



# Criminal Justice and Public Order Act 1994

## 1994 CHAPTER 33

### PART XII

#### MISCELLANEOUS AND GENERAL

##### *Increase in certain penalties*

#### **157 Increase in penalties for certain offences**

- (1) The enactments specified in column 2 of Part I of Schedule 8 to this Act which relate to the maximum fines for the offences mentioned (and broadly described) in column 1 of that Part of that Schedule shall have effect as if the maximum fine that may be imposed on summary conviction of any offence so mentioned were a fine not exceeding the amount specified in column 4 of that Part of that Schedule instead of a fine of an amount specified in column 3 of that Part of that Schedule.
- (2) For the amount of the maximum fine specified in column 3 of Part II of Schedule 8 to this Act that may be imposed under the enactments specified in column 2 of that Part of that Schedule on summary conviction of the offences mentioned (and broadly described) in column 1 of that Part of that Schedule there shall be substituted the amount specified in column 4 of that Part of that Schedule.
- (3) For the maximum term of imprisonment specified in column 3 of Part III of Schedule 8 to this Act that may be imposed under the enactments specified in column 2 of that Part of that Schedule on conviction on indictment, or on conviction on indictment or summary conviction, of the offences mentioned (and broadly described) in column 1 of that Part of that Schedule there shall be substituted the maximum term of imprisonment specified in column 4 of that Part of that Schedule.
- (4) Any reference in column 2 of Part II of Schedule 8 to this Act to a numbered column of Schedule 4 to the Misuse of Drugs Act 1971 is a reference to the column of that number construed with section 25(2)(b) of that Act.

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*Status: This is the original version (as it was originally enacted).*

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- (5) Any reference in column 2 of Part III of Schedule 8 to this Act—
- (a) to a numbered column of Schedule 6 to the Firearms Act 1968 is a reference to the column of that number construed with section 51(2)(b) of that Act; or
  - (b) to a numbered column of Schedule 2 to the Firearms (Northern Ireland) Order 1981 is a reference to the column of that number construed with Article 52(2)(b) of that Order.
- (6) Section 143 of the Magistrates' Courts Act 1980 (power of Secretary of State by order to alter sums specified in certain provisions) shall have effect with the insertion, in subsection (2), after paragraph (p), of the following paragraph—
- “(q) column 5 or 6 of Schedule 4 to the Misuse of Drugs Act 1971 so far as the column in question relates to the offences under provisions of that Act specified in column 1 of that Schedule in respect of which the maximum fines were increased by Part II of Schedule 8 to the Criminal Justice and Public Order Act 1994.”
- (7) Section 289D of the Criminal Procedure (Scotland) Act 1975 (power of Secretary of State by order to alter sums specified in certain provisions of Scots law) shall have effect with the insertion, in subsection (1A), after paragraph (e), of the following paragraph—
- “(ee) column 5 or 6 of Schedule 4 to the Misuse of Drugs Act 1971 so far as the column in question relates to the offences under provisions of that Act specified in column 1 of that Schedule in respect of which the maximum fines were increased by Part II of Schedule 8 to the Criminal Justice and Public Order Act 1994.”
- (8) Article 17 of the Fines and Penalties (Northern Ireland) Order 1984 (power of Secretary of State by order to alter sums specified in certain provisions of the law of Northern Ireland) shall have effect with the insertion, in paragraph (2), after sub-paragraph (j) of the following sub-paragraph—
- “(k) column 5 or 6 of Schedule 4 to the Misuse of Drugs Act 1971 so far as the column in question relates to the offences under provisions of that Act specified in column 1 of that Schedule in respect of which the maximum fines were increased by Part II of Schedule 8 to the Criminal Justice and Public Order Act 1994.”
- (9) Subsections (1), (2) and (3) above do not apply to an offence committed before this section comes into force.