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STATUTORY INSTRUMENTS

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

**NORTHERN IRELAND**

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

*Laid before Parliament in draft*

*Made* 18th May 1984

*Coming into Operation* 19th July 1984

ARRANGEMENT OF ORDER

Article *Introductory*

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2. Interpretation.

*Offences punishable on conviction on indictment*

3. Fines on conviction on indictment.

*Offences punishable on conviction on indictment  
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punishable on summary conviction only*

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15. Increase in limits of fines imposed on children and young persons.
16. Reduction of fine for offences under Article 4(11) of the Employment (Miscellaneous Provisions) (Northern Ireland) Order 1981.
17. Power to alter sums specified in certain provisions.
18. Restriction on application of this Order.
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**SCHEDULES:**

Schedule 1—Alteration of penalties for certain offences under the Misuse of Drugs Act 1971.

Schedule 2—Provisions creating offences for which the fine remains at its present level.

Schedule 3—Special increases.

Schedule 4—Fines imposed otherwise than on conviction.

Schedule 5—Fines or other sums that may be altered under Article 17.

Schedule 6—Amendments.

Schedule 7—Repeals.

At the Court at Buckingham Palace, the 18th day of May 1984

Present,

The Queen's Most Excellent Majesty in Council

Whereas a draft of this Order has been approved by a resolution of each House of Parliament:

1974 c. 28

Now, therefore, Her Majesty, in exercise of the powers conferred by paragraph 1 of Schedule 1 to the Northern Ireland Act 1974 and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

*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*

1954 c. 33 (N.I.)

**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.

1954 c. 33 (N.I.)

*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.

*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—

1981 NI 26

(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

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(ii) not be of such an amount as would subject the offender, in default of payment of the 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.

(6) Where there is under any relevant provision (however framed or worded) a power by instrument to impose penal provisions, being a power which allows the creation of offences punishable on conviction on indictment or on summary conviction—

(a) the maximum fine which may in the exercise of that power be authorised on summary conviction in respect of such an offence shall by virtue of this paragraph be the prescribed sum unless a larger maximum fine can be authorised on summary conviction in respect of such an offence by virtue of a statutory provision other than this paragraph; and

(b) paragraph (1) shall not override any restriction imposed in the exercise of that power on the amount of the fine which on summary conviction can be imposed in respect of such an offence created in the exercise of the power.

(7) Where any relevant provision provides that the maximum fine which may be imposed on summary conviction shall not exceed the

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statutory maximum, statutory maximum shall be construed as referring to the prescribed sum within the meaning of this Article; and the foregoing provision shall have effect in substitution for any provision which extends to Northern Ireland section 32 of the Magistrates' Courts Act 1980 or an order made under section 143 of that Act which alters the sums specified in that section 32. 1980 c. 43

(8) In this Article—

“the prescribed sum” means £1,000 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 1972 c. 22

(e) an Order in Council under Schedule 1 to the Northern Ireland Act 1974; 1974 c. 28

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. 1971 c. 38

*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”.

(2) The scale at the commencement of this Article is shown below.

<i>Level on the scale</i>	<i>Amount of fine</i>
1	£25
2	£50
3	£200
4	£500
5	£1,000

(3) Where any relevant provision—

- (a) provides that a person convicted of an offence punishable on

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summary conviction only shall be liable to a fine or a maximum fine by reference to a specified level on the standard scale; or

- (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; and the foregoing provision shall have effect in substitution for any provision which extends to Northern Ireland section 37 of the Criminal Justice Act 1982 or an order made under section 143 of the Magistrates' Courts Act 1980 which alters the sums specified in that section 37.

1982 c. 48  
1980 c. 43

(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;

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- (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 1972 c. 22
- (e) an Order in Council under Schedule 1 to the Northern Ireland Act 1974 (including this Order); 1974 c. 28

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.

(8) A provision—

- (a) mentioned in Schedule 2 to the Companies (Northern Ireland) Order 1981; or 1981 NI 19
- (b) contained in the Companies (Northern Ireland) Order 1982; 1982 NI 17

is not a relevant provision for the purposes of this Article.

(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.

*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

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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;
- (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;

1972 c. 22

1974 c. 28

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 paragraphs (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.

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(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) This 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 Orders*

**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

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(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).

1885 c. 69

(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;

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

1972 c. 22

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

1974 c. 28

*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.

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

*Miscellaneous*

*Abolition of certain minimum fines*

1854 c. 17

**11.** In section 6 (obstructing surveyors) and section 7 (removing boundary stones) of the Boundary Survey (Ireland) Act 1854 the words “and not less than two pounds” shall cease to have effect.

*Emergency regulations*

1926 c. 8 (N.I.)

