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*Status: Point in time view as at 12/04/2010.*

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## STATUTORY INSTRUMENTS

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# 1984 No. 703 (N.I. 3)

## The Fines and Penalties (Northern Ireland) Order 1984

- - - - - 18th May 1984

### **Modifications etc. (not altering text)**

- C1** Order: functions transferred from Secretary of State to Department of Justice (12.4.2010) by [Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), arts. 1(2), 4(1)(2), [Sch. 1](#) (with arts. 28-31); [S.I. 2010/977](#), [art. 1\(2\)](#)

### *Introductory*

#### **Title and commencement**

- 1.—(1) This Order may be cited as the Fines and Penalties (Northern Ireland) Order 1984.  
(2) This Order shall come into operation on the expiration of 2 months from the day on which it is made.

#### **Interpretation**

- 2.—(1) The Interpretation Act (Northern Ireland) 1954 shall apply to Article 1 and the following provisions of this Order as it applies to a Measure of the Northern Ireland Assembly.  
(2) In this Order—  
“fine” includes a pecuniary penalty but does not include a pecuniary forfeiture or pecuniary compensation;  
“statutory provision” has the meaning assigned to it by section 1(f) of the Interpretation Act (Northern Ireland) 1954.

### *Offences punishable on conviction on indictment*

#### **Fines on conviction on indictment**

3. Where a person convicted on indictment of any offence (whether punishable only on conviction on indictment or either on conviction on indictment or on summary conviction) would, apart from this Article, be liable to a fine of, or not exceeding, a specified amount, he shall by virtue of this Article be liable to a fine of any amount.

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## *Offences punishable on conviction on indictment or on summary conviction*

### **Fines on summary conviction**

4.—(1) For any offence punishable on conviction on indictment or on summary conviction being an offence under a relevant provision, the maximum fine which may be imposed on summary conviction shall by virtue of this paragraph be the prescribed sum unless the offence is one for which by virtue of a statutory provision other than this paragraph a larger fine may be imposed on summary conviction.

(2) In the Magistrates' Courts (Northern Ireland) Order 1981—

(a) in Article 46(4) (maximum fine on summary conviction of an indictable offence tried summarily) for “£1,000” there shall be substituted the words “ the prescribed sum within the meaning of Article 4 of the Fines and Penalties (Northern Ireland) Order 1984 ”;

(b) in Article 54 (fine in lieu of imprisonment)—

(i) in paragraph (1) for the words “a summary offence” there shall be substituted the words “ an offence ”;

(ii) for the words “not exceeding £200” there shall be substituted the words—  
“which—

(a) for an offence punishable on conviction on indictment or on summary conviction, shall not exceed the prescribed sum within the meaning of Article 4 of the Fines and Penalties (Northern Ireland) Order 1984; and

(b) for an offence punishable on summary conviction only, shall—

(i) not exceed £200; and

(ii) not be of such an amount as would subject the offender, in default of payment of fine, to a longer term of imprisonment or detention than the term to which he is liable on conviction of the offence”;

(iii) paragraph (2) shall be omitted.

(3) Where, by virtue of any relevant provision, a person summarily convicted of an offence punishable on conviction on indictment or on summary conviction would, apart from this Article, be liable to a maximum fine of one amount in the case of a first conviction and of a different amount in the case of a second or subsequent conviction, paragraph (1) shall apply irrespective of whether the conviction is a first, second or subsequent one.

(4) Paragraph (1) shall not affect so much of any relevant provision as (in whatever words) makes a person liable on summary conviction to a fine of a specified amount or to a fine not exceeding a specified amount for each period of a specified length during which a continuing offence is continued.

(5) Where, as regards any offence punishable on conviction on indictment or on summary conviction, there is under any statutory provision (however framed or worded) a power by instrument to restrict the amount of the fine which on summary conviction can be imposed in respect of that offence—

(a) paragraph (1) shall not affect that power or override any restriction imposed in exercise of that power; and

(b) the amount to which that fine may be restricted in exercise of that power shall be any amount less than the maximum fine which could be imposed on summary conviction in respect of the offence apart from any restriction so imposed.

