SCHEDULE

1. The offences specified in this paragraph are—
   (a) the offence of rape contrary to the common law of Scotland, where the offence was committed against a child;
   (b) the offence of rape contrary to the common law of Northern Ireland, where the offence was committed against a child;
   (c) any offence contrary to a provision specified in the first column of Part 1 of the table set out in this paragraph, where it was committed in circumstances specified in the entry in the second column of that Part of that table that corresponds to the relevant entry in the first column of that Part of that table;
   (d) any offence contrary to a provision specified in Part 2 of that table;
   (e) any offence contrary to—
      (i) section 70 of the Army Act 1955(**1**),
      (ii) section 70 of the Air Force Act 1955(**2**), or
      (iii) section 42 of the Naval Discipline Act 1957(**3**),

      which corresponds to an offence contrary to any provision specified in the first column of Part 1 of that table and which was committed in circumstances specified in the entry in the second column of that Part of that table that corresponds to the relevant entry in the first column of that Part of that table;
   (f) any offence contrary to—
      (i) section 70 of the Army Act 1955,
      (ii) section 70 of the Air Force Act 1955, or
      (iii) section 42 of the Naval Discipline Act 1957,

      which corresponds to an offence contrary to any provision specified in Part 2 of that table; and
   (g) any offence contrary to section 42 of the Armed Forces Act 2006(**4**) where—
      (i) the corresponding offence under the law of England and Wales is one contrary to a provision specified in the first column of Part 1 of that table, and the offence under the Armed Forces Act 2006 was committed in circumstances specified in the entry in the second column of that Part of that table that corresponds to the relevant entry in the first column of that Part of that table, or

(**1**) 1955 c.18. So far as relevant, section 70 was amended by Schedule 1 to the Suicide Act 1961 (c.60), section 1(6) of the Genocide Act 1969 (c.12), section 5(1) of the Biological Weapons Act 1974 (c.6), section 7(1) of the Criminal Attempts Act 1981 (c.47),section 35(a) of the Chemical Weapons Act 1996 (c.6), section 12(a) of the Nuclear Explosions (Prohibition and Inspections) Act 1998 (c.7), section 74(2)(a) and (b), and (3) of, and Schedule 10 to, the International Criminal Court Act 2001 (c.17), and paragraph 9(a) and (b) of Schedule 6, and Schedule 7, to the Sexual Offences Act 2003 (c.42). Section 70 is to be repealed by Schedule 17 to the Armed Forces Act 2006 (c.52).

(**2**) 1955 c.19. So far as relevant, section 70 was amended by Schedule 1 to the Suicide Act 1961, section 1(6)(b) of the Genocide Act 1969, section 5(1) of the Biological Weapons Act 1974, section 7(1) of the Criminal Attempts Act 1981, section 35(b) of the Chemical Weapons Act 1996, section 12(b) of the Nuclear Explosions (Prohibition and Inspections) Act 1998, section 74(2)(a) and (b), and (3) of, and Schedule 10 to, the International Criminal Court Act 2001, and paragraph 10(a) and (b) of Schedule 6, and Schedule 7, to the Sexual Offences Act 2003. Section 70 is to be repealed by Schedule 17 to the Armed Forces Act 2006.

(**3**) 1957 c.53. So far as relevant, section 42 was amended by section 34(3) of the Armed Forces Act 1971 (c.33), section 7(1) of the Criminal Attempts Act 1981, paragraph 3 of Schedule 1, and Schedule 2, to the Armed Forces Act 1986 (c.21), paragraph 5(1) and (2) of Schedule 3, and paragraph 34(1), (2), (3) and (4) of Schedule 6, and Schedule 7, to the Armed Forces Act 2001 (c.19). Section 42 is to be repealed by Schedule 17 to the Armed Forces Act 2006.

(**4**) 2006 c.52.

(ii) the corresponding offence under the law of England and Wales is one contrary to a provision specified in Part 2 of that table.

Table

Part 1	
Provision	*Circumstances*
Sexual Offences Act 1956, section 1(**5**)	The offence was committed against a child
Mental Health Act 1959, section 128(**6**)	The offence was committed against a child
Mental Health (Northern Ireland) Order 1986, Article 122(1)(a)(**7**)	The offence was committed against a child
Mental Health (Northern Ireland) Order 1986, Article 123(**8**)	The offence was committed against a child
Mental Health (Care and Treatment) (Scotland) Act 2003(**9**), section 311	The offence was committed against a child
Mental Health (Care and Treatment) (Scotland) Act 2003, section 313(**10**)	The offence was committed against a child
Sexual Offences Act 2003, section 1	The offence was committed against a child
Sexual Offences Act 2003, section 2	The offence was committed against a child
Sexual Offences Act 2003, section 30	The offence was committed against a child
Sexual Offences Act 2003, section 31	The person caused or incited to engage in sexual activity was a child
Sexual Offences Act 2003, section 32	The person who was present or in a place from which the person committing the offence could be seen was a child
Sexual Offences Act 2003, section 33	The person caused to watch the sexual activity in question was a child
Sexual Offences Act 2003, section 34	The offence was committed against a child
Sexual Offences Act 2003, section 35	The person induced, threatened or deceived was a child
Sexual Offences Act 2003, section 36	The person who agreed to be present or in a place from which the person committing the offence could be observed was a child

(**5**) 1956 c.69. Section 1 was substituted by section 142 of the Criminal Justice and Public Order Act 1994 (c.33) ("the 1994 Act") and repealed by paragraph 11 of Schedule 6 to the 2003 Act. Sections 2 to 7, 9 to 17 and 19 to 31 (referred to below) were also repealed by this provision of the 2003 Act.

