

---

DRAFT STATUTORY INSTRUMENTS

---

**2015 No.**

**CRIMINAL LAW, ENGLAND AND WALES**

The Legal Aid, Sentencing and Punishment of Offenders  
Act 2012 (Fines on Summary Conviction) Regulations 2015

Made - - - - - \*\*\*  
Coming into force in accordance with  
regulation 1(1)

THE LEGAL AID, SENTENCING AND PUNISHMENT  
OF OFFENDERS ACT 2012 (FINES ON  
SUMMARY CONVICTION) REGULATIONS 2015

1. Citation, commencement, extent and interpretation
  2. Disapplication of section 85(1) of the 2012 Act and alternative provision
  3. Fines or maximum fines expressed as proportions
  4. Consequential amendments
  5. Transitional and saving provision
- Signature

---

SCHEDULE 1 — Disapplication of section 85(1) of the 2012 Act

1. Customs and Excise Management Act 1979 (c.2)
2. An offence under section 50(2) (unshipping goods etc with intent...
3. An offence under section 50(3) (importing goods in contravention of...
4. An offence under section 53(8) (shipping of dutiable or restricted...
5. An offence under section 56(5) (contravention of duties where entry...
6. An offence under section 57(6), so far as relating to...
7. An offence under section 58E(5), so far as relating to...
8. An offence under section 63(6) (taking goods on board a...
9. An offence under section 64(7) (loading goods on aircraft etc...
10. An offence under section 66(2), so far as relating to...
11. An offence under section 68(2) (being knowingly concerned in the...
12. An offence under section 68A(1) (being knowingly concerned in the...
13. An offence under section 100(1) (unauthorised opening of warehouses  
etc)...
14. An offence under section 100(3) (taking warehoused goods etc with...
15. An offence under section 102(3) (failure to deliver up a...

16. An offence under section 129(3) (separating goods chargeable with duty...
17. An offence under section 136(1) (obtaining a drawback, rebate etc...
18. An offence under section 158(4) (offences in connection with provision...
19. An offence under section 159(6) (removal of goods before examination...
20. An offence under section 167(1) (knowingly or recklessly making untrue...
21. An offence under section 168(1) (counterfeiting or falsifying documents etc)....
22. An offence under section 170(1) (knowingly acquiring possession of chargeable...
23. An offence under section 170(2) (being knowingly concerned in fraudulent...
24. An offence under section 170B(1) (taking preparatory steps for evasion...
25. Customs and Excise Duties (General Reliefs) Act 1979 (c.3)
26. An offence under section 13C(2) (acquisition of goods for use...
27. An offence under section 15(1) (making of false statement etc...
28. Alcoholic Liquor Duties Act 1979 (c.4)
29. An offence under section 25(1) (offences in connection with unlawful...
30. An offence under paragraph 5(1) of Schedule 2A (possession etc...
31. An offence under paragraph 6(1) of Schedule 2A (manager of...
32. An offence under paragraph 7(3) of Schedule 2A (manager of...
33. Hydrocarbon Oil Duties Act 1979 (c.5)
34. An offence under section 10(6) (being liable for duty-free oil...
35. An offence under section 13(3) (using rebated heavy oil in...
36. An offence under section 13(4) (being liable for rebated heavy...
37. An offence under section 13AB(1)(c) (using kerosene in contravention of...
38. An offence under section 13AB(2)(c) (being liable for kerosene being...
39. An offence under section 13AB(5) (supplying kerosene etc, with intent)....
40. An offence under section 14(6) (using or acquiring rebated light...
41. An offence under section 14(7) (being liable for rebated light...
42. An offence under section 14D(3) (misuse of rebated biodiesel or...
43. An offence under section 24A(6) (knowingly misusing marked oil).
44. Betting and Gaming Duties Act 1981 (c.63)
45. An offence under paragraph 13(3) of Schedule 1 (making false...
46. An offence under paragraph 14(1) of Schedule 1 (carrying on...
47. An offence under paragraph 16(1) of Schedule 3 (being knowingly...
48. An offence under paragraph 16(2) of Schedule 3 (being knowingly...
49. Finance Act 1993 (c.34)
50. An offence under section 31(1) (being knowingly concerned in the...
51. An offence under section 31(3) (making false statements in connection...
52. Finance Act 1994 (c.9)
53. An offence under section 41(3) (making a false statement etc...
54. An offence under paragraph 9(1) of Schedule 7 (being knowingly...
55. An offence under paragraph 9(3) of Schedule 7 (producing false...
56. An offence under paragraph 9(4) of Schedule 7 (making false...
57. An offence under paragraph 9(5) of Schedule 7 (conduct which...
58. An offence under paragraph 9(6) of Schedule 7 (entering into...
59. An offence under paragraph 9(7) of Schedule 7 (entering into...
60. Value Added Tax Act 1994 (c.23)
61. An offence under section 72(3) (offences in connection with false...
62. An offence under section 72(8) (conduct which must have involved...
63. An offence under section 72(10) (acquiring possession etc of goods...
64. An offence under section 72(11) (supplying goods or services in...
65. Finance Act 1996 (c.8)