*Para.(6) rep. by 1994 NI 15*

(7) Where any relevant provision provides that the maximum fine which may be imposed on summary conviction shall not exceed the statutory maximum, statutory maximum shall be construed as referring to the prescribed sum within the meaning of this Article;<sup>F1</sup> . . .

(8) In this Article—

“the prescribed sum” means<sup>F1</sup> £5,000] or such sum as is for the time being substituted in this definition by an order under Article 17;

“relevant provision” means a provision contained in—

- (a) an Act of the Parliament of the United Kingdom;
- (b) an Act of the Parliament of Ireland;
- (c) an Act of the Parliament of Northern Ireland;
- (d) an Order in Council under section 1(3) of the Northern Ireland (Temporary Provisions) Act 1972; or
- (e) an Order in Council under Schedule 1 to the Northern Ireland Act 1974; being such an Act or Order passed or made—
  - (i) before this Order is made; or
  - (ii) in the case of an Act, in the same Session of Parliament; or
  - (iii) in the case of an Order, in the same calendar year.

(9) Schedule 1 shall have effect for the purpose of altering the penalties available on summary conviction of certain offences under the Misuse of Drugs Act 1971 punishable on conviction on indictment or on summary conviction and paragraph (1) shall not apply on summary conviction of any of the offences under that Act of 1971 mentioned in paragraph 2 of that Schedule.

**F1** 1994 NI 15

### *Offences punishable on summary conviction only*

#### **The standard scale of fines**

**5.—(1)** There shall be a standard scale of fines for offences punishable on summary conviction only which shall be known as “the standard scale”.

<sup>F2</sup>(2) The standard scale is shown below—

<i><sup>F2</sup>Level on the scale]]</i>	<i><sup>F2</sup>Amount of fine ]</i>
<sup>F2</sup> 1]	<sup>F2</sup> £200]
<sup>F2</sup> 2]	<sup>F2</sup> £500]
<sup>F2</sup> 3]	<sup>F2</sup> £1,000]
<sup>F2</sup> 4]	<sup>F2</sup> £2,500]
<sup>F2</sup> 5]	<sup>F2</sup> £5,000]

(3) Where any relevant provision—

- (a) provides that a person convicted of an offence punishable on summary conviction only shall be liable to a fine or a maximum fine by reference to a specified level on the standard scale; or

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- (b) confers power by instrument to make a person liable on conviction of an offence punishable on summary conviction only (whether or not created by the instrument) to a fine or maximum fine by reference to a specified level on the standard scale.

it is to be construed as referring to the standard scale for which this Article provides as that standard scale has effect by virtue either of this Article or of an order under Article 17;<sup>F2</sup> . . .

(4) Where—

(a) either—

- (i) a relevant provision makes a person liable to a fine or maximum fine on conviction of an offence punishable on summary conviction only; or
- (ii) a relevant provision confers power by instrument to make a person liable to a fine or maximum fine on conviction of an offence punishable on summary conviction only (whether or not created by the instrument); and

(b) the amount of the fine or maximum fine for the offence is, whether by virtue of this Order or not, an amount shown in the second column of the standard scale,

a reference to the level in the first column of the standard scale corresponding to that amount shall be substituted for the reference in the provision to the amount of the fine or maximum fine.

(5) Where a relevant provision confers a power such as is mentioned in paragraph (4)(a)(ii), the power shall be construed as a power to make a person liable to a fine or, as the case may be, a maximum fine not exceeding the amount corresponding to the level on the standard scale to which the provision refers by virtue of paragraph (4) or not exceeding a lesser amount.

(6) If an order under Article 17 alters the sums specified in paragraph (2), the second reference to the standard scale in paragraph (4) is to be construed as a reference to that scale as it has effect by virtue of the order.

(7) Subject to paragraph (8), in this Article “relevant provision” means a provision contained in—

- (a) an Act of the Parliament of the United Kingdom;
- (b) an Act of the Parliament of Ireland;
- (c) an Act of the Parliament of Northern Ireland;
- (d) an Order in Council under section 1(3) of the Northern Ireland (Temporary Provisions) Act 1972; or
- (e) an Order in Council under Schedule 1 to the Northern Ireland Act 1974 (including this Order);

being such an Act or Order (other than this Order) passed or made—

- (i) before this Order is made; or
- (ii) in the case of an Act, in the same Session of Parliament; or
- (iii) in the case of an Order, in the same calendar year.

