



Criminal Justice Act 1991

1991 CHAPTER 53

PART I

POWERS OF COURTS TO DEAL WITH OFFENDERS

Financial penalties

[^{F1}18] **Fixing of fines.**

- (1) Before fixing the amount of any fine, a court shall inquire into the financial circumstances of the offender.
- (2) The amount of any fine fixed by a court shall be such as, in the opinion of the court, reflects the seriousness of the offence.
- (3) In fixing the amount of any fine, a court shall take into account the circumstances of the case including, among other things, the financial circumstances of the offender so far as they are known, or appear, to the court.
- (4) Where—
 - (a) an offender has been convicted in his absence in pursuance of section 11 or 12 of the Magistrates' Courts Act 1980 (non-appearance of accused),
 - (b) an offender—
 - (i) has failed to comply with an order under section 20(1) below; or
 - (ii) has otherwise failed to co-operate with the court in its inquiry into his financial circumstances, or
 - (c) the parent or guardian of an offender who is a child or young person—
 - (i) has failed to comply with an order under section 20(1B) below; or
 - (ii) has otherwise failed to co-operate with the court in its inquiry into his financial circumstances,

and the court considers that it has insufficient information to make a proper determination of the financial circumstances of the offender, it may make such determination as it thinks fit.

Status: Point in time view as at 03/11/1994. This version of this provision has been superseded.

Changes to legislation: *Criminal Justice Act 1991, Section 18 is up to date with all changes known to be in force on or before 02 August 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)*

- (5) Subsection (3) above applies whether taking into account the financial circumstances of the offender has the effect of increasing or reducing the amount of the fine.]

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Textual Amendments

F1 S. 18 substituted (20.9.1993) by 1993 c. 36, s. 65(1)(4); S.I. 1993/1968, art. 2(2), Sch.2

Status:

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