**12.** In section 2(3) of the Emergency Powers Act (Northern Ireland) 1926 for the words “of one hundred pounds” there shall be substituted the words “not exceeding £1,000; or not exceeding a lesser amount”.

*Increase in limit of summary jurisdiction for malicious damage*

1953 c. 3 (N.I.)

**13.** In section 26(1) of the Summary Jurisdiction Act (Northern Ireland) 1953 (summary jurisdiction in respect of malicious damage) for “£100” in the first place where it occurs there shall be substituted “£200”.

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

1966 c. 15 (N.I.)

**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 accordingly in section 31(1) of that Act the words “or (2)” shall cease to have effect.

*Increase in limits of fines imposed on children and young persons*

1968 c. 34 (N.I.)

**15.** In section 72(1) of the Children and Young Persons Act (Northern Ireland) 1968 (restrictions on punishment of children and young persons) for the words “fifteen pounds” and “fifty pounds” there shall be substituted “£50” and “£200” respectively.

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

1981 NI 20

**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

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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 Article 4(7);
- (b) Article 5(2);
- (c) any provision mentioned in Schedules 4 and 5;
- (d) section 72 of the Children and Young Persons Act (Northern Ireland) 1968 (maximum fines on children and young persons); 1968 c. 34 (N.I.)
- (e) Article 3(5) of the Criminal Justice (Northern Ireland) Order 1980 (compensation orders); 1980 NI 6
- (f) Article 54(1)(b) of the Magistrates’ Courts (Northern Ireland) Order 1981 (fine in lieu of imprisonment); 1981 NI 26
- (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).

(3) In paragraph (1) “the relevant date” means—

- (a) in relation to the first order under this Article, 29th July 1977; and
- (b) in relation to each subsequent order, the date of the previous order.

(4) Where it appears to the Secretary of State that the difference between—

- (a) a sum to which paragraph (5)(a) applies and the prescribed sum (within the meaning of Article 4); or
- (b) a sum to which paragraph (5)(b) applies and level 5 of the standard scale (within the meaning of Article 5);

has been or would be altered or eliminated by an order made or proposed to be made under paragraph (1), he may by order amend the statutory provision specifying the first-mentioned sum so as to substitute for that sum such other sum as appears to him to be justified by a change in the value of money appearing to him to have taken place between—

- (i) subject to paragraph (7), the last occasion on which the sum in question was fixed; and
- (ii) the making of the order or proposed order under paragraph (1).

(5) This paragraph applies to—

- (a) any sum specified in any statutory provision as—
  - (i) the maximum fine which may be imposed on summary conviction of an offence punishable on conviction on indictment or on summary conviction; or
  - (ii) the maximum fine which, in the exercise of any power by instrument to impose penal provisions, may be authorised on summary conviction in respect of an offence punish-

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able on conviction on indictment or on summary conviction;

- (b) any sum specified in any statutory provision as—
- (i) the maximum fine which may be imposed on conviction of an offence punishable on summary conviction only; or
  - (ii) the maximum fine which, in the exercise of any power by instrument to create an offence punishable on summary conviction only, may be authorised on conviction of such an offence.

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

(a) shall be subject to annulment in pursuance of a resolution of either House of Parliament in like manner as a statutory instrument and section 5 of the Statutory Instruments Act 1946 shall apply accordingly; and

1946 c. 36

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

(7) For the purposes of paragraph (4), the sum specified in Schedule 1 in relation to an offence under the Misuse of Drugs Act 1971 shall be deemed to have been fixed on 29th July 1977.

1971 c. 38

*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.

*Amendments and repeals*

**19.—**(1) The statutory provisions specified in Schedule 6 shall have effect subject to the amendments specified in that Schedule (being amendments consequential on the provisions of this Order).

(2) The statutory provisions specified in Schedule 7 are hereby repealed to the extent specified in column 3 of that Schedule.

*N. E. Leigh,*  
Clerk of the Privy Council.

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— 1971 c. 38
- (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 Article 4(8)) 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).
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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Article 7(1).

