



Post Office (Horizon System) Offences Act 2024

2024 CHAPTER 14

Supplementary and final provision

7 Consequential provision

- (1) Except as otherwise provided by section 4 or this section, a person whose conviction is quashed by section 1(1) is to be treated as if, on the coming into force of this Act, the conviction had been quashed by a court on an appeal.
- (2) Subsection (1) does not apply for the purposes of paragraph 6(9) of Schedule 3 to the Crime and Disorder Act 1998 (which provides for the setting aside of convictions of summary offences where the Court of Appeal allows an appeal against a conviction of a related indictable offence).
- (3) In section 133 of the Criminal Justice Act 1988 (compensation for miscarriages of justice), the reference in subsection (5) to a conviction having been quashed on an appeal out of time includes a reference to a conviction having been quashed by section 1(1).

Commencement Information

II S. 7 in force at Royal Assent, see s. 11(2)

8 Power of Secretary of State to make further consequential provision

- (1) The Secretary of State may by regulations make provision that is consequential on any provision made by this Act.
- (2) The power to make regulations under this section may, in particular, be exercised by amending or modifying any provision made by or under primary legislation passed or made before, or in the same session of Parliament as, this Act.

*Status: Point in time view as at 24/05/2024.**Changes to legislation: There are currently no known outstanding effects for the Post Office (Horizon System) Offences Act 2024, Cross Heading: Supplementary and final provision. (See end of Document for details)*

- (3) But regulations under this section may not make any provision which is transferred Northern Ireland provision for the purposes of section 9.
- (4) Regulations under this section—
- (a) are to be made by statutory instrument;
 - (b) may make different provision for different purposes;
 - (c) may contain supplementary, incidental, consequential, transitional or saving provision.
- (5) A statutory instrument that contains (with or without other provision) regulations under this section that amend any provision of primary legislation may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.
- (6) Any other statutory instrument containing regulations under this section is subject to annulment in pursuance of a resolution of either House of Parliament.
- (7) In this section “primary legislation” means—
- (a) an Act of Parliament, or
 - (b) Northern Ireland legislation.

Commencement Information**I2** S. 8 in force at Royal Assent, see [s. 11\(2\)](#)**9 Power of Department of Justice to make further consequential provision**

- (1) The Department of Justice in Northern Ireland may by regulations make provision that—
- (a) is consequential on any provision made by this Act, and
 - (b) is transferred Northern Ireland provision.
- (2) For the purposes of this section “transferred Northern Ireland provision” means provision that—
- (a) would be within the legislative competence of the Northern Ireland Assembly if it were contained in an Act of that Assembly, and
 - (b) would not, if it were contained in a Bill in the Northern Ireland Assembly, result in the Bill requiring the consent of the Secretary of State under section 8 of the Northern Ireland Act 1998.
- (3) The power to make regulations under this section may, in particular, be exercised by amending or modifying any provision made by or under primary legislation passed or made before, or in the same session of Parliament as, this Act.
- (4) Regulations under this section—
- (a) may make different provision for different purposes;
 - (b) may contain supplementary, incidental, consequential, transitional or saving provision.
- (5) The power to make regulations under this section is exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979 ([S.I. 1979/1573 \(N.I. 12\)](#)).

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- (6) Regulations under this section that amend any provision of primary legislation may not be made unless a draft of the regulations has been laid before, and approved by a resolution of, the Northern Ireland Assembly.
- (7) Any other regulations under this section are subject to negative resolution within the meaning given by section 41(6) of the Interpretation Act (Northern Ireland) 1954.
- (8) In this section “primary legislation” has the same meaning as in section 8.

Commencement Information

I3 S. 9 in force at Royal Assent, see [s. 11\(2\)](#)

10 Interpretation

(1) In this Act—

“caution” means—

(a) in the case of England and Wales—

- (i) a conditional caution given under section 22 of the Criminal Justice Act 2003,
- (ii) a youth conditional caution given under section 66A of the Crime and Disorder Act 1998, or
- (iii) any other caution given to a person in England and Wales in respect of an offence which, at the time the caution is given, the person has admitted;

(b) in the case of Northern Ireland, any caution (including a restorative caution) given to a person in Northern Ireland in respect of an offence which, at the time the caution is given, the person has admitted;

and “cautioned” is to be read accordingly;

“conviction” means—

- (a) a conviction by or before a court, or
- (b) a finding in any criminal proceedings (including a finding linked with a finding of insanity) that a person has committed an offence or done the act or made the omission charged,

and “convicted” is to be read accordingly;

“the Horizon system” means any version of the computer system known as Horizon (and sometimes referred to as Legacy Horizon, Horizon Online or HNG-X) used by the Post Office, other than the version referred to as HNG-A;

“postal services” has the same meaning as in the Postal Services Act 2011 (see section 27 of that Act);

“the Post Office” means any of the following—

- (a) the Post Office;
- (b) Post Office Limited or Post Office Counters Limited (registered number 02154540);
- (c) Royal Mail Group Limited, Consignia Public Limited Company or Royal Mail Group Plc (registered number 04138203);

“post office” means any premises or vehicle in England and Wales or Northern Ireland from which postal services are provided (whether alone or with other services) directly to the public;

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“post office business” means the business of providing postal services (whether alone or with other services) from a post office;

“quashed conviction” means a conviction quashed by section 1(1);

“relevant offence” has the meaning given by section 2.

- (2) The following provisions (which deem a conviction of a person discharged not to be a conviction) do not apply for the purposes of this Act to a conviction of a person for an offence in respect of which an order has been made discharging the person absolutely or conditionally—
- (a) section 14 of the Powers of Criminal Courts (Sentencing) Act 2000;
 - (b) section 82 of the Sentencing Code;
 - (c) Article 6 of the Criminal Justice (Northern Ireland) Order 1996 (S.I. 1996/3160 (N.I. 24)).
- (3) Nothing in this Act affects any power of a court to quash a conviction to which this Act does not apply.

Commencement Information

I4 S. 10 in force at Royal Assent, see [s. 11\(2\)](#)

11 Extent and commencement

- (1) This Act extends to England and Wales and Northern Ireland.
- (2) This Act comes into force on the day on which it is passed.

Commencement Information

I5 S. 11 in force at Royal Assent, see [s. 11\(2\)](#)

12 Short title

This Act may be cited as the Post Office (Horizon System) Offences Act 2024.

Commencement Information

I6 S. 12 in force at Royal Assent, see [s. 11\(2\)](#)

Status:

Point in time view as at 24/05/2024.

Changes to legislation:

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