(5)
Textual Amendments	
F1	S. 17(2)(a)(b) repealed (25.8.2000) by 2000 c. 6, ss. 165, 168(1), Sch. 12 Pt. I (with Sch. 11 paras. 1, 2)
F2	S. 17(3)(e) repealed (20.9.1993) by 1993 c. 36, ss. 65(3), 79(14), Sch. 3 para. 1(1), Sch. 6 Pt. I; S.I. 1993/1968, art. 2(2), Sch. 2, Appendix.
Modifications etc. (not altering text)	
C1	S. 17(1)(2) restricted (S.) (1.9.1992) by S.I. 1992/333, art. 4A (as inserted by S.I. 1992/2118, art. 4)
Commencement Information	
I1	S. 17 wholly in force at 1.10.1992 see s. 102(2)(3) and S.I. 1992/333, art. 2(2)
Marginal Citations	
M1	1982 c. 48.
M2	1975 c. 21.
M3	1980 c. 43.

^{F3}18

Textual Amendments	
F3	S. 18 repealed (25.8.2000) by 2000 c. 6, ss. 165, 168(1), Sch. 12 Pt. I (with Sch. 11 paras. 1, 2)

^{F4}19

Status: Point in time view as at 03/12/2012.

Changes to legislation: Criminal Justice Act 1991, Cross Heading: Financial penalties is up to date with all changes known to be in force on or before 18 August 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)

Textual Amendments

F4 S. 19 repealed (20.9.1993) by 1993 c. 36, ss. 65(2)(4), 79(14), **Sch. 6 Pt.1**; S.I. 1993/1968, art. 2(2), **Sch.2**, Appendix.

F5 20

Textual Amendments

F5 S. 20 repealed (25.8.2000) by 2000 c. 6, ss. 165, 168(1), **Sch. 12 Pt. I** (with Sch. 11 paras. 1, 2)

[**F6** 20A False statements as to financial circumstances.

(1) A person who is charged with an offence who, in furnishing a statement of his financial circumstances in response to an official request—

- (a) makes a statement which he knows to be false in a material particular;
- (b) recklessly furnishes a statement which is false in a material particular; or
- (c) knowingly fails to disclose any material fact,

shall be liable on summary conviction to imprisonment for a term not exceeding three months or a fine not exceeding level 4 on the standard scale or both.

[A person who is charged with an offence who fails to furnish a statement of his
F7(1A) financial circumstances in response to an official request shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.]

(2) For the purposes of this section an official request is a request which—

- (a) is made by the [**F8**designated officer for] the magistrates' court or the appropriate officer of the Crown Court, as the case may be; and
- (b) is expressed to be made for informing the court, in the event of his being convicted, of his financial circumstances for the purpose of determining the amount of any fine the court may impose [**F9**and how it should be paid].

(3) Proceedings in respect of an offence under this section may, notwithstanding anything in section 127(1) of the 1980 Act (limitation of time), be commenced at any time within two years from the date of the commission of the offence or within six months from its first discovery by the prosecutor, whichever period expires the earlier.]

Textual Amendments

F6 S. 20A inserted (3.2.1995) by 1994 c. 33, s. 168(1), **Sch. 9 para. 43**; S.I. 1995/127, art. 2(1), **Sch. 1** Appendix A

F7 S. 20A(1A) inserted (5.4.2004) by Courts Act 2003 (c. 39), ss. 95(2), 110; S.I. 2004/174, art. 3

F8 Words in s. 20A(2)(a) substituted (1.4.2005) by Courts Act 2003 (c. 39), s. 109(1), **Sch. 8 para. 350**; S.I. 2005/910, art. 3

F9 Words in s. 20A(2)(b) inserted (5.4.2004) by Courts Act 2003 (c. 39), ss. 95(3), 110; S.I. 2004/174, art. 3

Status:

Point in time view as at 03/12/2012.

Changes to legislation:

Criminal Justice Act 1991, Cross Heading: Financial penalties is up to date with all changes known to be in force on or before 18 August 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.