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 STATUTORY INSTRUMENTS
 

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1984 No. 447

## MAGISTRATES' COURTS

**The Criminal Penalties etc. (Increase) Order 1984**

<i>Made</i>	- - - -	<i>26th March 1984</i>
<i>Laid before Parliament</i>		<i>5th April 1984</i>
<i>Coming into Operation</i>		<i>1st May 1984</i>

Whereas it appears to me that there has been a change in the value of money since 29th July 1977 justifying, as regards the sums specified in the provisions mentioned in section 143(2) of the Magistrates' Courts Act 1980(a), the sums substituted therefor by this Order:

Now, therefore, in exercise of the powers conferred upon me by section 143(1) of that Act(b), as in force in England and Wales and as extended by the Criminal Justice Act 1982 (Isle of Man) Order 1983(c), I hereby make the following Order:—

1.— (1) This Order may be cited as the Criminal Penalties etc. (Increase) Order 1984 and, subject to paragraph (2) below, shall come into operation on 1st May 1984.

(2) This Order shall not affect the amount of any fine imposed, nor the amount of any compensation order made, in respect of any offence committed before 1st May 1984 nor the amount of any fine imposed in respect of any act or omission taking place before that date.

(3) In this Order “the 1980 Act” means the Magistrates' Courts Act 1980.

2.— (1) For the sums specified in the provisions set out in column 1 of Schedule 1 to this Order and generally described in column 2 of that Schedule, the present amounts of which are set out in column 3, there shall be substituted the sums set out in column 4.

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(a) 1980 c.43; subsection (2) was amended by section 48 of the Criminal Justice Act 1982 (c.48).

(b) Subsection (1) was substituted by section 48 of the Criminal Justice Act 1982.

(c) S.I. 1983/1898; section 143(1) refers to provisions specified in section 143(2), only certain paragraphs of which are extended to the Isle of Man by S.I. 1983/1898. Accordingly, the only increases made by this Order which have effect in the Isle of Man are those referred to in entries 4, 10, 11 and 13 of Schedule 1 and in Schedule 4.

(2) For the sums specified in the Tables set out in paragraph 1 of Schedule 4 to the 1980 Act and section 31(3A) of the Powers of Criminal Courts Act 1973(a), being sums for the purpose of determining the maximum periods of imprisonment applicable in default of payment in respect of certain orders of the magistrates' court and Crown Court respectively, the present amounts of which are set out in column 1 of Schedule 2 to this Order and which relate to the maximum period of imprisonment set out in column 3 of that Schedule, there shall be substituted the sums set out in column 2.

(3) For the sums specified in the provisions set out in column 1 of Schedule 3 to this Order (which provisions are mentioned in Schedule 6A to the 1980 Act(b)) and generally described in column 2 of that Schedule, the present amounts of which are set out in column 3, there shall be substituted the sums set out in column 4.

(4) For the sums specified in section 37(2) of the Criminal Justice Act 1982(c), which are set out in column 2 of Schedule 4 to this Order and which represent the amounts of the fines on the levels of the standard scale set out in column 1 of that Schedule, there shall be substituted the sums set out in column 3.

*Leon Brittan,*  
One of Her Majesty's Principal  
Secretaries of State.

Home Office.  
26th March 1984.

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(a) 1973 c.62; subsection (3A) was inserted into section 31 by section 69(1) of the Criminal Justice Act 1982.

(b) Schedule 6A was inserted into the 1980 Act by section 48 of, and Schedule 5 to, the Criminal Justice Act 1982.

(c) 1982 c.48.