*Para.(8) rep. by 1986 NI 9*

(9) This Article shall not affect so much of any relevant provision as (in whatever words) makes a person liable on summary conviction to a maximum fine not exceeding a specified amount for each period of a specified length during which a continuing offence is continued.

**F2** 1994 NI 15

## General increase of fines for offences under Acts and Orders

6.—(1) Subject to Articles 7(1) and 16, for any offence to which this Article applies, being an offence under a relevant provision, the fine or maximum fine which may be imposed on conviction shall be increased to the amount at the appropriate level on the standard scale unless the offence is one for which Article 7(2) provides some other increase.

(2) Where a relevant provision provides for any offence to which this Article applies a fine or maximum fine in respect of a specified quantity or a specified number of things—

- (a) that fine or maximum fine shall be treated for the purposes of this Article as being the fine or maximum fine for the offence; and
- (b) where that provision also specifies an alternative fine or maximum fine, paragraph (1) shall have effect to increase—
  - (i) the alternative fine; and
  - (ii) any amount that the provision specifies as the maximum which a fine under it may not exceed.

(3) Subject to paragraphs (4) and (5), the appropriate level on the standard scale for the purposes of paragraphs (1) and (2) is the level on that scale next above the amount of the fine or maximum fine that falls to be increased.

(4) If the amount of the fine or maximum fine that falls to be increased is £400 or more but less than £500, the appropriate level is £1,000.

(5) Except in respect of—

- (a) an offence created by an Act of the Parliament of the United Kingdom passed before 1st January 1949 for which the fine has been altered on or after that date; or
- (b) an offence created by such an Act passed on or after that date;

if the amount of the fine or maximum fine that falls to be increased is £20 or more but less than £25, the appropriate level is £50.

(6) Where Article 9 applies, the amount of the fine or maximum fine that falls to be increased is to be taken to be the fine or maximum fine to which a person is liable by virtue of that Article.

(7) This Article shall not affect so much of any relevant provision as (in whatever words) makes a person liable on summary conviction to a fine or maximum fine for each period of a specified length during which a continuing offence is continued.

(8) Where a relevant provision provides for any offence to which this Article applies different fines or maximum fines in relation to different circumstances or persons of different descriptions, they are to be treated separately for the purposes of this Article.

(9) This Article applies to any offence punishable on summary conviction only which—

- (a) makes a person liable on conviction to a fine or maximum fine which is less than £1,000; and
- (b) in the case of an offence under a provision contained in an Act of the Parliament of the United Kingdom was created not later than 29th July 1977 and for which the fine or maximum fine has not been altered since that date or has only been altered since that date by Article 9.

(10) In this Article “relevant provision” means a provision contained in—

- (a) an Act of the Parliament of the United Kingdom;
- (b) an Act of the Parliament of Ireland;
- (c) an Act of the Parliament of Northern Ireland;

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(d) an Order in Council under section 1(3) of the Northern Ireland (Temporary Provisions) Act 1972; or

(e) an Order in Council under Schedule 1 to the Northern Ireland Act 1974;

being such an Act or Order passed or made—

(i) before this Order is made; or

(ii) in the case of an Act, in the same Session of Parliament.

### Special cases

7.—(1) Article 6 does not apply to any statutory provision specified in Schedule 2.

(2) The statutory provisions specified in column 1 of Schedule 3 shall have effect as if the maximum fine that may be imposed on conviction of any offence mentioned in column 2 of that Schedule were a fine not exceeding the amount specified in column 4 of that Schedule instead of a fine not exceeding the amount specified in column 3 of that Schedule.

(3) The statutory provisions specified in column 1 of Schedule 4 shall have effect as if the maximum fine that may be imposed under any provision mentioned in column 2 of that Schedule on a person otherwise than on conviction of an offence were a fine not exceeding the amount specified in column 4 of that Schedule instead of a fine not exceeding the amount specified in column 3 of that Schedule.

