



Criminal Justice Act 1982

1982 CHAPTER 48

PART III

FINES ETC.

Application of standard scale to existing enactments

46 Conversion of references to amounts to references to levels on scale

- (1) Where—
- (a) either—
 - (i) a relevant enactment makes a person liable to a fine or maximum fine on conviction of a summary offence; or
 - (ii) a relevant enactment confers power by subordinate instrument to make a person liable to a fine or maximum fine on conviction of a summary offence (whether or not created by the instrument); and
 - (b) the amount of the fine or maximum fine for the offence is, whether by virtue of this Part of this Act or not, an amount shown in the second column of the standard scale,
- a reference to the level in the first column of the standard scale corresponding to that amount shall be substituted for the reference in the enactment to the amount of the fine or maximum fine.
- (2) Where a relevant enactment confers a power such as is mentioned in subsection (UteMii) above, the power shall be construed as a power to make a person liable to a fine or, as the case may be, a maximum fine not exceeding the amount corresponding to the level on the standard scale to which the enactment refers by virtue of subsection (1) above or not exceeding a lesser amount.
- (3) If an order under section 143 of the Magistrates' Courts Act 1980 alters the sums specified in section 37(2) above, the second reference to the standard scale in subsection (1) above is to be construed as a reference to that scale as it has effect by virtue of the order.

Status: This is the original version (as it was originally enacted).

- (4) In this section "relevant enactment" means—
- (a) any enactment contained in an Act passed before this Act except—
 - (i) an enactment mentioned in Schedule 2 to the Companies Act 1980;
 - (ii) an enactment contained in the Companies Act 1981 ;
 - (b) any enactment contained in this Act;
 - (c) any enactment contained in an Act passed on the same day as this Act; and
 - (d) any enactment contained in an Act passed after this Act but in the same Session as this Act.
- (5) This section shall not affect so much of any enactment as (in whatever words) makes a person liable on summary conviction to a maximum fine not exceeding a specified amount for each period of a specified length during which a continuing offence is continued.

47 Provisions supplementary to sections 35 to 46

- (1) In sections 35 to 40 and 46 above "fine" includes a pecuniary penalty but does not include a pecuniary forfeiture or pecuniary compensation.
- (2) Nothing in any provision contained in sections 35 to 46 above shall affect the punishment for an offence committed before that provision comes into force.