



# Criminal Justice Act 2003

## 2003 CHAPTER 44

### PART 12 U.K.

#### SENTENCING

### CHAPTER 1 E+W

#### GENERAL PROVISIONS ABOUT SENTENCING

##### *Fines*

#### 162 Powers to order statement as to offender's financial circumstances E+W

- (1) Where an individual has been convicted of an offence, the court may, before sentencing him, make a financial circumstances order with respect to him.
- (2) Where a magistrates' court has been notified in accordance with section 12(4) of the Magistrates' Courts Act 1980 (c. 43) that an individual desires to plead guilty without appearing before the court, the court may make a financial circumstances order with respect to him.
- (3) In this section “a financial circumstances order” means, in relation to any individual, an order requiring him to give to the court, within such period as may be specified in the order, such a statement of his [<sup>F1</sup>assets and other] financial circumstances as the court may require.
- (4) An individual who without reasonable excuse fails to comply with a financial circumstances order is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (5) If an individual, in furnishing any statement in pursuance of a financial circumstances order—
  - (a) makes a statement which he knows to be false in a material particular,
  - (b) recklessly furnishes a statement which is false in a material particular, or

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*Status: Point in time view as at 22/02/2018. This version of this provision has been superseded.*

*Changes to legislation: Criminal Justice Act 2003, Section 162 is up to date with all changes known to be in force on or before 05 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)*

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- (c) knowingly fails to disclose any material fact,  
he is liable on summary conviction to a fine not exceeding level 4 on the standard scale.
- (6) Proceedings in respect of an offence under subsection (5) may, notwithstanding anything in section 127(1) of the Magistrates' Courts Act 1980 (c. 43) (limitation of time), be commenced at any time within two years from the date of the commission of the offence or within six months from its first discovery by the prosecutor, whichever period expires the earlier.

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#### **Textual Amendments**

- F1** Words in s. 162(3) inserted (11.12.2013) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(2), [Sch. 16 para. 24](#); [S.I. 2013/2981](#), [art. 2\(d\)](#)
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#### **Commencement Information**

- I1** S. 162 wholly in force at 4.4.2005, see s. 336(3) and [S.I. 2005/950](#), [art. 2\(1\)](#), [Sch. 1 para. 7](#) (subject to [art. 2\(2\)](#), [Sch. 2](#))

**Status:**

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