
STATUTORY INSTRUMENTS

1998 No. 1504

The Criminal Justice (Children) (Northern Ireland) Order 1998

PART VI

SENTENCING AND OTHER POWERS

Fines and recognizances

PROSPECTIVE

[^{F1}Parental compensation orders: supplemental

36ZC.—(1) Before deciding whether or not to make a parental compensation order in favour of any person, the magistrates' court shall take into account the views of that person about whether a parental compensation order should be made in his favour.

(2) Before making a parental compensation order, the magistrates' court shall obtain and consider information about the child's family circumstances and the likely effect of the order on those circumstances.

(3) Before making a parental compensation order, a magistrates' court shall explain to the parent or guardian of the child in ordinary language—

- (a) the effect of the order and of the requirements proposed to be included in it;
- (b) the consequences which may follow (under paragraph (4)(b)) as a result of failure to comply with any of those requirements;
- (c) that the court has power (under paragraph (4)(a)) to review the order on the application either of the parent or guardian or of the applicant.

(4) A magistrates' court ^{F2}... may make an order under paragraph (5) if while the order is in force—

- (a) it appears to the court, on the application of the applicant, or the parent or guardian subject to the order, that it is appropriate to make an order under paragraph (5); or
- (b) it is proved to the satisfaction of the court, on the application of the applicant, that the parent or guardian subject to it has failed to comply with any requirement included in the order.

(5) An order under this paragraph is an order discharging the parental compensation order or varying it—

- (a) by cancelling any provision included in it; or
- (b) by inserting in it (either in addition to or in substitution for any of its provisions) any provision that could have been included in the order if the court had then had power to make it and were exercising the power.

Status: This version of this provision is prospective.

Changes to legislation: There are currently no known outstanding effects for the The Criminal Justice (Children) (Northern Ireland) Order 1998, Section 36ZC. (See end of Document for details)

(6) Where an application under paragraph (4) for the discharge of a parental compensation order is dismissed, no further application for its discharge shall be made under that paragraph by any person except with the consent of the court which made the order.

^{F3}(7)]

- F1** Arts. 36ZA-36ZE inserted (prosp.) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 144, 178(8), **Sch. 10 para. 8** (with [Sch. 10 para. 10](#))
- F2** Words in [art. 36ZC\(4\)](#) repealed (31.10.2016) by [Justice Act \(Northern Ireland\) 2015 \(c. 9\)](#), s. 106(2), [Sch. 1 para. 115\(4\)\(a\)](#), **Sch. 9 Pt. 1** (with [Sch. 8 para. 1](#)); S.R. 2016/387, [art. 2\(k\)\(m\)](#) (with [art. 3](#)) This amendment cannot take effect until [art. 36ZC](#) comes into operation.
- F3** [Art. 36ZC\(7\)](#) repealed (31.10.2016) by [Justice Act \(Northern Ireland\) 2015 \(c. 9\)](#), s. 106(2), [Sch. 1 para. 115\(4\)\(b\)](#), **Sch. 9 Pt. 1** (with [Sch. 8 para. 1](#)); S.R. 2016/387, [art. 2\(k\)\(m\)](#) (with [art. 3](#)) This amendment cannot take effect until [art. 36ZC](#) comes into operation.

Status:

This version of this provision is prospective.

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There are currently no known outstanding effects for the The Criminal Justice (Children) (Northern Ireland) Order 1998, Section 36ZC.