## SCHEDULE 1

## Article 2(1)

## SUMS SPECIFIED IN PROVISIONS MENTIONED IN SECTION 143(2) OF THE 1980 ACT WHICH ARE INCREASED BY ARTICLE 2(1)

1 Provision	2 General description of sum	3 Present amount of sum	4 New amount of sum
1. Section 22(1) of the 1980 Act.	Relevant sum in cases where offences triable either way are to be tried summarily if value of property involved does not exceed the relevant sum.	£200	£400
2. Section 24(3) of the 1980 Act.	Maximum fine on summary conviction of young person for indictable offence.	£200	£400
3. Section 24(4) of the 1980 Act.	Maximum fine on summary conviction of child for indictable offence.	£50	£100
4. Section 32(9) of the 1980 Act.	The "prescribed sum", i.e. the maximum fine on summary conviction of offence triable either way.	£1,000	£2,000
5. Section 33 (1)(a) of the 1980 Act.	Maximum fine on summary conviction of offence tried in pursuance of section 22 of the 1980 Act (certain offences triable either way to be tried summarily if value involved is small).	£500	£1,000
6. Section 34 (3)(b) of the 1980 Act.	Maximum fine on summary conviction where statute provides no express power to fine.	£200	£400
7. Section 36(1) of the 1980 Act.	Maximum fine on conviction by a magistrates' court of person under 17.	£200	£400
8. Section 36(2) of the 1980 Act.	Maximum fine on conviction by a magistrates' court of person under 14.	£50	£100
9. Section 40(1) of the 1980 Act.	Maximum amount of compensation order made by magistrates' court.	£1,000	£2,000
10. Paragraph 11 (2) of Schedule 5A to the Army Act 1955(a) and the Air Force Act 1955(b).	Maximum amount of compensation order.	£1,000	£2,000

(a) 1955 c.18.

(b) 1955 c.19.

SCHEDULE 1 (*cont.*)

1 Provision	2 General description of sum	3 Present amount of sum	4 New amount of sum
11. Paragraph 14(1) of Schedule 5A to those Acts and paragraph 14(1) of Schedule 4A to the Naval Discipline Act 1957(a).	Maximum amount of recognizance from parents and guardians.	£500	£1,000
12. Section 2(13) of the Children and Young Persons Act 1969(b).	Maximum amount of recognizance from parents.	£500	£1,000
13. Section 8(1)(b) of the Armed Forces Act 1976(c).	Maximum fine awarded by Standing Civilian Courts.	£1,000	£2,000
14. Paragraph 22(1) of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982(d).	Maximum fine for various offences relating to sex establishments.	£10,000	£20,000
15. Paragraph 23(2) of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982.	Maximum fine for permitting persons under 18 to enter sex establishments or employing such persons in the business of sex establishments.	£10,000	£20,000
16. Section 7(4)(a) of the Cinematograph (Amendment) Act 1982(e).	Maximum fine for using premises without a licence.	£10,000	£20,000

(a) 1957 c.53.

(b) 1969 c.54.

(c) 1976 c.52.

(d) 1982 c.30.

(e) 1982 c.33.

## SCHEDULE 2

## Article 2(2)

## SUMS SPECIFIED IN TABLES OF IMPRISONMENT FOR FINE DEFAULT WHICH ARE INCREASED BY ARTICLE 2(2)

1 Present amount of sums	2 New amount of sums	3 Maximum period of imprisonment etc. applicable to sum
An amount not exceeding £25.	An amount not exceeding £50.	7 days
An amount exceeding £25 but not exceeding £50.	An amount exceeding £50 but not exceeding £100.	14 days
An amount exceeding £50 but not exceeding £200.	An amount exceeding £100 but not exceeding £400.	30 days
An amount exceeding £200 but not exceeding £500.	An amount exceeding £400 but not exceeding £1,000.	60 days
An amount exceeding £500 but not exceeding £1,000.	An amount exceeding £1,000 but not exceeding £2,000.	90 days
An amount exceeding £1,000 but not exceeding £2,500.	An amount exceeding £2,000 but not exceeding £5,000.	6 months
An amount exceeding £2,500 but not exceeding £5,000.	An amount exceeding £5,000 but not exceeding £10,000.	9 months
An amount exceeding £5,000.	An amount exceeding £10,000.	12 months