66. An offence under paragraph 15(3) of Schedule 5 (producing false...
67. An offence under paragraph 15(4) of Schedule 5 (making false...
68. An offence under paragraph 15(5) of Schedule 5 (conduct which...
69. An offence under paragraph 15(6) of Schedule 5 (entering into...
70. An offence under paragraph 15(7) of Schedule 5 (carrying out...
71. Finance Act 1997 (c.16)
72. Finance Act 2000 (c.17)
73. An offence under paragraph 93(1) of Schedule 6 (producing false...
74. An offence under paragraph 93(2) of Schedule 6 (making false...
75. An offence under paragraph 94(1) of Schedule 6 (conduct which...
76. An offence under paragraph 95(1) of Schedule 6 (offences relating...
77. An offence under paragraph 139(3) of Schedule 6 (making a...
78. An offence under paragraph 139(4) of Schedule 6 (making arrangements...
79. Finance Act 2001 (c.9)
80. An offence under paragraph 1(1) of Schedule 6 (being knowingly...
81. An offence under paragraph 2(1) of Schedule 6 (producing false...
82. An offence under paragraph 2(2) of Schedule 6 (making false...
83. An offence under paragraph 3(1) of Schedule 6 (conduct which...
84. An offence under paragraph 4(1) of Schedule 6 (offences relating...
85. Finance Act 2012 (c.14)

SCHEDULE 2 — Alternative provision as to penalties in cases of disapplication of section 85(1) of the 2012 Act

1. Customs and Excise Management Act 1979 (c.2)
2. Customs and Excise Duties (General Reliefs) Act 1979 (c.3)
3. Alcoholic Liquor Duties Act 1979 (c.4)
4. Hydrocarbon Oil Duties Act 1979 (c.5)
5. Betting and Gaming Duties Act 1981 (c.63)
6. Finance Act 1993 (c.34)
7. Finance Act 1994 (c.9)
8. Value Added Tax Act 1994 (c.23)
9. Finance Act 1996 (c.8)
10. Finance Act 1997 (c.16)
11. Finance Act 2000 (c.17)
12. Finance Act 2001 (c.9)
13. Finance Act 2012 (c.14)

SCHEDULE 3 — Fines expressed as proportions

Part 1

1. Highways Act 1980 (c.66)
2. Civil Aviation Act 1982 (c.16)
3. Companies Act 1985 (c.6)
4. Building Societies Act 1986 (c.53)
5. Aviation and Maritime Security Act 1990 (c.31)
6. Environmental Protection Act 1990 (c.43)
7. Friendly Societies Act 1992 (c.40)
8. Companies (Audit, Investigations and Community Enterprise) Act 2004 (c.27)
9. Companies Act 2006 (c.46)
10. Channel Tunnel (Security) Order 1994 (S.I. 1994/570)
11. Railway Administration Order Rules 2001 (S.I. 2001/3352)
12. PPP Administration Order Rules 2007 (S.I. 2007/3141)
13. Overseas Companies Regulations 2009 (S.I. 2009/1801)

14. Limited Liability Partnerships (Application of Companies Act 2006) Regulations 2009 (S.I. 2009/1804)  
Part 2
15. Public Health (Control of Disease) Act 1984 (c.22)
16. Environmental Protection Act 1990 (c.43)
17. Companies Act 2006 (c.46)

SCHEDULE 4 — Consequential amendments: fines or maximum fines of numerical amounts of £5,000 or more