### General increase of fines for offences under instruments

8.—(1) Where there is under any relevant provision (however framed or worded) a power by instrument to create any offence to which this Article applies, the fine or maximum fine which may in the exercise of that power be authorised on conviction of such an offence shall be increased to the amount at the appropriate level on the standard scale.

(2) Where a relevant provision confers a power by instrument to authorise, with respect to the creation of any offence to which this Article applies, a fine or maximum fine in respect of a specified quantity or a specified number of things—

(a) that fine or maximum fine shall be treated for the purposes of this Article as being the fine or maximum fine which an instrument made in exercise of the power conferred by it may authorise; and

(b) where that provision also confers a power by instrument to authorise, as regards the creation of such an offence, an alternative fine or maximum fine, paragraph (1) shall have effect to increase—

(i) the alternative fine; and

(ii) any amount that the provision specifies as the maximum fine which an instrument made in the exercise of the power conferred by it may authorise.

(3) Subject to paragraph (4) and (5), the appropriate level of the standard scale for the purposes of paragraphs (1) and (2) is the level on that scale next above the amount of the fine or maximum fine that falls to be increased.

(4) If the amount of the fine or maximum fine that falls to be increased is £400 or more but less than £500, the appropriate level is £1,000.

(5) Except in respect of—

(a) a power by instrument to create an offence contained in an Act of the Parliament of the United Kingdom passed before 1st January 1949 which authorises in the exercise of that power a fine which has been altered on or after that date; or

- (b) a power by instrument to create an offence contained in such an Act passed on or after that date;

if the amount of the fine or maximum fine that falls to be increased is £20 or more but less than £25, the appropriate level is £50.

(6) Where Article 10 applies, the amount of the fine or maximum fine that falls to be increased is the fine or maximum fine to which a person may be made liable by virtue of that Article.

(7) This Article shall not affect so much of any relevant provision as (in whatever words) confers power by instrument to make a person liable on conviction to a fine or maximum fine for each period of a specified length during which a continuing offence is continued.

(8) Where a relevant provision confers a power by instrument to authorise, with respect to the creation of any offence to which this Article applies, different fines or maximum fines in relation to different circumstances or persons of different descriptions, the amounts specified as those fines or maximum fines are to be treated separately for the purposes of this Article.

(9) The Article applies to any offence punishable on summary conviction only which makes a person liable on conviction to a fine or maximum fine which is less than £1,000.

(10) Subject to paragraph (11), “relevant provision” has the same meaning as in Article 6.

(11) A provision contained in an Act of the Parliament of the United Kingdom which confers a power, created after 29th July 1977, by instrument to create any offence to which this Article applies or such a provision which confers such a power created not later than that date where the fine or maximum fine authorised to be imposed in the exercise of the power has been altered since that date (otherwise than by Article 10) is not a relevant provision for the purposes of this Article.

### *Abolition of enhanced penalties for offences punishable on summary conviction only*

#### **Enhanced penalties under Acts and Order**

**9.—**(1) Subject to paragraph (3), this Article applies where under a relevant provision a person convicted of an offence punishable on summary conviction only—

- (a) is liable to a fine or maximum fine of one amount in the case of a first conviction and of a different amount in the case of a second or subsequent conviction; or
- (b) is liable to imprisonment for a longer term in the case of a second or subsequent conviction; or
- (c) is only liable to imprisonment in the case of a second or subsequent conviction.

(2) Where this Article applies, a person guilty of such an offence shall be liable on summary conviction—

- (a) to a fine or, as the case may be, a maximum fine of an amount not exceeding the greatest amount;
- (b) to imprisonment for a term not exceeding the longest or only term.

to which he would have been liable before this Article came into force if his conviction had satisfied the conditions required for the imposition of a fine or maximum fine of that amount or imprisonment for that term.

(3) This Article does not apply to offences under section 13 of the Criminal Law Amendment Act 1885 (brothel-keeping).

