



Justice Act (Northern Ireland) 2016

CHAPTER 21

JUSTICE ACT (NORTHERN IRELAND) 2016

PART 1

FINES AND OTHER PENALTIES: ENFORCEMENT

CHAPTER 1

Collection of Fines etc.

Introductory

1. Application of Chapter

Collection officers and orders

2. Collection officers
3. Collection order
4. Additional powers where collection order made

Default on payment

5. Collection officer to contact debtor in default
6. Powers of collection officer in relation to debtor in default
7. Referral to the court: collection officer's report etc.
8. Referral to the court in case where no collection order made

Changes to legislation: Justice Act (Northern Ireland) 2016 is up to date with all changes known to be in force on or before 04 February 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) View outstanding changes

9. Powers of court on referral of debtor's case
10. Power to issue arrest warrant where debtor fails to attend hearing
11. Arrest under warrant under section 10
12. Remand or committal under section 11
13. Costs relating to referral of debtor's case

Deductions from benefits

14. Application for deduction from benefits
15. Deduction from benefits: further provision in regulations
16. Enquiries into debtor's means
17. Disclosure of information

Attachment of earnings

18. Attachment of earnings order
19. Statement of earnings

Freezing bank accounts etc.

20. Interim bank account order
21. Hardship payments
22. Bank account order

Seizure of vehicles

23. Vehicle seizure order

Supplementary

24. Offences
25. Appeals
26. Guidance
27. Interpretation etc.
28. Minor and consequential amendments

CHAPTER 2

Other enforcement procedures

29. Supervised activity orders
30. Restriction on detention of children for default in paying fines, etc.
31. Distress in default
32. Limitations on remission

PART 2

The Prison Ombudsman For Northern Ireland

The Ombudsman

- 33. The Prison Ombudsman for Northern Ireland
- 34. Main functions of Ombudsman

Complaints

- 35. Complaints
- 36. Report of investigation of complaint

Deaths in custody

- 37. Investigations into deaths in custody
- 38. Report on investigation into death

Investigations requested by Department

- 39. Investigations requested by the Department
- 40. Report on investigation under section 39

Own-initiative investigations

- 41. Own-initiative investigations
- 42. Report on investigation under section 41

Powers of Ombudsman

- 43. Powers of Ombudsman

Supplementary

- 44. Disclosure of information
- 45. Guidance to Ombudsman in relation to matters connected with national security
- 46. Interpretation
- 47. Transitional provision: the Prisoner Ombudsman for Northern Ireland

PART 3

Miscellaneous

Animal welfare

- 48. Penalties for animal welfare offences

Changes to legislation: Justice Act (Northern Ireland) 2016 is up to date with all changes known to be in force on or before 04 February 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) View outstanding changes

Lay visitors

49. Lay visitors for all police stations

Pornographic or other sexual images

50. Possession of pornographic images of rape and assault by penetration
51. Disclosing private sexual photographs and films with intent to cause distress
52. Meaning of “disclose” and “photograph or film”
53. Meaning of “private” and “sexual”

Assaulting ambulance workers etc

54. Offence of assaulting ambulance workers etc

Early removal of prisoners

55. Early removal from prison of prisoners liable to removal from United Kingdom
56. Re-entry into Northern Ireland of offender removed under section 55

Direct committal for trial

57. Direct committal for trial: indictable offence triable summarily

Firearms

58. Amendments of Firearms (Northern Ireland) Order 2004, etc.

Costs

59. Costs of Accountant General in administering funds in court

PART 4

General

60. Regulations and orders
61. Commencement and short title

SCHEDULES

SCHEDULE 1 — ATTACHMENT OF EARNINGS ORDERS

Service of order

1. (1) An attachment of earnings order must be served on...

Compliance with order

2. (1) Where an attachment of earnings order is served on...

Power to determine whether payments are earnings

3. (1) Where an attachment of earnings order is made, the...

Administrative costs of employer

4. Regulations may provide that, on any occasion when the debtor's...

Change of circumstances

5. (1) If a debtor in relation to whom an attachment...

Variation of order

6. (1) Where the collection officer makes an attachment of earnings...

Discharge of order

7. (1) Where the collection officer makes an attachment of earnings...

Prioritisation of orders

8. (1) Part 2 of Schedule 1 to the Judgments Enforcement...

Crown employment

9. (1) Where a debtor is employed by the Crown and...