**SCHEDULE 2**

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

- |   |  |
|---|--|
| 1950 c. 13 (N.I.)<br>1983 NI 8                | 1. Any provision of the Control of Greyhounds Act (Northern Ireland) 1950 (as amended by the Dogs (Northern Ireland) Order 1983).  |
| 1952 c. 5<br>(N.I.)<br>1981 NI 7              | 2. Any provision of the Foyle Fisheries Act (Northern Ireland) 1952 (as amended by the Fisheries Amendment (Northern Ireland) Order 1981).                                   |
| 1960 c. 22 (N.I.)<br>1981 NI 19<br>1982 NI 17 | 3. Any provision of the Companies Act (Northern Ireland) 1960 (as amended by the Companies (Northern Ireland) Order 1981 or the Companies (Northern Ireland) Order 1982).    |
| 1966 c. 17<br>(N.I.)                          | 4. Any provision of the Fisheries Act (Northern Ireland) 1966 (as amended by the Fisheries Amendment (Northern Ireland) Order 1981).   |
| 1968 c. 34<br>(N.I.)<br>1980 NI 5             | 5. Sections 111(4), 146(4) and 157(5) of the Children and Young Persons Act (Northern Ireland) 1968 (as amended by the Domestic Proceedings (Northern Ireland) Order 1980).  |
| 1972 c. 4<br>(N.I.)                           | 6. Any provision of the Fish Industry Act (Northern Ireland) 1972 (as amended by the Fisheries Amendment (Northern Ireland) Order 1981).                                     |
| 1972 NI 12                                    | 7. Article 38(2) of the Education and Libraries (Northern Ireland) Order 1972.   |
| 1975 c. 15<br>1981 NI 25                      | 8. Sections 136(3) and 137(5) of the Social Security (Northern Ireland) Act 1975 (as amended by the Social Security (Northern Ireland) Order 1981).                          |
| 1975 NI 16                                    | 9. Article 13(2) of the Child Benefit (Northern Ireland) Order 1975 (as amended by the Social Security (Northern Ireland) Order 1981).                                       |
| 1977 c. 37                                    | 10. Sections 110(1), 111(1) and 112 of the Patents Act 1977.   |
| 1977 NI 27                                    | 11. Articles 28 to 31 of the Supplementary Benefits (Northern Ireland) Order 1977 (as amended by the Social Security (Northern Ireland) Order 1981).                         |
| 1978 NI 12                                    | 12. Any provision of the Companies (Northern Ireland) Order 1978 (as amended by the Companies (Northern Ireland) Order 1981 or the Companies (Northern Ireland) Order 1982). |
| 1978 NI 15                                    | 13. Article 46(6) of the Matrimonial Causes (Northern Ireland) Order 1978 (as amended by the Domestic Proceedings (Northern Ireland) Order 1980).                            |
| 1978 NI 20<br>1983 NI 15                      | 14. Any provision in the Rent (Northern Ireland) Order 1978 (as amended by the Housing (Northern Ireland) Order 1983).   |



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15. Article 21(3) of the Building Regulations (Northern Ireland) Order 1979.	1979 NI 16
16. Any provision of the Domestic Proceedings (Northern Ireland) Order 1980.	1980 NI 5
17. Any provision of the Bees (Northern Ireland) Order 1980.	1980 NI 7
18. Any provision of the Roads (Northern Ireland) Order 1980.	1980 NI 11
19. Any provision of the Private Streets (Northern Ireland) Order 1980.	1980 NI 12
20. Articles 62(2), 129, 129A and 129B of the Road Traffic (Northern Ireland) Order 1981.	1981 NI 1
21. Any provision of the Housing (Northern Ireland) Order 1981 (as amended by the Housing (Northern Ireland) Order 1983).	1981 NI 3 1983 NI 15
22. Article 47(1) of the Weights and Measures (Northern Ireland) Order 1981.	1981 NI 10
23. Any provision of the Museums (Northern Ireland) Order 1981.	1981 NI 14
24. Any provision of the Companies (Northern Ireland) Order 1981.	1981 NI 19
25. Article 85(8) of the Magistrates' Courts (Northern Ireland) Order 1981.	1981 NI 26
26. Any provision of the Probation Board (Northern Ireland) Order 1982.	1982 NI 10
27. Any provision of the Industrial Development (Northern Ireland) Order 1982.	1982 NI 15
28. Any provision of the Social Security (Northern Ireland) Order 1982.	1982 NI 16
29. Any provision of the Companies (Northern Ireland) Order 1982.	1982 NI 17
30. Any provision of the Dogs (Northern Ireland) Order 1983.	1983 NI 8
31. Article 8(3) of the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983.	1983 NI 13
32. Any provision of the Housing (Northern Ireland) Order 1983.	
33. Any provision of the Access to the Countryside (Northern Ireland) Order 1983.	1983 NI 18
34. Article 3(7) of the Agriculture (Miscellaneous Provisions) (Northern Ireland) Order 1984.	1984 NI 2

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Article 7(2).