Part 1

Public General Acts

1. Children and Young Persons Act 1933 (c.12)
2. Whaling Industry (Regulation) Act 1934 (c.49)
3. Sea Fisheries (Shellfish) Act 1967 (c.83)
4. Sea Fish (Conservation) Act 1967 (c.84)
5. Sea Fisheries Act 1968 (c.77)
6. Prevention of Oil Pollution Act 1971 (c.60)
7. Health and Safety at Work etc Act 1974 (c.37)
8. Salmon and Freshwater Fisheries Act 1975 (c.51)
9. Fishery Limits Act 1976 (c.86)
10. Wildlife and Countryside Act 1981 (c.69)
11. Local Government (Miscellaneous Provisions) Act 1982 (c.30)
12. British Fishing Boats Act 1983 (c.8)
13. Public Health (Control of Disease) Act 1984 (c.22)
14. Video Recordings Act 1984 (c.39)
15. Dangerous Vessels Act 1985 (c.22)
16. Food and Environment Protection Act 1985 (c.48)
17. Copyright, Design and Patents Act 1988 (c.48)
18. Town and Country Planning Act 1990 (c.8)
19. Planning (Listed Buildings and Conservation Areas) Act 1990 (c.9)
20. Planning (Hazardous Substances) Act 1990 (c.10)
21. Food Safety Act 1990 (c.16)
22. Environmental Protection Act 1990 (c.43)
23. Water Industry Act 1991 (c.56)
24. Water Resources Act 1991 (c.57)
25. Clean Air Act 1993 (c.11)
26. Sunday Trading Act 1994 (c.20)
27. Merchant Shipping Act 1995 (c.21)
28. Shipping and Trading Interests (Protection) Act 1995 (c.22)
29. Fur Farming (Prohibition) Act 2000 (c.33)
30. Political Parties, Elections and Referendums Act 2000 (c.41)
31. Criminal Justice and Police Act 2001 (c.16)
32. Adoption and Children Act 2002 (c.38)
33. Licensing Act 2003 (c.17)
34. Water Act 2003 (c.37)
35. Anti-social Behaviour Act 2003 (c.38)
36. Christmas Day (Trading) Act 2004 (c.26)
37. Housing Act 2004 (c.34)
38. Animal Welfare Act 2006 (c.45)
39. Regulatory Enforcement and Sanctions Act 2008 (c.13)

40. Health and Social Care Act 2008 (c.14)
41. Planning Act 2008 (c.29)
42. Energy Act 2008 (c.32)
43. Marine and Coastal Access Act 2009 (c.23)
44. Sunbeds (Regulation) Act 2010 (c.20)
45. Anti-social Behaviour, Crime and Policing Act 2014 (c.12)

#### Local Acts

46. City of Westminster Act 1996 (c.viii)

#### Other Legislation

47. Merchant Shipping (Prevention of Oil Pollution) Order 1983 (S.I. 1983/1106)
48. Sea Fishing (Enforcement of Community Measures for Spanish and Portuguese Vessels) Order 1986 (S.I. 1986/110)
49. Merchant Shipping (Prevention and Control of Pollution) Order 1987 (S.I. 1987/470)
50. Planning (Hazardous Substances) Regulations 1992 (S.I. 1992/656)
51. Fishing Boats (Marking and Documentation) (Enforcement) Order 1993 (S.I. 1993/2015)
52. Merchant Shipping (Survey and Certification) Regulations 1995 (S.I. 1995/1210)
53. Merchant Shipping (Distress Signals and Prevention of Collisions) Regulations 1996 (S.I. 1996/75)
54. Merchant Shipping (Prevention of Pollution) (Law of the Sea Convention) Order 1996 (S.I. 1996/282)
55. Merchant Shipping (Prevention of Oil Pollution) Regulations 1996 (S.I. 1996/2154)
56. Merchant Shipping (Dangerous or Noxious Liquid Substances in Bulk) Regulations 1996 (S.I. 1996/3010)
57. Merchant Shipping (Compulsory Insurance: Ships Receiving Trans-shipped Fish) Regulations 1998 (S.I. 1998/209)
58. The Water Protection Zone (River Dee Catchment) Designation Order 1999 (S.I. 1999/915)
59. Sea Fishing (Enforcement of Community Control Measures) Order 2000 (S.I. 2000/51)
60. Sea Fishing (Enforcement of Community Control Measures) (Wales) Order 2000 (S.I. 2000/1075)
61. Sea Fishing (Enforcement of Community Conservation Measures) Order 2000 (S.I. 2000/1081)
62. Sea Fishing (Enforcement of Community Quota and Third Country Fishing Measures) (Wales) Order 2000 (S.I. 2000/1096)
63. Sea Fishing (North-East Atlantic Control Measures) Order 2000 (S.I. 2000/1843)
64. Sea Fishing (Enforcement of Community Conservation Measures) (Wales) Order 2000 (S.I. 2000/2230)
65. Offshore Installations (Emergency Pollution Control) Regulations 2002 (S.I. 2002/1861)

