



Increase of Fines Act (Northern Ireland) 1967

1967 CHAPTER 29

An Act to provide for the increase and varying of certain pecuniary penalties and for matters connected therewith. [14th December 1967]

1 Increase of fines.

- (1) The enactments specified in column 1 of Part I of the Schedule (being enactments creating the offences broadly described in column 2 of that Part of the Schedule) shall each have effect as if the maximum fine which may be imposed on summary conviction for any offence specified in that enactment were a fine not exceeding the amount specified in column 4 of the Schedule instead of a fine of, or not exceeding, the amount specified in column 3 of the Schedule.

Subs. (2) rep. by 1984 NI 3

- (3) Any subordinate provision in force immediately before the commencement of this Act under an enactment specified in the said Part II shall, if it provides that the maximum amount of the fine which may be imposed on summary conviction for an offence specified in the provision shall be the amount specified in column 3 of the said Part II, have effect as if the said maximum amount were the amount specified in column 4 of the said Part II.

Subs. (4) rep. by 1984 NI 3

- (5) Subsections (1) to (4) shall not affect the power of a court to impose a penalty for a continuing offence under any enactment specified in Part I of the Schedule or any subordinate provision made under an enactment specified in Part II of the Schedule except where such a penalty is expressly mentioned in column 3 of the Schedule; nor shall they affect the power of a court to award imprisonment under any such enactment or provision.
- (6) Where any reference is made in column 3 of Part I of the Schedule to a minimum penalty, the provisions relating to that minimum penalty and to any mitigation thereof shall cease to have effect.

Changes to legislation: There are currently no known outstanding effects for the Increase of Fines Act (Northern Ireland) 1967. (See end of Document for details)

- (7) In this section, “subordinate provision” means provision contained in an instrument made under an enactment.
- (8) Notwithstanding any provision limiting the amount of the fine which may be imposed on conviction on indictment for an offence under any of the following enactments:—
- (a) ^{F1}
 - (b) ^{F2}
 - (c) section 27(1) of the Summary Jurisdiction and Criminal Justice Act (Northern Ireland) 1958 (^{F3} . . . false statements in procuring a passport);
- the court may on such conviction impose a fine of such amount as the court may think proper, whether greater or less than the amount limited by that provision.
- (9) Nothing in this section shall affect the amount of the fine which may be imposed on conviction for an offence committed before the commencement of this Act.

Annotations:

- F1** S. 1(8)(a) repealed (1.7.2011) by Bribery Act 2010 (c. 23), ss. 17(3), 19(1), **Sch. 2** (with ss. 16, 19(5)); S.I. 2011/1418, **art. 2**
- F2** S. 1(8)(b) repealed (1.7.2011) by Bribery Act 2010 (c. 23), ss. 17(3), 19(1), **Sch. 2** (with ss. 16, 19(5)); S.I. 2011/1418, **art. 2**
- F3** 1981 c. 45

2 Consequential amendments.

- (1) [^{F4}The Department of Justice may by order]—
- (a) make such amendments to, and repeals in, the enactments specified in column 1 of Parts I and II of the Schedule as appear to [^{F5}it] to be necessary as a result of the increase and variation of the penalties specified in column 3 thereof as are effected by section 1 and by column 4 of the said Parts I and II; and
 - (b) make such amendments to, and repeals in, the enactments specified in section 1(8) as appear to [^{F6}it] to be necessary as a result of the provisions of the said section 1(8).
- [^{F7}(2) No order shall be made by the Department of Justice under this section unless a draft of it has been laid before, and approved by a resolution of, the Assembly.]

Annotations:

- F4** Words in s. 2(1) substituted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 4(3), **Sch. 2 para. 2(2)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**
- F5** Words in s. 2(1)(a) substituted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 4(3), **Sch. 2 para. 2(3)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**
- F6** Words in s. 2(1)(b) substituted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 4(3), **Sch. 2 para. 2(3)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**
- F7** S. 2(2) substituted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 4(3), **Sch. 2 para. 2(4)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**