**SCHEDULE 3**

**SPECIAL INCREASES**

Statutory provision	Provision creating the offence or setting out the penalty	Present maximum fine	New maximum fine
Constabulary (Ireland) Act 1836 (c. 13)	Section 25 (unlawful possession of arms, &c. or assuming dress, name &c. of constable)	£10	£1,000
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
	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
Alkali &c. Works Regulation Act 1906 (c. 14)	Section 16A(1) (offences for which no express penalty is provided)	£100	£1,000
	Section 16A(2)(i) (a subsequent offence)	£100	£1,000
	Section 16A(2)(ii) (continuing offence)	£20 for each day the offence is continued or repeated	£50 for each day the offence is continued or repeated

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Statutory provision	Provision creating the offence or setting out the penalty	Present maximum fine	New maximum fine
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
Children and Young Persons Act (Northern Ireland) 1968 (c. 34)	Section 59 (publication of prohibited matter in newspapers, etc.)	£100	£1,000
	Section 68 (restrictions on newspaper and broadcast reports)	£100	£1,000
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
Friendly Societies Act (Northern Ireland) 1970 (c. 31)	Section 7 (using name of expelled branch)	£10	£200
	Section 23 (failure to comply with provisions as to accounts and balance sheets)	£10	£1,000
	Section 61(6) (producing child's birth certificate which is false or fraudulent)	£10	£200

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Statutory provision	Provision creating the offence or setting out the penalty	Present maximum fine	New maximum fine
Friendly Societies Act (Northern Ireland) 1970 (c. 31)—(cont.)	Section 66(2)(a) (refusal to attend, produce documents or give evidence before registrar)	£10	£200
	Section 79(4) (failure to produce books, etc.)	£200	£1,000
	Section 87(1) (general offences by societies)	£10	£200
	Section 87(2) (falsification of returns)	£50	£1,000
	Section 87(3) (aiding and abetting unlawful amalgamation or dissolution)	£10	£500
	Section 88(2) (obtaining money by false representation)	£20	£1,000
	Section 90 (other summary offences under the Act)	£10	£200
	Welfare of Animals Act (Northern Ireland) 1972 (c. 7)	Section 5(5) (obstruction)	£25
Section 22 (poisonous substances)		£50	£500
Education and Libraries (Northern Ireland) Order 1972 (NI 12)	Article 28(6)(conducting unregistered independent school)	£50 (as amended by Article 9)	£500
	Article 31(2) (using premises for purposes for which they are disqualified)	£50 (as amended by Article 9)	£500
	Article 31(3) (obtaining employment as a teacher while disqualified)	£50 (as amended by Article 9)	£500
	Article 50(2) (failure to submit child for medical examination)	£10	£50
	Article 94(9) (obstruction of authorised persons)	£20	£200
	Article 118(2) (wilfully removing or defacing notice)	£10	£200
	Paragraph 1(4) of Schedule 8 (failure to submit child for medical examination)	£10	£50
	Paragraph 3(5) of Schedule 9 (failure to submit child for medical examination)	£10	£50
	Paragraph 4(2) of Schedule 9 (failure to comply with school attendance order)	£20 (as amended by Article 9)	£200

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Statutory provision	Provision creating the offence or setting out the penalty	Present maximum fine	New maximum fine
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
Road Traffic (Northern Ireland) Order 1981 (NI 1)	Article 30(3) (selling, etc. motor vehicle or trailer not complying with construction and use regulations)	£200	£1,000
	Article 31(1) (fitting defective or unsuitable vehicle parts)	£200	£1,000
	Article 71(2) (driving, causing or permitting to drive a heavy goods vehicle without a licence)	£100	£500
	Article 170 (selling defective reflectors)	£50	£1,000

SCHEDULE 4

FINES IMPOSED OTHERWISE THAN ON CONVICTION

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

Statutory provision	Provision imposing the fine	Present maximum fine	New maximum fine
Probation Act (Northern Ireland) 1950 (c. 7)	Section 4(3) (failure to comply with a probation order)	£50	£200
Treatment of Offenders (Northern Ireland) Order 1976 (NI 4)	Article 9(3) and (5)(a) (failure to comply with community service order)	£50	£200
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

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Article 17(2)(c).

**SCHEDULE 5**

FINES OR OTHER SUMS THAT MAY BE  
 ALTERED UNDER ARTICLE 17

Statutory provision	Provision setting out the fine or other sum	Maximum fine or sum
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
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

Article 19(1).

**SCHEDULE 6**

AMENDMENTS

*The Gun Barrel Proof Act 1868 (c. cxiii)*

1. In section 4, in the definition of "statutory maximum", in paragraph (c) for "£1,000" substitute "the prescribed sum within the meaning of Article 4 of the Fines and Penalties (Northern Ireland) Order 1984".

*The Interpretation Act (Northern Ireland) 1954 (c. 33)*

2. In section 42(4) add—

““standard scale” means the standard scale provided by Article 5 of the Fines and Penalties (Northern Ireland) Order 1984 (the scale set out in Article 5(2) of that Order or as fixed by order under Article 17 of that Order to take account of changes in the value of money);

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“statutory maximum” means the prescribed sum within the meaning of Article 4 of the Fines and Penalties (Northern Ireland) Order 1984 (£1,000 or another sum fixed by order under Article 17 of that Order to take account of changes in the value of money).”.

