



Policing and Crime Act 2017

2017 CHAPTER 3

PART 8

FINANCIAL SANCTIONS

Enhanced maximum penalties

^{F1}144 Powers to create offences under section 2(2) ECA 1972: maximum term of imprisonment

.....

Textual Amendments

F1 S. 144 omitted (31.12.2020) by virtue of [The Law Enforcement and Security \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/742\)](#), regs. 1, **128**; 2020 c. 1, Sch. 5 para. 1(1)

145 Other offences: maximum term of imprisonment

(1) Schedule 3 to the Anti-terrorism, Crime and Security Act 2001 (freezing orders) is amended in accordance with subsections (2) and (3).

(2) In paragraph 7 (offences), for sub-paragraph (6)(a) and (b) substitute—

“(a) on summary conviction—

(i) in England and Wales, to imprisonment for a term not exceeding 12 months (or, in relation to offences committed before section 154(1) of the Criminal Justice Act 2003 comes into force, 6 months) or to a fine, or to both;

(ii) in Scotland, to imprisonment for a term not exceeding 12 months, or to a fine not exceeding the statutory maximum, or to both;

Changes to legislation: Policing and Crime Act 2017, Cross Heading: Enhanced maximum penalties is up to date with all changes known to be in force on or before 16 April 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

- (iii) in Northern Ireland, to imprisonment for a term not exceeding 6 months, or to a fine not exceeding the statutory maximum, or to both;
 - (b) on conviction on indictment, to imprisonment for a term not exceeding 7 years or to a fine, or to both.”
- (3) In that paragraph, in sub-paragraph (7), for the words from “on summary conviction” to the end of the sub-paragraph substitute “—
 - (a) on summary conviction—
 - (i) in England and Wales, to imprisonment for a term not exceeding 12 months (or, in relation to offences committed before section 154(1) of the Criminal Justice Act 2003 comes into force, 6 months) or to a fine, or to both;
 - (ii) in Scotland, to imprisonment for a term not exceeding 12 months, or to a fine not exceeding the statutory maximum, or to both;
 - (iii) in Northern Ireland, to imprisonment for a term not exceeding 6 months, or to a fine not exceeding the statutory maximum, or to both;
 - (b) on conviction on indictment, to imprisonment for a term not exceeding 2 years or to a fine, or to both.”
- (4) Schedule 7 to the Counter-Terrorism Act 2008 (terrorist financing and money laundering) is amended in accordance with subsections (5) to (9).
- (5) In paragraph 30 (offence of failure to comply with requirement imposed by direction), after sub-paragraph (4) insert—

“(4A) In a case where a person is guilty of an offence under this paragraph by failing to comply with a requirement of a kind mentioned in paragraph 13, the person is liable—

 - (a) on summary conviction—
 - (i) in England and Wales, to imprisonment for a term not exceeding 12 months (or, in relation to offences committed before section 154(1) of the Criminal Justice Act 2003 comes into force, 6 months) or to a fine, or to both;
 - (ii) in Scotland, to imprisonment for a term not exceeding 12 months, or to a fine not exceeding the statutory maximum, or to both;
 - (iii) in Northern Ireland, to imprisonment for a term not exceeding 6 months, or to a fine not exceeding the statutory maximum, or to both;
 - (b) on conviction on indictment, to imprisonment for a term not exceeding 7 years or to a fine, or to both.”
- (6) In sub-paragraph (5) of that paragraph, at the beginning insert “ In any other case, ”.
- (7) In paragraph 30A (offence of relevant person circumventing requirements), after sub-paragraph (1) insert—

“(1A) In a case where a person is guilty of an offence under this paragraph in relation to a requirement of a kind mentioned in paragraph 13, the person is liable—

 - (a) on summary conviction—

Changes to legislation: Policing and Crime Act 2017, Cross Heading: Enhanced maximum penalties is up to date with all changes known to be in force on or before 16 April 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](#)

- (i) in England and Wales, to imprisonment for a term not exceeding 12 months (or, in relation to offences committed before section 154(1) of the Criminal Justice Act 2003 comes into force, 6 months) or to a fine, or to both;
 - (ii) in Scotland, to imprisonment for a term not exceeding 12 months, or to a fine not exceeding the statutory maximum, or to both;
 - (iii) in Northern Ireland, to imprisonment for a term not exceeding 6 months, or to a fine not exceeding the statutory maximum, or to both;
 - (b) on conviction on indictment, to imprisonment for a term not exceeding 7 years or to a fine, or to both.”
- (8) In sub-paragraph (2) of that paragraph, at the beginning insert “ In any other case, ”.
- (9) In paragraph 31 (offences in connection with licences), in sub-paragraph (2), for the words from “on conviction on indictment” to the end of the sub-paragraph substitute “
 - (a) on summary conviction—
 - (i) in England and Wales, to imprisonment for a term not exceeding 12 months (or, in relation to offences committed before section 154(1) of the Criminal Justice Act 2003 comes into force, 6 months) or to a fine, or to both;
 - (ii) in Scotland, to imprisonment for a term not exceeding 12 months, or to a fine not exceeding the statutory maximum, or to both;
 - (iii) in Northern Ireland, to imprisonment for a term not exceeding 6 months, or to a fine not exceeding the statutory maximum, or to both;
 - (b) on conviction on indictment, to imprisonment for a term not exceeding 2 years or to a fine, or to both.”
- (10) The amendments made by this section do not affect the penalty for an offence if any act or other event proof of which is required for conviction of the offence takes place before this section comes into force.

Commencement Information

- I1** [S. 145](#) in force for specified purposes at Royal Assent, see [s. 183](#)
- I2** [S. 145](#) in force at 1.4.2017 in so far as not already in force by [S.I. 2017/482](#), [reg. 2](#)

Changes to legislation:

Policing and Crime Act 2017, Cross Heading: Enhanced maximum penalties is up to date with all changes known to be in force on or before 16 April 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 :

- specified provision(s) amendment to earlier commencing S.I. 2017/1139, reg. 2 by [S.I. 2017/1162 reg. 2](#)