(4) In this Article “relevant provision” means a provision contained in—

- (a) an Act of the Parliament of the United Kingdom;
- (b) an Act of the Parliament of Ireland;
- (c) an Act of the Parliament of Northern Ireland;

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- (d) an Order in Council under section 1(3) of the Northern Ireland (Temporary Provisions) Act 1972; or
- (e) an Order in Council under Schedule 1 to the Northern Ireland Act 1974.

### **Enhanced penalties under instruments**

**10.**—(1) This Article applies where a relevant provision (however framed or worded) confers power by instrument to authorise with respect to an offence punishable on summary conviction only (whether or not created by the instrument)—

- (a) a fine or maximum fine of one amount in the case of a first conviction and of a different amount in the case of a second or subsequent conviction; or
- (b) to imprisonment for a longer term in the case of a second or subsequent conviction; or
- (c) to imprisonment only in the case of a second or subsequent conviction.

(2) Any such relevant provision shall have effect as if it conferred power by instrument to authorise with respect to any such offence—

- (a) a fine or, as the case may be, a maximum fine of an amount not exceeding the greatest amount;
- (b) imprisonment for a term not exceeding the longest or only term, which could have been authorised before this Article came into force.

(3) In this Article “relevant provision” has the same meaning as in Article 9.

### *Miscellaneous*

*Art. 11 rep. by 1994 NI 15*

*Art. 12 rep. by 2004 c. 36*

*Art. 13 rep. by 1994 NI 15*

### **Special increase of penalty for offences under section 27(2) of the Horticulture Act (Northern Ireland) 1966**

**14.** Section 31(2) of the Horticulture Act (Northern Ireland) 1966 (punishment for offences under the Act) shall apply to a person guilty of an offence under section 27(2) of that Act (giving false information) and according in section 31(1) of that Act the words “or (2)” shall cease to have effect.

*Art. 15 rep. by 1994 NI 15*

### **Reduction of fine for offences under Article 4(11) of the Employment (Miscellaneous Provisions) (Northern Ireland) Order 1981**

**16.** In Article 4(11) of the Employment (Miscellaneous Provisions) (Northern Ireland) Order 1981 (notification of changes relating to licences) for “£400” there shall be substituted “£200”.

### **Power to alter sums specified in certain provisions**

**17.**—(1) If it appears to the Secretary of State that there has been a change in the value of money since the relevant date, he may by order substitute for the sum or sums for the time being specified in any provision mentioned in paragraph (2) such other sum or sums as appear to him justified by the change.

(2) The said provisions are—

- (a) the definition of “the prescribed sum” in<sup>[F3]</sup> Article 4(8)];
- (b) Article 5(2);

(c) any provision mentioned in Schedules 4 and 5;

*Sub#para.(d) rep. by 1998 NI 9*

[<sup>F4</sup>(e) Article 14(11) of the Criminal Justice (Northern Ireland) Order 1994 (compensation orders);]

*Sub#para.(f) rep. by 1994 NI 15*

[<sup>F5</sup>(ff) Article 85B(3) of the Magistrates' Courts (Northern Ireland) Order 1981 (penalty for breach of maintenance order);]

(g) the Table in paragraph 1 of Schedule 3 to that Order of 1981 (default period of imprisonment for sums adjudged to be paid by a conviction).

*Sub#para.(h) rep. by 1996 NI 24*

[<sup>F4</sup>(i) the Table in section 35(2) of the Criminal Justice Act (Northern Ireland) 1945 (default period of imprisonment).]

[<sup>F6</sup>(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.]

[<sup>F7</sup>(l) paragraph 3(1)(a) or 4(1)(a) of Schedule 2 to the Criminal Justice (Northern Ireland) Order 1996 (fine for failure to comply with community order).]

[<sup>F4</sup>(3) In paragraph (1) “the relevant date” means—

(a) the date of the coming into operation of Article 3 of the Criminal Justice (Northern Ireland) Order 1994 (increase of certain maxima); or

(b) where the sums specified in a provision mentioned in paragraph (2) have been substituted by an order under paragraph (1), the date of that order.]

[<sup>F4</sup>(4) The Secretary of State may by order amend a statutory provision specifying a sum to which this paragraph applies so as to substitute for that sum such other sum as appears to him—

(a) to be justified by a change in the value of money appearing to him to have taken place since the last occasion on which the sum in question was fixed; or

(b) to be appropriate to take account of an order which has been made or is proposed to be made altering the statutory maximum or, as the case may be, the standard scale.

