

Changes to legislation: The Criminal Justice (Northern Ireland) Order 2004, SCHEDULE 2 is up to date with all changes known to be in force on or before 09 October 2023. 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

SCHEDULES

^{F1}SCHEDULE 2

Article 21

QUALIFYING OFFENCES FOR PURPOSES OF ARTICLE 21

F1 By Sexual Offences (Northern Ireland) Order 2008 (S.I. 2008/1769 (N.I. 2)), arts. 1(3), 81, **Sch. 1 para. 33(2)(3)** and S.R. 2008/510, **art. 2** it is provided that "new paras. 7A and 10A shall be inserted (2.2.2009) in Sch. 4". The reference to Sch. 4 rather than Sch. 2 is an apparent error which has been reported to the relevant Department and will be corrected in due course.

Offences Against the Person

Murder

1. Murder.

Attempted murder

2. An offence under Article 3 of the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983 (NI 13) of attempting to commit murder.

Soliciting murder

3. An offence under section 4 of the Offences against the Person Act 1861 (c. 100).

Manslaughter

4. Manslaughter.

[^{F2}Corporate manslaughter

- 4A An offence under section 1 of the Corporate Manslaughter and Corporate Homicide Act 2007.]

F2 Sch. 2 para. 4A and cross-heading inserted (6.4.2008) by Corporate Manslaughter and Corporate Homicide Act 2007 (c. 19), ss. 26, 27(1), **Sch. 2 para. 4**; S.I. 2008/401, **art. 2(1)**

Wounding or causing grievous bodily harm with intent

5. An offence under section 18 of the Offences against the Person Act 1861 (c. 100).

Kidnapping

6. Kidnapping.

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Sexual Offences

Rape

7. Rape.

Attempted rape

8. An offence under section 2 of the Attempted Rape, etc., Act (Northern Ireland) 1960 (c. 3).

Intercourse with a girl under fourteen

9. An offence under section 4 of the Criminal Law Amendment Act 1885 (c. 69) of unlawfully and carnally knowing a girl under fourteen.

Incest by a man with a girl under fourteen

10. An offence under section 1(1) of the Punishment of Incest Act 1908 (c. 45) alleged to have been committed with a girl under fourteen.

Drugs Offences

Unlawful importation of Class A drug

11. An offence under section 50(2) of the Customs and Excise Management Act 1979 (c. 2) alleged to have been committed in respect of a Class A drug (as defined by section 2 of the Misuse of Drugs Act 1971 (c. 38)).

Unlawful exportation of Class A drug

12. An offence under section 68(2) of the Customs and Excise Management Act 1979 alleged to have been committed in respect of a Class A drug (as defined by section 2 of the Misuse of Drugs Act 1971).

Fraudulent evasion in respect of Class A drug

13. An offence under section 170(1) or (2) of the Customs and Excise Management Act 1979 alleged to have been committed in respect of a Class A drug (as defined by section 2 of the Misuse of Drugs Act 1971).

Producing or being concerned in production of Class A drug

14. An offence under section 4(2) of the Misuse of Drugs Act 1971 alleged to have been committed in relation to a Class A drug (as defined by section 2 of that Act).

Supplying or offering to supply Class A drug

15. An offence under section 4(3) of the Misuse of Drugs Act 1971 alleged to have been committed in relation to a Class A drug (as defined by section 2 of that Act).

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Theft Offences

Robbery

16. An offence under section 8(1) of the Theft Act (Northern Ireland) 1969 (c. 16) where it is alleged that, at some time during the commission of the offence, the defendant had in his possession a firearm or imitation firearm (as defined by Article 2(2) of the Firearms (Northern Ireland) Order 2004 (NI 3)).

Criminal Damage Offences

Arson endangering life

17. An offence under Article 3(2) of the Criminal Damage (Northern Ireland) Order 1977 (NI 4) alleged to have been committed by destroying or damaging property by fire.

