



Magistrates' Courts Act 1980

1980 CHAPTER 43

PART VII

MISCELLANEOUS AND SUPPLEMENTARY

Power to alter sums specified in certain provisions

143 Power to alter sums specified in certain provisions

- (1) If it appears to the Secretary of State that there has been a change in the value of money since the last occasion when the sum or sums specified in a provision mentioned in subsection (2) below were fixed, he may by order substitute for the sum or sums for the time being specified in that provision such other sum or sums as appear to him justified by the change.
- (2) The said provisions are—
 - (a) section 22(1) above ;
 - (b) the definition of " the prescribed sum " in section 32(9) above;
 - (c) paragraph (a) of section 33(1) above ;
 - (d) section 40(1) above;
 - (e) the Table in paragraph 1 of Schedule 4 to this Act.
- (3) A sum specified in a provision mentioned in subsection (2) above (a " relevant provision ") may have been fixed as mentioned in subsection (1) above—
 - (a) by the coming into force of a provision of the Criminal Law Act 1977 (being a provision re-enacted in the relevant provision concerned or a provision amending a provision of another Act so re-enacted), or
 - (b) by an order made under subsection (1) above in respect of the relevant provision concerned.
- (4) Where it appears to the Secretary of State that the difference between a sum to which subsection (5) below applies and the prescribed sum (within the meaning of section 32 above) has been or would be altered or eliminated by an order made or proposed to be

Status: This is the original version (as it was originally enacted).

made under subsection (1) above, he may by order amend the enactment 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—

- (a) the last occasion on which the sum in question was fixed; and
 - (b) the making of the order or proposed order under subsection (1) above.
- (5) This subsection applies to any sum specified in any enactment contained in any Act passed before, or in the same Session as, the Criminal Law Act 1977 as—
- (a) the maximum fine which may be imposed on summary conviction of an offence triable either way ; or
 - (b) the maximum fine which, in the exercise of any power by subordinate instrument to impose penal provisions, may be authorised on summary conviction in respect of an offence triable either way.
- (6) An order under subsection (1) or (4) above—
- (a) shall be made by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament and may be revoked by a subsequent order thereunder; and
 - (b) shall not affect the punishment for an offence committed before that order comes into force.