## Article 2(3)

## SCHEDULE 3

## SUMS SPECIFIED IN SCHEDULE 6A TO THE 1980 ACT WHICH ARE INCREASED BY ARTICLE 2(3)

1 Provision	2 General description of sum	3 Present amount of sum	4 New amount of sum
1. Sections 19(1) and (2) and 23 of the Coroners Act 1887(a).	Coroners' fines for refusal to give evidence, etc.	£200	£400
2. Section 84(1) of the County Courts Act 1959(b).	Maximum fine for neglecting witness summons.	£200	£400
3. Section 157 of the County Courts Act 1959.	Maximum fine for contempt in face of court.	£500	£1,000
4. Section 15(2A) of the Children and Young Persons Act 1969(c).	Maximum fine for failure to comply with supervision order.	£50	£100
5. Section 15(4) of the Children and Young Persons Act 1969.	Maximum fine for failure to comply with supervision order.	£50	£100
6. Section 15(4) of the Children and Young Persons Act 1969.	Maximum fine for failure to comply with supervision order in a case where court could not try original offence.	£1,000	£2,000
7. Section 23(3) of the Attachment of Earnings Act 1971(d).	Judge's fine.	£50	£100
8. Section 6 (3)(a) and (6)(a) of the Powers of Criminal Courts Act 1973.	Maximum fine for failure to comply with probation order.	£200	£400
9. Section 16(3) and (5) of the Powers of Criminal Courts Act 1973.	Maximum fine for failure to comply with community service order.	£200	£400
10. Section 27(3) of the Powers of Criminal Courts Act 1973.	Maximum fine for failure to comply with suspended sentence supervision order.	£200	£400

(a) 1887 c.71.

(b) 1959 c.22.

(c) 1969 c.54.

(d) 1971 c.32.

## SCHEDULE 3 (cont.)

1 Provision	2 General description of sum	3 Present amount of sum	4 New amount of sum
11. Section 63 (3)(a) of the 1980 Act.	Maximum fine for disobedience of order other than for payment of money.	£1,000	£2,000
12. Section 97(4) of the 1980 Act.	Maximum fine for refusal to give evidence.	£500	£1,000
13. Section 12(2) of the Contempt of Court Act 1981(a).	Maximum fine for contempt in face of magistrates' court.	£500	£1,000
14. Section 14(2) of the Contempt of Court Act 1981.	Maximum fine for contempt in an inferior court.	£500	£1,000

## SCHEDULE 4

## Article 2(4)

## THE AMOUNTS OF THE FINES ON THE STANDARD SCALE WHICH ARE INCREASED BY ARTICLE 2(4)

1 Level on the scale	2 Present amount of fine	3 New amount of fine
1	£25	£50
2	£50	£100
3	£200	£400
4	£500	£1,000
5	£1,000	£2,000

(a) 1981 c.49.

## EXPLANATORY NOTE

*(This Note is not part of the Order.)*

By virtue of subsection (1) of section 143 of the Magistrates' Courts Act 1980, the Secretary of State may by order substitute for the sums specified in subsection (2) of that section such other sums as appear to him justified by the change in the value of money since the "relevant date". The relevant date, in relation to the first order made under subsection (1), is 29th July 1977. This Order, which is the first to be so made, doubles the amounts of all the sums specified in subsection (2) and comes into force on 1st May 1984.

The most important sums doubled by this Order (with new amounts in brackets) are the "prescribed sum" i.e. the maximum fine on summary conviction of an offence triable either way (£2,000); the fines on the standard scale (level 1 £50, level 2 £100, level 3 £400, level 4 £1,000 and level 5 £2,000); the maximum fine that a magistrates' court may impose on a person under 17 (£400) and a person under 14 (£100); and the maximum amount of compensation that may be ordered to be paid by an offender on summary conviction (£2,000).

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