Causing explosion likely to endanger life or property

18. An offence under section 2 of the Explosive Substances Act 1883 (c. 3).

Intent or conspiracy to cause explosion likely to endanger life or property

19. An offence under section 3(1)(a) of the Explosive Substances Act 1883.

War Crimes and Terrorism

Genocide, crimes against humanity and war crimes

20. An offence under section 51 or 52 of the International Criminal Court Act 2001 (c. 17).

Grave breaches of the Geneva Conventions

21. An offence under section 1 of the Geneva Conventions Act 1957 (c. 52).

Directing terrorist organisation

22. An offence under section 56 of the Terrorism Act 2000 (c. 11).

Hostage-taking

23. An offence under section 1 of the Taking of Hostages Act 1982 (c. 28).

Hijacking and Other Offences Relating to Aviation, [^{F3}Spaceflight,] Maritime and Rail Security

F3 Word in Sch. 2 para. 24 heading inserted (29.7.2021) by [Space Industry Act 2018](#) (c. 5), s. 70(1), [Sch. 12 para. 26\(2\)](#); S.I. 2021/817, reg. 2, Sch. para. 116 (with reg. 3)

Hijacking of aircraft

24. An offence under section 1 of the Aviation Security Act 1982 (c. 36).

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Destroying, damaging or endangering the safety of aircraft

25. An offence under section 2 of the Aviation Security Act 1982.

[^{F4}Hijacking of spacecraft

25A An offence under paragraph 1 of Schedule 4 to the Space Industry Act 2018.

F4 Sch. 2 paras. 25A, 25B inserted (29.7.2021) by [Space Industry Act 2018 \(c. 5\)](#), s. 70(1), [Sch. 12 para. 26\(3\)](#); [S.I. 2021/817](#), reg. 2, [Sch. para. 116](#) (with [reg. 3](#))

Destroying, damaging or endangering safety of spacecraft

25B An offence under paragraph 2 of Schedule 4 to the Space Industry Act 2018.]

F4 Sch. 2 paras. 25A, 25B inserted (29.7.2021) by [Space Industry Act 2018 \(c. 5\)](#), s. 70(1), [Sch. 12 para. 26\(3\)](#); [S.I. 2021/817](#), reg. 2, [Sch. para. 116](#) (with [reg. 3](#))

Hijacking of ships

26. An offence under section 9 of the Aviation and Maritime Security Act 1990 (c. 31).

Seizing or exercising control of fixed platforms

27. An offence under section 10 of the Aviation and Maritime Security Act 1990.

Destroying ships or fixed platforms or endangering their safety

28. An offence under section 11 of the Aviation and Maritime Security Act 1990.

Hijacking of Channel Tunnel trains

29. An offence under Article 4 of the Channel Tunnel (Security) Order 1994 (S.I.1994/570).

Seizing or exercising control of Channel Tunnel system

30. An offence under Article 5 of the Channel Tunnel (Security) Order 1994 (S.I.1994/570).

Conspiracy

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31. An offence under Article 9 of the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983 of conspiracy to commit an offence listed in this Schedule.

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Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- Sch. 4 para. 7A inserted by [S.I. 2008/1769 \(N.I.\) Sch. 1 para. 33\(2\)](#) (Amendment not applied due to drafting error by 2008 1769 (N.I. 2) - the amended provision should read Sch. 2 para. 7A (not Sch. 4 para. 7A). This error has been reported to the relevant Department for correction in due course.)
- Sch. 4 para. 10A inserted by [S.I. 2008/1769 \(N.I.\) Sch. 1 para. 33\(3\)](#) (Amendment not applied due to drafting error by 2008 1769 (N.I. 2) - the amended provision should read Sch. 2 para. 10A (not Sch. 4 para. 10A). This error has been reported to the relevant Department for correction in due course.)
- art. 11A inserted by [2015 c. 9 \(N.I.\) s. 52\(3\)](#)
- art. 14(2)(aa) inserted by [2015 c. 9 \(N.I.\) s. 52\(6\)](#)