*The Food and Drugs Act 1955 (c. 16)*

3. In the Table in paragraph 2 of Schedule 10, in the entry relating to section 123(1), at the end add—

“In paragraph (ea), the reference to the statutory maximum shall be construed as a reference to the prescribed sum within the meaning of Article 4 of the Fines and Penalties (Northern Ireland) Order 1984 (£1,000 or another sum fixed by order under Article 17 of that Order to take account of changes in the value of money).”.

*The Gun Barrel Proof Act 1978 (c. 9)*

4. In Schedule 3, in paragraph 1(b), the amendment to the definition of “statutory maximum” in section 4 of the Gun Barrel Proof Act 1868 specified in paragraph 1.

*The Nuclear Safeguards and Electricity (Finance) Act 1978 (c. 25)*

5. In section 2(6)—

(a) in paragraph (a) omit “and Northern Ireland”;

(b) at the end of paragraph (b) add “and”;

(c) for the words from “and for the purposes” onwards substitute—

“(c) in Northern Ireland, the prescribed sum within the meaning of Article 4 of the Fines and Penalties (Northern Ireland) Order 1984.”.

*The Consumer Safety Act 1978 (c. 38)*

6. In section 11(g)—

(a) in paragraph (ii) after “maximum” insert—

“for the reference to section 32 of the Magistrates’ Courts Act 1980 there shall be substituted a reference to Article 4 of the Fines and Penalties (Northern Ireland) Order 1984 and”;

(b) omit the words from “and for the purposes” onwards.

*The Customs and Excise Management Act 1979 (c. 2)*

7. In section 171(2)—

(a) in paragraph (a) for “, Wales or Northern Ireland” substitute “or Wales”;

(b) after paragraph (b) insert—

“(c) if the offence was committed in Northern Ireland, the prescribed sum within the meaning of Article 4 of the Fines and Penalties (Northern Ireland) Order 1984 (£1,000 or other sum substituted by order under Article 17 of that Order);”.

*The Customs and Excise Duties (General Reliefs) Act 1979 (c. 3)*

8. In section 15(3)—

(a) in paragraph (a) for “, Wales or Northern Ireland” substitute “or Wales”;

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(b) after paragraph (b) add—

“(c) if the offence was committed in Northern Ireland, the prescribed sum within the meaning of Article 4 of the Fines and Penalties (Northern Ireland) Order 1984 (£1,000 or other sum substituted by order under Article 17 of that Order).”.

*The Alcoholic Liquor Duties Act 1979 (c. 4)*

9. In section 4(1) in the definition of “the prescribed sum”—

(a) in paragraph (a) omit “or in Northern Ireland”;

(b) after paragraph (b) insert—

“(c) if the offence was committed in Northern Ireland, the prescribed sum within the meaning of Article 4 of the Fines and Penalties (Northern Ireland) Order 1984 (£1,000 or other sum substituted by order under Article 17 of that Order);”.

*The Hydrocarbon Oil Duties Act 1979 (c. 5)*

10. In section 27(1) in the definition of “the prescribed sum”—

(a) in paragraph (a) for “, Wales or Northern Ireland” substitute “or Wales”;

(b) after paragraph (b) insert—

“(c) if the offence was committed in Northern Ireland, the prescribed sum within the meaning of Article 4 of the Fines and Penalties (Northern Ireland) Order 1984 (£1,000 or other sum substituted by order under Article 17 of that Order);”.

*The Banking Act 1979 (c. 37)*

11. In section 50(1) in the definition of “statutory maximum”—

(a) in paragraph (a) omit “and Northern Ireland”;

(b) at the end of paragraph (b) add “and”;

(c) for the words from “and for the purposes” onwards substitute—

“(c) in Northern Ireland, the prescribed sum within the meaning of Article 4 of the Fines and Penalties (Northern Ireland) Order 1984;”.

*The Estate Agents Act 1979 (c. 38)*

12. In section 33(1) in the definition of “statutory maximum”—

(a) in paragraph (a) omit “and in Northern Ireland”;

(b) at the end of paragraph (b) add “and”;

(c) for the words from “and for the purposes” onwards substitute—

“(c) in Northern Ireland, the prescribed sum within the meaning of Article 4 of the Fines and Penalties (Northern Ireland) Order 1984;”.

*The Reserve Forces Act 1980 (c. 9)*

13. In section 144(2)(c) for “£50” substitute “the prescribed sum within the meaning of Article 4 of the Fines and Penalties (Northern Ireland) Order 1984”.