Regulations

10. Regulations may make further provision relating to attachments of earnings...

SCHEDULE 2 — COLLECTION ORDERS: MINOR AND CONSEQUENTIAL AMENDMENTS

Criminal Justice Act (Northern Ireland) 1945

1. (1) In section 35 (powers of courts in relation to...

Mines Act (Northern Ireland) 1969

2. In Schedule 3 (inquiries into fitness of holders of certificates...

Changes to legislation: *Justice Act (Northern Ireland) 2016* is up to date with all changes known to be in force on or before 04 February 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) View outstanding changes

Magistrates' Courts (Northern Ireland) Order 1981

3. (1) In Article 2(3) (interpretation) at the appropriate place insert—...

Police and Criminal Evidence (Northern Ireland) Order 1989

4. In Article 19(1) (power of constable to enter and search),...

Road Traffic Offenders (Northern Ireland) Order 1996

5. (1) In Article 2(2) (interpretation) at the appropriate place insert—...

Criminal Justice and Immigration Act 2008

6. (1) In section 88 (international co-operation in relation to criminal...

Justice Act (Northern Ireland) 2011

7. (1) In section 67 (registration of fixed penalty), in subsection...

Justice Act (Northern Ireland) 2015

8. (1) In section 24 (prosecutorial fines: registration of sum payable...

SCHEDULE 3 — THE PRISON OMBUDSMAN

Appointment, status and term of office

1. The Department shall appoint a person to be the Ombudsman....
2. The Ombudsman is not to be regarded as the servant...
3. (1) A person appointed as Ombudsman holds office for such...
4. (1) A person holding office as Ombudsman may resign that...

Remuneration and allowances

5. The Department shall pay the Ombudsman such remuneration and such...
6. The Department shall pay to or in respect of a...

Appointment of acting Ombudsman

7. (1) Where the office of Ombudsman becomes vacant, the Department...

The Ombudsman's officers

8. (1) The Ombudsman may, with the approval of the Department...

Advisers

9. The Ombudsman may obtain advice from any person who, in...

Documents

10. A document purporting to be duly signed by, or on...

Finance

11. (1) The Department may make payments to the Ombudsman out...

Annual report

12. (1) As soon as practicable after the end of each...

Data protection

13. In section 31(4) of the Data Protection Act 1998 (regulatory...

Freedom of information

14. (1) In section 76(1) of the Freedom of Information Act...

Public Services Ombudsman

15. In Schedule 3 to the Public Services Ombudsman Act (Northern...

Interpretation

16. In this Schedule “financial year” means— (a) the period beginning...

SCHEDULE 4 — PRIVATE SEXUAL PHOTOGRAPHS ETC: PROVIDERS OF INFORMATION SOCIETY SERVICES

Exceptions for mere conduits

1. (1) A service provider is not capable of committing an...

Exception for caching

2. (1) This paragraph applies where an information society service consists...

Changes to legislation: Justice Act (Northern Ireland) 2016 is up to date with all changes known to be in force on or before 04 February 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) View outstanding changes

Exception for hosting

3. (1) A service provider is not capable of committing an...

Interpretation

4. (1) This paragraph applies for the purposes of this Schedule....

SCHEDULE 5 — AMENDMENTS OF THE FIREARMS (NORTHERN IRELAND) ORDER 2004

Part 1 — Firearms - Persons under 18

Authorisation of shotgun clubs to allow use of shotguns by persons under the age of 16

1. (1) In Article 2(2) (interpretation), after the definition of “shotgun...

Other amendments relating to persons under 18

2. (1) Article 7 (purposes for which a young person may...
Part 2 — Firearm certificates and other certificates

Variation of firearm certificate

3. (1) In Article 11 (variation of firearm certificate), for paragraphs...

Variation of firearms dealer's certificate

4. In Article 29(6) (variation of firearms dealer's certificate), at the...

Updated certificates

5. (1) In Article 5 (grant of firearm certificate)—

Certificates granted in Great Britain

6. (1) The following provisions of Article 17 (firearm certificate or...

Part 3 — Supplementary

Fees

7. (1) For Schedule 6 (fees) substitute— SCHEDULE 6 Fees
Article...

Changes to legislation: *Justice Act (Northern Ireland) 2016 is up to date with all changes known to be in force on or before 04 February 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) View outstanding changes*

Consequential amendment

8. In Article 80(5) (regulations and orders made by the Department...

Changes to legislation:

Justice Act (Northern Ireland) 2016 is up to date with all changes known to be in force on or before 04 February 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.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- s. 57 repealed by [2022 c. 4 \(N.I.\) s. 4\(11\)](#)