(5) Paragraph (4) applies to—

(a) any sum which is specified as—

(i) the maximum fine which may be imposed on summary conviction in respect of an offence punishable on indictment or on summary conviction; and

(ii) is higher than the statutory maximum;

(b) any sum which is specified as—

(i) the maximum fine which may be imposed on conviction of an offence punishable on summary conviction only; and

(ii) is higher than level 5 on the standard scale.]

(6) An order under paragraph (1) or (4)—

(a) shall be subject to [<sup>F8</sup> negative resolution]; and

(b) shall not affect the punishment for an offence committed before that order comes into force.

*Para.(7) rep. by 1994 NI 15*

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- F4** 1994 NI 15
- F5** 1993 NI 6
- F6** 1994 c.33
- F7** 1996 NI 24
- F8** Words in art. 17(6)(a) substituted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 4(3), **Sch. 2 para. 9(2)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**

### **Restriction on application of this Order**

**18.** Nothing in any provision of this Order shall affect the punishment for an offence committed before that provision comes into operation.

*Article 19—Amendments and repeals*

## SCHEDULES

### SCHEDULE 1

Article 4.

#### ALTERATION OF PENALTIES FOR CERTAIN OFFENCES UNDER THE MISUSE OF DRUGS ACT 1971

1. In Schedule 4 to the Misuse of Drugs Act 1971—
  - (a) in the entries showing the punishment that may be imposed on persons summarily convicted of offences mentioned in paragraph 2(b) of this Schedule, for “6 months or £200, or both” there shall be substituted “3 months or £500, or both”; and
  - (b) in the entry relating to section 5(2)—
    - (i) for “6 months or £400, or both” (being the maximum punishment on summary conviction of an offence under that section where a Class B drug was involved) there shall be substituted “3 months or £500, or both”; and
    - (ii) for “6 months or £200, or both” (being the maximum punishment on summary conviction of such an offence where a Class C drug was involved) there shall be substituted “3 months or £200, or both”; and
  - (c) in the entries showing the punishment that may be imposed on persons summarily convicted of offences for “12 months” there shall be substituted “6 months”.
2. The offences in that Act of 1971 to which (as provided in<sup>F9</sup> Article 4(9)) Article 4(1) does not apply are—
  - (a) offences under section 5(2) (having possession of a controlled drug) where the controlled drug in relation to which the offence was committed was a Class B or Class C drug;
  - (b) offences under the following provisions, where the controlled drug in relation to which the offence was committed was a Class C drug, namely—
    - (i) section 4(2) (production, or being concerned in the production, of a controlled drug);
    - (ii) section 4(3) (supplying or offering a controlled drug or being concerned in the doing of either activity by another);
    - (iii) section 5(3) (having possession of a controlled drug with intent to supply it to another);
    - (iv) section 8 (being the occupier, or concerned in the management, of premises and permitting or suffering certain activities to take place there);
    - (v) section 12(6) (contravention of direction prohibiting practitioner etc. from possessing, supplying etc. controlled drugs); or
    - (vi) section 13(3) (contravention of direction prohibiting practitioner etc. from prescribing, supplying etc. controlled drugs).

**F9** 1986 NI 15

3. In this Schedule “controlled drug”, “Class B drug” and “Class C drug” have the same meaning as in that Act of 1971.

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## SCHEDULE 2

Article 7(1).

### PROVISIONS CREATING OFFENCES FOR WHICH THE FINE REMAINS AT ITS PRESENT LEVEL

**1.** Any provision of the Control of Greyhounds Act (Northern Ireland) 1950 (as amended by the Dogs (Northern Ireland) Order 1983)

**2.** Any provision of the Foyle Fisheries Act (Northern Ireland) 1952 (as amended by the Fisheries Amendment (Northern Ireland) Order 1981)

*Para.3 rep. by 1994 NI 15*

**4.** Any provision of the Fisheries Act (Northern Ireland) 1966 (as amended by the Fisheries Amendment (Northern Ireland) Order 1981).