*The Protection of Trading Interests Act 1980 (c. 11)*

14. In section 3(5)—

(a) in paragraph (a) omit “and Northern Ireland”;

(b) for the words from “and for the purposes” onwards substitute—



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“(c) in Northern Ireland, the prescribed sum within the meaning of Article 4 of the Fines and Penalties (Northern Ireland) Order 1984.”.

*The Competition Act 1980 (c. 21)*

15. In section 19(7)—

- (a) in paragraph (a) omit “and Northern Ireland”;
- (b) at the end of paragraph (b) add “and”;
- (c) for the words from “and for the purposes” onwards substitute—  
“(c) in Northern Ireland, the prescribed sum within the meaning of Article 4 of the Fines and Penalties (Northern Ireland) Order 1984.”.

*The Magistrates' Courts Act 1980 (c. 43)*

16. In section 155(5) after “Scotland” insert “and Northern Ireland”.

*The Energy Conservation Act 1981 (c. 17)*

17. In section 28—

- (a) in paragraph (d) at the end insert “and the references to sections 32 and 143 of the Magistrates' Courts Act 1980 shall be read as references to Articles 4 and 17 of the Fines and Penalties (Northern Ireland) Order 1984”;
- (b) omit the words from “and for the purpose” onwards.

*The Fisheries Act 1981 (c. 29)*

18. In section 12(4)—

- (a) in paragraph (a) for “Wales or Northern Ireland” substitute “and Wales”;
- (b) for the words from “and for the purposes” onwards substitute—  
“(c) in the case of an offence committed in Northern Ireland, the prescribed sum within the meaning of Article 4 of the Fines and Penalties (Northern Ireland) Order 1984”.

*The British Telecommunications Act 1981 (c. 38)*

19. In section 85(1) in the definition of “statutory maximum”—

- (a) in paragraph (a) omit “Northern Ireland”;
- (b) after paragraph (b) insert—  
“(c) in Northern Ireland, the prescribed sum within the meaning of Article 4 of the Fines and Penalties (Northern Ireland) Order 1984;”;
- (c) omit “Northern Ireland and” in the second and third places where it occurs.

*The Forgery and Counterfeiting Act 1981 (c. 45)*

20. In section 6(5)—

- (a) after “means” insert—  
“(a) if the offence was committed in England and Wales,”;
- (b) for the words from “and those sections” onwards substitute—  
“(b) if the offence was committed in Northern Ireland, the prescribed sum within the meaning of Article 4 of the Fines and Penalties (Northern Ireland) Order 1984 (£1,000 or another sum fixed by order

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under Article 17 of that Order to take account of changes in the value of money”.

21. In section 22(6)—

(a) in paragraph (a) omit “or Northern Ireland”;

(b) for the words from “and sections 32 and 143” onwards substitute—

“(c) if the offence was committed in Northern Ireland, the prescribed sum within the meaning of Article 4 of the Fines and Penalties (Northern Ireland) Order 1984 (£1,000 or another sum fixed by order under Article 17 of that Order to take account of changes in the value of money)”.

*The Deep Sea Mining (Temporary Provisions) Act 1981 (c. 53)*

22. In section 14(6)—

(a) in paragraph (a) omit “and Northern Ireland”;

(b) for the words from “and for the purposes” onwards substitute—

“(c) in Northern Ireland, the prescribed sum within the meaning of Article 4 of the Fines and Penalties (Northern Ireland) Order 1984 (that is to say £1,000 or another sum fixed by order under Article 17 of that Order to take account of changes in the value of money).”.

*The Trustee Savings Banks Act 1981 (c. 65)*

23. In section 36(4)(c) for “£400” substitute “the prescribed sum within the meaning of Article 4 of the Fines and Penalties (Northern Ireland) Order 1984 (£1,000 or another sum substituted by order under Article 17(1) of that Order)”.

*The Civil Aviation Act 1982 (c. 16)*

24. In section 105(1) in the definition of “the statutory maximum”—

(a) in paragraph (a) omit “and Northern Ireland”;

(b) at the end insert—

“(c) in Northern Ireland, the prescribed sum within the meaning of Article 4 of the Fines and Penalties (Northern Ireland) Order 1984 (that is to say, £1,000 or another sum fixed by order under Article 17 of that Order to take account of changes in the value of money);”.

*The Oil and Gas (Enterprise) Act 1982 (c. 23)*

25. In section 28(1) in the definition of “statutory maximum”—

(a) in paragraph (a) for “Wales and Northern Ireland” substitute “and Wales”;

(b) at the end of paragraph (b) add “and”;

(c) for the words from “and for the purpose” onwards substitute—

“(c) in Northern Ireland, the prescribed sum within the meaning of Article 4 of the Fines and Penalties (Northern Ireland) Order 1984”.

