
STATUTORY INSTRUMENTS

1984 No. 703

The Fines and Penalties (Northern Ireland) Order 1984

Offences punishable on summary conviction only

General increase of fines for offences under instruments **N.I.**

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.

Status: Point in time view as at 01/01/2006.

Changes to legislation: The Fines and Penalties (Northern Ireland) Order 1984, Section 8 is up to date with all changes known to be in force on or before 25 September 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)

(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.

Status:

Point in time view as at 01/01/2006.

Changes to legislation:

The Fines and Penalties (Northern Ireland) Order 1984, Section 8 is up to date with all changes known to be in force on or before 25 September 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.