



**Department of Justice Public Safety
Adult Custody Services**

Policy: **Fine Calculation C2**
Effective: May 2007
Revised: December 2022

MISSION STATEMENT

Adult Custody Services is committed to providing professional practices that respect human rights and ensure safety for all. To be successful we will deliver fair practices, incorporate transparent policies and procedures, ensure independent quality assurance processes, and provide program access that allows for educational, cultural, traditional, and faith-based services as well as mental wellness and community re-entry assistance.

PURPOSE

To establish procedural standards for administration of fine calculation and fine payment.

LEGISLATIVE AUTHORITY

[Corrections Act NB Regulation 35\(a\)](#)

SCOPE

This policy applies to all employees of the Adult Custody Services division of the Department of Justice and Public Safety.

POLICY GUIDELINES

Clients serving a sentence, due to fine default, may pay out the balance, or a portion of the balance, of a fine at any time. Monies owed are to be calculated and collected from clients only in multiples of one day. That is, a client cannot pay a portion of a day owed and leave the institution when that unpaid percentage of day has elapsed.

A day is any part of the day.

PROCEDURE

Remission

Remission shall be calculated and credited for all time served in satisfaction of the fine.

Fine Calculation

All fine related data shall be entered into the Client Information System (CIS).

CIS will calculate the days and balance of any monies owing.

CIS will automatically execute the warrant through an interface with Justice.

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Fine Payment/Time Satisfied

Information is to be entered and calculated in CIS.

It is important to ensure the following:

- Enter correct date
- If money is received indicate the name of the payee
- Include actual days plus earned remission for fine days satisfied

Once this information has been saved in CIS, a receipt shall be generated for printing. Copies of this receipt shall be issued to an offender prior to release.

Payment Forwarded

All payments received will be forwarded immediately to the designated banking institution

Method of Payment

Only cash, certified cheque, money order or a bank draft may be accepted as payment in whole or in part for a fine. All methods of payment other than cash shall be made payable to the Minister of Finance.

Victim Fine Surcharge

A Victim Fine Surcharge is to be considered the same as any other sentence imposed by the court. On this basis, the default time for non-payment of a Victim Fine Surcharge can be either consecutive or concurrent, as specifically stated by a judge on the warrant. Where the judge does not specifically state on the warrant, the term shall be served concurrently.

Exceptions to Release

Provisions of the Criminal Code of Canada respecting release upon payment of a fine do not always apply when regarding certain Acts (i.e. Deserted Wives and Children's Maintenance Act).

Under these Acts, the accused is only released:

- If payment of the entire sum due for maintenance, regardless of time served; or
- Upon release by the court.

Manual Calculation

Manual calculation is only to be used if CIS is unavailable and client wishes to payout. The amount owing will be manually calculated, and a manual receipt will be issued. All fine data must still be entered in CIS at the earliest opportunity.

RELATED POLICY

The calculation for balance of payment of a fine when a portion of the sentence is served is outlined in Part XXIII of Criminal Code of Canada.

C1 Adult Client Files
C3 Sentence Calculation



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C4 Intermittent Sentence
C10 Outstanding Charges
C11 Release and Discharge
E10 Client Guide
Adult Institutional Policy Manual N.B