
STATUTORY INSTRUMENTS

1998 No. 1504

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

PART VI

SENTENCING AND OTHER POWERS

Miscellaneous

[^{F1}Restriction on detention for default of payment of fine, etc.]

46C.—(1) A child shall not be ordered to be detained in custody in default of the payment of any sum adjudged to be paid by or imposed on conviction of an offence unless, at the time when the sum becomes due or at any subsequent time at which it remains due, the child—

- (a) is already being detained in custody, or
- (b) has been ordered to be detained in custody but the period of detention has yet to begin.

(2) The child may be ordered to be detained in custody for a period concurrent with that other period of detention; and the service of a period of detention ordered in reliance on this Article discharges the child's liability for the sum concerned.

(3) A period of detention ordered in reliance on this Article must end on or before the date on which the child is to be discharged from the other period of detention; and where the applicable maximum period would otherwise extend beyond that date, it is to be reduced accordingly.

(4) In this Article—

- (a) the reference to a sum adjudged to be paid by or imposed on a conviction includes a reference to a sum treated for the purposes of any statutory provision as if it were a sum so adjudged or imposed, and
- (b) the reference to the applicable maximum period is a reference to the applicable maximum period under section 35 of the Criminal Justice Act (Northern Ireland) 1945 or Schedule 3 to the Magistrates' Courts (Northern Ireland) Order 1981.]

F1 Art. 46C inserted (1.6.2018) by *Justice Act (Northern Ireland) 2016* (c. 21), **ss. 30(1), 61(2)** (with s. 30(12)); S.R. 2018/99, art. 2(a)

Changes to legislation:

There are currently no known outstanding effects for the The Criminal Justice (Children) (Northern Ireland) Order 1998, Section 46C.