

Changes to legislation: *The Fines and Penalties (Northern Ireland) Order 1984, SCHEDULE 1 is up to date with all changes known to be in force on or before 08 July 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) View outstanding changes*

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^{F1} 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).

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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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Changes and effects yet to be applied to :

- Instrument am (prosp) by [S.I. 1994/2795 \(N.I.\) art.26\(1\)Sch.2 para 11](#)
- Instrument am (prosp) by [1994 c. 33 s. 157\(8\)](#)
- Instrument rev. in pt. (saving) (prosp.) by [1998 c. 32 s.74\(2\)\(3\)Schs.56](#)

Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- [art.4\(6\) rev \(prosp\) by S.I. 1994/2795 \(N.I.\) art.26\(2\)Sch.3](#)
- [arts.11131517\(2\)\(f\)\(7\)Sch.2 paras 3891112242829Sch.6 para 2 rev \(prosp\) by S.I. 1994/2795 \(N.I.\) art.26\(2\)Sch.3](#)