*Para.5 rep. by 1998 NI 9*

**6.** Any provision of the Fish Industry Act (Northern Ireland) 1972 (as amended by the Fisheries Amendment (Northern Ireland) Order 1981).

*Para.7 rep. by 1986 NI 3*

*Paras.8, 9 rep. by 1994 NI 15*

**10.** Sections 110(1), 111(1) and 112 of the Patents Act 1977.

*Paras.11, 12 rep. by 1994 NI 15*

*Para.13 rep. by 1995 NI 2*

**14.** Any provision in the Rent (Northern Ireland) Order 1978 (as amended by the Housing (Northern Ireland) Order 1983).

*Para.15 rep. by 1990 NI 14*

**16.** Any provision of the Domestic Proceedings (Northern Ireland) Order 1980.

**17.** Any provision of the Bees (Northern Ireland) Order 1980.

*Para.18 rep. by 1993 NI 15*

**19.** Any provision of the Private Streets (Northern Ireland) Order 1980.

*Para.20 rep. by 1996 NI 10*

**21.** Any provision of the Housing (Northern Ireland) Order 1981 (as amended by the Housing (Northern Ireland) Order 1983).

**22.** Article 47(1) of the Weights and Measures (Northern Ireland) Order 1981.

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*Para.23 rep. by 1998 NI 2*

*Para.24 rep. by 1994 NI 15*

- 25. Article 85(8) of the Magistrates Courts (Northern Ireland) Order 1981.
- 26. Any provision of the Probation Board (Northern Ireland) Order 1982.
- 27. Any provision of the Industrial Development (Northern Ireland) Order 1982.

*Paras.28, 29 rep. by 1994 NI 15*

- 30. Any provision of the Dogs (Northern Ireland) Order 1983.
- 31. Article 8(3) of the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983.
- 32. Any provision of the Housing (Northern Ireland) Order 1983.
- 33. Any provision of the Access to the Countryside (Northern Ireland) Order 1983.
- 34. Article 3(7) of the Agriculture (Miscellaneous Provisions) (Northern Ireland) Order 1984.

SCHEDULE 3

Article 7(2).

SPECIAL INCREASES

<i>Statutory provision</i>	<i>Provision creating the offence or setting out the penalty</i>	<i>Present maximum fine</i>	<i>New maximum fine</i>
F10	F10	F10	F10
...	...	...	...
Belfast Improvement Act 1845 (c. cxlii)	Section 167 as amended by section 39 of the Belfast Improvement Act 1884 (c. xciii) (miscellaneous offences committed in street)	£2	£200
Town Police Clauses Act 1847 (c. 89)	Section 21 (obstruction during public procession)	£2	£200
	Section 28 (miscellaneous offences committed in street)	£2	£200
	Section 45 (plying for hire without a licence)	£2	£500

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	Section 53 (driver refusing to drive)	£10	£50
	Section 55 (exacting more than legal fare)	£2	£200
	Section 58 (overcharging)	£2	£200
Towns Improvement (Ireland) Act 1854 (c. 103)	Section 72 (miscellaneous offences committed in street)	£20	£200
	Section 80 (plying for hire without a licence)	£2	£500
	Section 83 (driver refusing to drive)	£10	£50
	Section 84 (overcharging)	£2	£200
Offences against the Person Act 1861 (c. 100)	Section 43 (aggravated assault)	£100	£500
<b>F11</b>	<b>F11</b>	<b>F11</b>	<b>F11</b>
...	...	...	...
Street Trading (Regulation) Act (Northern Ireland) 1929 (c. 9)	Section 9(1) (trading without a licence)	£5	£200
Radioactive Substances Act 1948 (c. 37)	Section 7(4) (obstruction of inspectors)	£100 (as amended by Article 9)	£500
	Section 8(3) (other summary offences under the Act)	£100	£500
Seeds Act (Northern Ireland) 1965 (c. 22)	Section 8(7) (obstruction)	£20	£200
	Section 10 (tampering with samples)	£100	£1,000
Horticulture Act (Northern Ireland) 1966 (c. 15)	Section 31(2) (penalties for summary offences other than sections 23(1)(e), 27(1) or 30 (5))	£250 (as amended by Article 9)	£1,000
<b>F12</b>	<b>F12</b>	<b>F12</b>	<b>F12</b>
...	...	...	...