*The Aviation Security Act 1982 (c. 36)*

26. In section 38(1) in the definition of “the statutory maximum” in

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paragraph (c) for “£400” substitute “the prescribed sum within the meaning of Article 4 of the Fines and Penalties (Northern Ireland) Order 1984 (that is to say £1,000 or another sum fixed by order under Article 17 of that Order to take account of changes in the value of money)”.

*The Criminal Justice Act 1982 (c. 48)*

27. In section 74 after subsection (2) add—

“(3) In any enactment (whether contained in an Act passed before or after this Act) “statutory maximum”, in relation to a fine on summary conviction for an offence in Northern Ireland, means the prescribed sum within the meaning of Article 4 of the Fines and Penalties (Northern Ireland) Order 1984 (£1,000 or another sum fixed by order under Article 17 of that Order to take account of changes in the value of money).”.

28. In section 75 after paragraph (b) add—

“(c) in relation to Northern Ireland, means the standard scale provided by Article 5 of the Fines and Penalties (Northern Ireland) Order 1984 (the scale set out in Article 5(2) of that Order or as fixed by order under Article 17 of that Order to take account of changes in the value of money).”.

29. In section 81—

(a) in subsection (3) omit “section 75”;

(b) after subsection (4) insert—

“(4A) Section 74(3) above extends to Northern Ireland only.”;

(c) in subsection (5) after “Schedule 13” insert “section 75”.

*The Insurance Companies Act 1982 (c. 50)*

30. In section 14(3)—

(a) in paragraph (b)(i) omit “and Northern Ireland”;

(b) for the words from “and for the purposes” onwards substitute—

“(iii) in Northern Ireland, to a fine not exceeding £1,000 or, if it is greater, the prescribed sum within the meaning of Article 4 of the Fines and Penalties (Northern Ireland) Order 1984.”.

31. In section 71(2)—

(a) in paragraph (b)(i) omit “and Northern Ireland”;

(b) for the words from “and for the purposes” onwards substitute—

“(iii) in Northern Ireland, to a fine not exceeding £1,000 or, if it is greater, the prescribed sum within the meaning of Article 4 of the Fines and Penalties (Northern Ireland) Order 1984.”.

32. In section 81(1)—

(a) in paragraph (b)(i) omit “and Northern Ireland”;

(b) for the words from “and for the purposes” onwards substitute—

“(iii) in Northern Ireland, to a fine not exceeding £1,000 or, if it is greater, the prescribed sum within the meaning of Article 4 of the Fines and Penalties (Northern Ireland) Order 1984.”.

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Article 19(2).

**SCHEDULE 7**

**REPEALS**

Chapter or number	Short title	Extent of repeal
1854 c. 17.	The Boundary Survey (Ireland) Act 1854.	In sections 6 and 7 the words "and not less than two pounds".
1894 c. 60.	The Merchant Shipping Act 1894.	Section 680(3).
1949 c. 54.	The Wireless Telegraphy Act 1949.	Section 6(4).
1956 c. 74.	The Copyright Act 1956.	In section 21(7C) and (7D) the words from "and for the purposes" onwards.
1960 c. 22 (N.I.).	The Companies Act (Northern Ireland) 1960.	In section 71 the words "(within the meaning of the Companies (Northern Ireland) Order 1981)". In section 399(1) the definition of "statutory maximum".
1966 c. 15 (N.I.).	The Horticulture Act (Northern Ireland) 1966.	In section 31(1) the words "or (2)".
1967 c. 18 (N.I.).	The Criminal Law Act (Northern Ireland) 1967.	Section 7(4).
1967 c. 29 (N.I.).	The Increase of Fines Act (Northern Ireland) 1967.	Section 1(2) and (4). Part I of the Schedule except the entries relating to section 43 of the Towns Improvement (Ireland) Act 1854, section 32(2) of the Public Health Acts Amendment Act 1907, section 6(1) of the Destructive Imported Animals Act (Northern Ireland) 1933 and section 4(3) of the Water Supplies and Sewerage Act (Northern Ireland) 1945 in so far as they relate to daily penalties. In Part II of the Schedule the entry relating to the Plant Health Act (Northern Ireland) 1967.
1978 c. 25.	The Nuclear Safeguards and Electricity (Finance) Act 1978.	In section 2(6)(a) the words "and Northern Ireland".

