Draft Order laid before the Assembly under section 59(2) and (5) of the Justice Act (Northern Ireland) 2011, for approval by resolution of the Assembly

DRAFT STATUTORY RULES OF NORTHERN IRELAND

2026 No. 0000

JUSTICE

The Justice (2011 Act) (Amendment of Schedule 4) Order (Northern Ireland) 2026

Made - - - -	*2026*
Coming into operation	*1 February 2027*

The Department of Justice makes the following Order in exercise of the powers conferred by section 59(2) and (5) of the Justice Act (Northern Ireland) 2011(**a**).

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Justice (2011 Act) (Amendment of Schedule 4) Order (Northern Ireland) 2026.

(2) This Order shall come into operation on 1 February 2027.

(3) In this Order, "the 2011 Act" means the Justice Act (Northern Ireland) 2011.

Amendment of Schedule 4 to the 2011 Act (penalty offences and penalties)

2.—(1) Schedule 4 to the 2011 Act (penalty offences and penalties) is amended as follows.

(2) In the entry for an offence under section 9 of the Criminal Justice (Miscellaneous Provisions) Act (Northern Ireland) 1968 (c. 28) (indecent behaviour), in the second column (penalty), for "£40" substitute "£120".

(3) In the entry for an offence under section 1 of the Theft Act (Northern Ireland) 1969 (c. 16) (theft), in the second column (penalty), for "£80" substitute "£120".

(4) In the entry for an offence under Article 3(1) of the Criminal Damage (Northern Ireland) Order 1977 (NI 4) (criminal damage), in the second column (penalty), for "£80" substitute "£120".

(5) In the entry for an offence under Article 10(1) of the Criminal Justice (Northern Ireland) Order 1980 (NI 6) (drunk in a public place), in the second column (penalty), for "£40" substitute "£50".

(6) In the entry for an offence under Article 18(1)(a) of the Public Order (Northern Ireland) Order 1987 (NI 7) (disorderly behaviour), in the second column (penalty), for "£80" substitute "£120".

(**a**) 2011 c. 24 (N.I.)

(7) In the entry for an offence under Article 18(1)(b) of the Public Order (Northern Ireland) Order 1987 (NI 7) (behaviour likely to cause a breach of the peace), in the second column (penalty), for "£80" substitute "£120".

(8) In the entry for an offence under section 66(1) of the Police (Northern Ireland) Act 1998 (c. 32) where it is alleged that the accused resisted, obstructed or impeded a constable, in the second column (penalty), for "£80" substitute "£120".

(9) At the end of the table in Schedule 4 insert the following entries—

"An offence under section 42 of the Offences against the Person Act 1861 (1861 c. 100) (common assault)	£150
An offence under section 5(2) of the Misuse of Drugs Act 1971 (1971 c. 38) where it is alleged that the accused possessed a Class A controlled drug	£150
An offence under section 5(2) of the Misuse of Drugs Act 1971 (1971 c. 38) where it is alleged that the accused possessed a Class B controlled drug	£120
An offence under section 5(2) of the Misuse of Drugs Act 1971 (1971 c. 38) where it is alleged that the accused possessed a Class C controlled drug	£120"

Sealed with the Official Seal of the Department of Justice on

Minister of Justice

EXPLANATORY NOTE

(This note is not part of the Order)

This Order increases the number of offences listed in Schedule 4 to the Justice Act (Northern Ireland) 2011 for which a penalty notice may be issued. The number of offences has been increased from seven to eleven. The penalties for existing offences have also been increased.

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ISBN 978-0-33-802713-9

£6.40

http://www.legislation.gov.uk/id/nidsr/2026/9780338027139

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