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Census Act (Northern Ireland) 1969 (c. 8)	Section 7(1) (wilful default in performance of duties)	£10	£200
	Section 7(2) (miscellaneous offences in respect of returns)	£10	£200
	Section 7(3) (refusal to answer or false answer)	£10	£200
	Section 7(5) (disclosure of information)	£10	£200
Industrial and Provident Societies Act (Northern Ireland) 1969 (c. 24)	Section 69(7)(a) (refusal to attend, produce documents or give evidence before registrar)	£10	£200
	Section 70 (general offences by societies)	£10	£200
<b>F13</b>	<b>F13</b>	<b>F13</b>	<b>F13</b>
...	...	...	...
Welfare of Animals Act (Northern Ireland) 1972 (c. 7)	Section 5(5) (obstruction)	£25	£200
	Section 22 (poisonous substances)	£50	£500
<b>F14</b>	<b>F14</b>	<b>F14</b>	<b>F14</b>
...	...	...	...
Health and Personal Social Services (Northern Ireland) Order 1972 (NI 14)	Article 9(2) (failure to submit school children for medical or dental inspection)	£10	£50
Tattooing of Minors (Northern Ireland) Order 1979 (NI 10)	Article 3 (tattooing a minor)	£400	£500
Criminal Justice (Northern Ireland) Order 1980 (NI 6)	Article 10(1) (persons found drunk)	£20	£25
<b>F15</b>	<b>F15</b>	<b>F15</b>	<b>F15</b>
...	...	...	...

**F10** [1998 c.32](#)  
**F11** [1997 NI 18](#)  
**F12** [1998 NI 9](#)

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**F13** 1992 c.40  
**F14** 1986 NI 3  
**F15** 1995 NI 18

## SCHEDULE 4

Article 7(3) and 17(2)(c).

## FINES IMPOSED OTHERWISE THAN ON CONVICTION

<i>Statutory provision</i>	<i>Provision imposing the fine</i>	<i>Present maximum fine</i>	<i>New maximum fine</i>
F16	F16	F16	F16
...	...	...	...
Judgments Enforcement (Northern Ireland) Order 1981 (NI 6)	Article 122(2)(b) (failure to comply with attachment of earnings order)	£100	£1,000
	Article 122(3) (failure to comply with attachment of earnings order for a second time)	£400	£1,000

**F16** 1996 NI 24

## SCHEDULE 5

Article 17(2)(c).

## FINES OR OTHER SUMS THAT MAY BE ALTERED UNDER ARTICLE 17

<i>Statutory provision</i>	<i>Provision setting out the fine or other sum</i>	<i>Maximum fine or sum</i>
Summary Jurisdiction Act (Northern Ireland) 1953 (c. 3)	Section 26(1) (amount of malicious damage)	£200 (as amended by Article 13)
Coroners Act (Northern Ireland) 1959 (c. 15)	Section 20(1) (failure to answer summons to serve as a juror or to give evidence)	£200
	Section 20(2) (refusal to serve as a juror or to give evidence)	£200
	Section 34 (contempt)	£500
County Courts (Northern Ireland) Order 1980 (NI 3)	Article 55(2) (contempt of court)	£500
Contempt of Court Act 1981 (c. 49)	Section 14(2) (contempt in an inferior court)	£500

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Magistrates' Courts (Northern Ireland) Order 1981 (NI 26)	Article 112(6)(a) (disobedience of orders other than payment of money)	£1,000
	Article 120(1) (refusal to give evidence)	£500
	Article 160(2) (misbehaviour in court)	£500
[ <sup>F17</sup> Juries (Northern Ireland) Order 1996]	[ <sup>F17</sup> Article 26 (defaulting jurors)]	[ <sup>F17</sup> £1,000]

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**F17** 1996 NI 6

#### Schedule 6—Amendments

#### Schedule 7—Repeals

**Status:**

Point in time view as at 12/04/2010.

**Changes to legislation:**

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