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Chapter or number	Short title	Extent of repeal
1978 c. 38.	The Consumer Safety Act 1978.	In section 11(g) the words from "and for the purposes" onwards.
1978 NI 19.	The Pollution Control and Local Government (Northern Ireland) Order 1978.	In Schedule 4, paragraph 4.
1979 c. 4.	The Alcoholic Liquor Duties Act 1979.	In section 4(1), in the definition of "the prescribed sum", in paragraph (a) the words "or in Northern Ireland".
1979 c. 37.	The Banking Act 1979.	In section 50(1), in the definition of "statutory maximum", in paragraph (a) the words "and Northern Ireland".
1979 c. 38.	The Estate Agents Act 1979.	In section 33(1), in the definition of "statutory maximum", in paragraph (a) the words "and Northern Ireland".
1979 c. 39.	The Merchant Shipping Act 1979.	Sections 20(7) and (8) and 21(7) and (8).
1980 c. 9.	The Reserve Forces Act 1980.	In section 144(1), paragraph (ii) and in paragraph (iii) the words "elsewhere in the United Kingdom".
1980 c. 11.	The Protection of Trading Interests Act 1980.	In section 3(5)(a) the words "and Northern Ireland".
1980 c. 21.	The Competition Act 1980.	In section 19(7)(a) the words "and Northern Ireland".
1980 c. 43.	The Magistrates' Courts Act 1980.	In Schedule 7, in paragraph 168 the words from "and for" onwards; paragraph 173; in paragraph 184 the words from "and for" onwards; in paragraph 185 the words from "and for" onwards; paragraph 189; in paragraph 205 the words from "and for" onwards and in paragraph 206 the words from "and for" onwards.

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Chapter or number	Short title	Extent of repeal
1981 c. 17.	The Energy Conservation Act 1981.	In section 28 the words from "and for the purpose" onwards.
1981 c. 38.	The British Telecommunications Act 1981.	In section 85(1), in the definition of "statutory maximum", in paragraph (a) the words "Northern Ireland" and the words "Northern Ireland and" in the second and third places where they occur.
1981 c. 45.	The Forgery and Counterfeiting Act 1981.	In section 22(6)(a) the words "or Northern Ireland".
1981 c. 53.	The Deep Sea Mining (Temporary Provisions) Act 1981.	In section 14(6)(a) the words "and Northern Ireland".
1981 NI 10.	The Weights and Measures (Northern Ireland) Order 1981.	In Article 36, in paragraph (3) the words from "and in this paragraph" onwards and paragraph (4).
1981 NI 19.	The Companies (Northern Ireland) Order 1981.	In Article 2(2) the definition of "the statutory maximum". In Schedule 3, in paragraph 15 the words "(within the meaning of the Companies (Northern Ireland) Order 1981)".
1981 NI 26.	The Magistrates' Courts (Northern Ireland) Order 1981.	Article 54(2).
1982 c. 16.	The Civil Aviation Act 1982.	Section 40(3). In section 105, in subsection (1), in the definition of "statutory maximum", the words "and Northern Ireland" and subsection (8).
1982 c. 26.	The Food and Drugs (Amendment) Act 1982.	Section 9.
1982 c. 36.	The Aviation Security Act 1982.	In section 33(3)(d), in sub-paragraph (i) the words "in Great Britain" and sub-paragraph (ii).

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Chapter or number	Short title	Extent of repeal
1982 c. 48.	The Criminal Justice Act 1982.	Sections 45(b), 49(2)(d) and (3)(b) and 50(1)(b). In section 81(3) the words "section 75". In Schedule 14, paragraph 2(2).
1982 c. 50.	The Insurance Companies Act 1982.	In sections 14(3)(b)(i), 71(2)(b)(i) and 81(1)(b)(i) the words "and Northern Ireland".
1982 NI 17.	The Companies (Northern Ireland) Order 1982.	In Schedule 3, paragraph 15.
1983 c. 20.	The Mental Health Act 1983.	In section 145(2) the words from "and for the purposes" onwards.
1983 c. 42.	The Copyright (Amendment) Act 1983.	In section 1(3) the repeals in section 21(7C) and (7D) of the Copyright Act 1956 specified above.
1983 c. 53.	The Car Tax Act 1983.	In Schedule 1, in paragraph 8, in sub-paragraph (6) the words "and for the purposes" onwards and in sub-paragraph (7) the words "and for the purposes" onwards.
1983 c. 54.	The Medical Act 1983.	In section 49(1) the words "and for the purposes" onwards.
1983 c. 55.	The Value Added Tax Act 1983.	In section 48, in subsection (2) the words "and for the purposes" onwards and in subsection (3) the words "and for the purposes" onwards.

## EXPLANATORY NOTE

*(This Note is not part of the Order.)*

This Order—

- (a) increases and standardises fines and certain other sums specified in statutory provisions relating to the powers of criminal courts;
- (b) abolishes enhanced penalties for offences punishable on summary conviction only;
- (c) increases the limits of summary jurisdiction for malicious damage;
- (d) increases the limits of fines imposed on children and young persons;
- (e) abolishes certain minimum fines; and
- (f) enables maximum summary fines and certain other sums to be altered to take account of changes in the value of money by order made by the Secretary of State.