66. Sea Fishing (Restriction on Days at Sea) (No 2) Order 2003 (S.I. 2003/1535)
67. Sea Fishing (Enforcement of Community Satellite Monitoring Measures) Order 2004 (S.I. 2004/3226)
68. Incidental Catches of Cetaceans in Fisheries (England) Order 2005 (S.I. 2005/17)
69. Railways (Accident Investigation and Reporting) Regulations 2005 (S.I. 2005/1992)
70. Sea Fishing (Enforcement of Community Satellite Monitoring Measures) (Wales) Order 2006 (S.I. 2006/2798)
71. Merchant Shipping (Prevention of Pollution by Sewage and Garbage) Order 2006 (S.I. 2006/2950)
72. Sea Fishing (Restriction on Days at Sea) Order 2007 (S.I. 2007/927)
73. Sea Fishing (Prohibition on the Removal of Shark Fins) Order 2007 (S.I. 2007/2554)
74. Sea Fishing (Recovery Measures) Order 2008 (S.I. 2008/2347)
75. Sea Fishing (Landing and Weighing of Herring, Mackerel and Horse Mackerel) Order 2009 (S.I. 2009/1850)
76. Major Accident Off-Site Emergency Plan (Management of Waste from Extractive Industries) (England and Wales) Regulations 2009 (S.I. 2009/1927)
77. Sea Fishing (Illegal, Unreported and Unregulated Fishing) Order 2009 (S.I. 2009/3391)
78. Environmental Permitting (England and Wales) Regulations 2010 (S.I. 2010/675)
79. Health and Social Care Act 2008 (Regulated Activities) Regulations 2010 (S.I. 2010/781)
80. Community Infrastructure Levy Regulations 2010 (S.I. 2010/948)
81. Environmental Civil Sanctions (England) Order 2010 (S.I. 2010/1157)
82. Merchant Shipping (Ship-to-Ship Transfers) Regulations 2010 (S.I. 2010/1228)
83. Environmental Civil Sanctions (Wales) Order 2010 (S.I. 2010/1821)
84. CRC Energy Efficiency Scheme Order 2013 (S.I. 2013/1119)
85. Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 (S.I. 2014/2936)
- Part 2
86. Public Health (Control of Disease) Act 1984 (c.22)
87. Merchant Shipping Act 1995 (c.21)
88. In section 130 (regulation of transfers between ships in territorial...
89. In section 192A (compulsory insurance or security), in subsection (5)—...
90. Pollution Prevention and Control Act 1999 (c.24)
91. Health and Social Care Act 2008 (c.14)
92. Planning Act 2008 (c.29)
93. Marine and Coastal Access Act 2009 (c.23)
94. Sunbeds (Regulation) Act 2010 (c.20)
- Part 3
95. Fisheries Act 1981 (c.29)
96. Planning and Compensation Act 1991 (c.34)
97. Sea Fish Conservation Act 1992 (c.60)
98. Environment Act 1995 (c.25)
99. Merchant Shipping and Maritime Security Act 1997 (c.28)
100. Countryside and Rights of Way Act 2000 (c.37)
101. Water Act 2003 (c.37)

102. Marine and Coastal Access Act 2009 (c.23)
103. Digital Economy Act 2010 (c.24)
104. Police Reform and Social Responsibility Act 2011 (c.13)

SCHEDULE 5 — Other consequential amendments

1. Customs and Excise Management Act 1979 (c.2)
2. Magistrates' Courts Act 1980 (c.43)
3. Criminal Justice Act 1982 (c.48)
4. Representation of the People Act 1983 (c.2)
5. Road Traffic Offenders Act 1988 (c.53)
6. Housing Act 1996 (c.52)
7. Financial Services and Markets Act 2000 (c.8)
8. Care Standards Act 2000 (c.14)
9. Political Parties, Elections and Referendums Act 2000 (c.41)
10. Criminal Justice Act 2003 (c.44)
11. Wireless Telegraphy Act 2006 (c.36)
12. Regulatory Enforcement and Sanctions Act 2008 (c.13)
13. Health and Social Care Act 2008 (c.14)
14. Housing and Regeneration Act 2008 (c.17)
15. Marine and Coastal Access Act 2009 (c.23)
16. Children and Families (Wales) Measure 2010 (nawm 1)
17. European Parliamentary Elections Regulations 2004 (S.I. 2004/293)
18. National Assembly for Wales (Representation of the People) Order 2007 (S.I. 2007/236)
19. Environmental Civil Sanctions (England) Order 2010 (S.I. 2010/1157)
20. Environmental Civil Sanctions (Wales) Order 2010 (S.I. 2010/1821)
21. Police and Crime Commissioner Elections Order 2012 (S.I. 2012/1917)

Explanatory Note