(**6**) 1959 c.72. Section 128 was amended by paragraph 29 of Schedule 15 to the National Health Service Act 1977 (c.49), paragraph 15 of Schedule 4 to the Mental Health Act 1983 (c.20), and paragraph 2 of Schedule 4 to the Care Standards Act 2000 (c.14), and repealed in part by Schedule 16 to the National Health Service Act 1977.

(**7**) S.I. 1986/595 (N.I. 4). Article 122(1)(a) was amended by Article 2 of the Children (Northern Ireland) Order 1995 (S.I. 1995/755) (N.I. 2) and is to be repealed by paragraph 17 of Schedule 1 and by Schedule 3 to the Sexual Offences (Northern Ireland) Order 2008 (S.I. 2008/1769) (N.I. 2) ("the 2008 Order").

(**8**) Article 123 was amended by Article 2 of the Health and Personal Social Services (Northern Ireland) Order 1994 (S.I. 1994/429) (N.I. 2) and is to be repealed by paragraph 17 of Schedule 1 and by Schedule 3 to the 2008 Order.

(**9**) 2003 asp 13.

(**10**) Section 313 was amended by paragraph 70 of Schedule 28 to the Civil Partnership Act 2004 (c.33).

Part 1	
Provision	*Circumstances*
Sexual Offences Act 2003, section 37	The person induced, threatened or deceived was a child
Sexual Offences Act 2003, section 38	The offence was committed against a child
Sexual Offences Act 2003, section 39	The person caused or incited to engage in sexual activity was a child
Sexual Offences Act 2003, section 40	The person who was present or in a place from which the person committing the offence could be seen was a child
Sexual Offences Act 2003, section 41	The person caused to watch the sexual activity was a child
Sexual Offences (Northern Ireland) Order 2008(**11**), Article 5	The offence was committed against a child
Sexual Offences (Northern Ireland) Order 2008, Article 6	The offence was committed against a child
Sexual Offences (Northern Ireland) Order 2008, Article 43	The offence was committed against a child
Sexual Offences (Northern Ireland) Order 2008, Article 44	The person caused or incited to engage in sexual activity was a child
Sexual Offences (Northern Ireland) Order 2008, Article 45	The person who was present or in a place from which the person committing the offence could be seen was a child
Sexual Offences (Northern Ireland) Order 2008, Article 46	The person caused to watch the sexual activity in question was a child
Sexual Offences (Northern Ireland) Order 2008, Article 47	The offence was committed against a child
Sexual Offences (Northern Ireland) Order 2008, Article 48	The person induced, threatened or deceived was a child
Sexual Offences (Northern Ireland) Order 2008, Article 49	The person who agreed to be present or in a place from which the person committing the offence could be observed was a child
Sexual Offences (Northern Ireland) Order 2008, Article 50	The person induced, threatened or deceived was a child
Sexual Offences (Northern Ireland) Order 2008, Article 51	The offence was committed against a child
Sexual Offences (Northern Ireland) Order 2008, Article 52	The person caused or incited to engage in sexual activity was a child
Sexual Offences (Northern Ireland) Order 2008, Article 53	The person who was present or in a place from which the person committing the offence could be seen was a child

(**11**) S.I. 2008/1769 (N.I. 2). The provisions of this Order referred to in this Schedule were not in force on the making of these Regulations.

Part 1	
Provision	*Circumstances*
Sexual Offences (Northern Ireland) Order 2008, Article 54	The person caused to watch the sexual activity in question was a child

Part 2
Provision
Criminal Law Amendment Act 1885, section 4(**12**)
Sexual Offences Act 1956, section 5(**13**)
Sexual Offences (Scotland) Act 1976, section 3(**14**)
Criminal Law (Consolidation)(Scotland) Act 1995, section 5(1) or (2)(**15**)
Sexual Offences Act 2003, section 5
Sexual Offences Act 2003, section 6
Sexual Offences Act 2003, section 7
Sexual Offences Act 2003, section 8
Sexual Offences (Northern Ireland) Order 2008, Article 12
Sexual Offences (Northern Ireland) Order 2008, Article 13
Sexual Offences (Northern Ireland) Order 2008, Article 14
Sexual Offences (Northern Ireland) Order 2008, Article 15

(**12**) 1885 c.69. Section 4 was repealed by Schedule 4 to the Sexual Offences Act 1956, in relation to England and Wales, by Schedule 2 to the Sexual Offences (Scotland) Act 1976 (c.67), in relation to Scotland, and is to be repealed in relation to Northern Ireland by paragraph 5 of Schedule 1 and by Schedule 3 to the 2008 Order.

(**13**) Section 5 was repealed by paragraph 11 of Schedule 6 to the Sexual Offences Act 2003 ("the 2003 Act").

(**14**) 1976 c.67. The Sexual Offences (Scotland) Act 1976 was repealed by Schedule 3 to the Crime and Punishment (Scotland) Act 1997 (c.48).

(**15**) 1995 c.39. Section 5(2) was amended by section 14 of the Crime and Punishment (Scotland) Act 1997 (c.48). Section 5 was amended by section 15 of the Protection and Prevention of Sexual Offences (Scotland) Act 2005 (asp 9).