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*Changes to legislation: There are currently no known outstanding effects for the Justice (Sexual Offences and Trafficking Victims) Act (Northern Ireland) 2022, SCHEDULE 4. (See end of Document for details)*

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## SCHEDULES

### SCHEDULE 4

Section 28.

Offence of non-fatal strangulation or asphyxiation: consequential amendments

#### *Police and Criminal Evidence (Northern Ireland) Order 1989 (NI 12)*

1. In Article 53A (qualifying offences for particular investigative purposes), in paragraph (2)—

- (a) the second of the two sub-paragraphs numbered as (t) is renumbered as (u),
- (b) after the second of those two sub-paragraphs insert—

“(v) an offence under section 28 of the Justice (Sexual Offences and Trafficking Victims) Act (Northern Ireland) 2022 (non-fatal strangulation or asphyxiation).”.

#### Commencement Information

- I1** Sch. 4 para. 1 not in operation at Royal Assent, see **s. 30(2)**
- I2** Sch. 4 para. 1(b) in operation at 26.6.2023 by S.R. 2023/87, **art. 2(b)**

#### *Sexual Offences Act 2003 (c. 42)*

2. In Schedule 5 (lists of offences for making particular orders), after paragraph 171G insert—

“**171H.** An offence under section 28 of the Justice (Sexual Offences and Trafficking Victims) Act (Northern Ireland) 2022 (non-fatal strangulation or asphyxiation).”.

#### Commencement Information

- I3** Sch. 4 para. 2 not in operation at Royal Assent, see **s. 30(2)**
- I4** Sch. 4 para. 2 in operation at 26.6.2023 by S.R. 2023/87, **art. 2(b)**

#### *Criminal Justice (Northern Ireland) Order 2008 (NI 1)*

3. In Schedule 2 (lists of offences for sentencing matters), in Part 1—

- (a) the second of the two paragraphs numbered as 31A is renumbered as 31B,

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(b) after the second of those two paragraphs insert—

*“The Justice (Sexual Offences and Trafficking Victims) Act (Northern Ireland) 2022*

**31C.** An offence under section 28 (non-fatal strangulation or asphyxiation).”.

**Commencement Information**

- I5** Sch. 4 para. 3 not in operation at Royal Assent, see **s. 30(2)**  
**I6** Sch. 4 para. 3(b) in operation at 26.6.2023 by S.R. 2023/87, **art. 2(b)**

*Domestic Violence, Crime and Victims Act 2004 (c. 28)*

**4.** In section 7A (certain rules of evidence and procedure), after paragraph (b) of subsection (2) insert—

“(c) an offence under section 28 of the Justice (Sexual Offences and Trafficking Victims) Act (Northern Ireland) 2022 (non-fatal strangulation or asphyxiation).”.

**Commencement Information**

- I7** Sch. 4 para. 4 not in operation at Royal Assent, see **s. 30(2)**  
**I8** Sch. 4 para. 4 in operation at 26.6.2023 by S.R. 2023/87, **art. 2(b)**

*Law Reform (Miscellaneous Provisions) (Northern Ireland) Order 2006 (NI 14)*

**5.** In Article 2 (unjustifiable punishment of children), in paragraph (2)—

- (a) omit the “and” preceding sub-paragraph (e),  
 (b) after sub-paragraph (e) insert—

“(f) an offence under section 28 of the Justice (Sexual Offences and Trafficking Victims) Act (Northern Ireland) 2022 (non-fatal strangulation or asphyxiation).”.

**Commencement Information**

- I9** Sch. 4 para. 5 not in operation at Royal Assent, see **s. 30(2)**  
**I10** Sch. 4 para. 5 in operation at 26.6.2023 by S.R. 2023/87, **art. 2(b)**

**Changes to legislation:**

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