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## SCHEDULES

### SCHEDULE 3

Sections 16 and 28.

#### OFFENCES TRIABLE EITHER WAY BY VIRTUE OF SECTION 16(1) OR (2)

- 1 Offences at common law of public nuisance.
- 2 Offences under section 8 of the Disorderly Houses Act 1751 (appearing to be keeper of bawdy house etc.).
- 3 Offences consisting in contravention of section 13 of the Statutory Declaration Act 1835 (administration by a person of an oath etc. touching matters in which he has no jurisdiction).
- 4 Offences under section 36 of the Malicious Damage Act 1861 (obstructing engines or carriages on railways).
- 5 Offences under the following provisions of the Offences against the Person Act 1861—
  - (a) section 16 (threats to kill) ;
  - (b) section 20 (inflicting bodily injury, with or without a weapon) ;
  - (c) section 26 (not providing apprentices or servants with food etc.);
  - (d) section 27 (abandoning or exposing child) ;
  - (e) section 34 (doing or omitting to do anything so as to endanger railway passengers);
  - (f) section 36 (assaulting a clergyman at a place of worship etc.);
  - (g) section 38 (assault with intent to resist apprehension);
  - (h) section 47 (assault occasioning bodily harm—common assault);
  - (i) section 57 (bigamy);
  - (j) section 60 (concealing the birth of a child).
- 6 Offences under section 20 of the Telegraph Act 1868 (disclosing or intercepting messages).
- 7 Offences under section 13 of the Debtors Act 1869 (transactions intended to defraud creditors).
- 8 Offences under section 5 of the Public Stores Act 1875 (obliteration of marks with intent to conceal).
- 9 Offences under section 12 of the Corn Returns Act 1882 (false returns).
- 10 Offences under section 22 of the Electric Lighting Act 1882 (injuring works with intent to cut off electricity supply).
- 11 Offences under section 3 of the Submarine Telegraph Act 1885 (damaging submarine cables).
- 12 Offences under section 13 of the Stamp Duties Management Act 1891 (offences in relation to dies and stamps).

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- 13 Offences under section 8(2) of the Cremation Act 1902 (making false representations etc. with a view to procuring the burning of any human remains).
- 14 All offences under the Perjury Act 1911 except offences under—
- (a) section 1 (perjury in judicial proceedings);
  - (b) section 3 (false statements etc. with reference to marriage);
  - (c) section 4 (false statements etc. as to births or deaths).
- 15 The following offences under the Forgery Act 1913—
- (a) offences under paragraph (a) of section 2(2) (forgery of valuable security etc.) in relation to—
    - (i) any document being an accountable receipt, release, or discharge, or any receipt or other instrument evidencing the payment of money, or the delivery of any chattel personal; or
    - (ii) any document being an authority or request for the payment of money or for the delivery or transfer of goods and chattels, where the amount of money or the value of the goods or chattels does not exceed £1,000 ;
  - (b) offences under section 4 (forgery of documents in general); and
  - (c) offences under paragraph (a) of section 7 (demanding property on forged documents), where the amount of the money or the value of the property in respect of which the offence is committed does not exceed £1,000.
- 16 Offences under section 17 of the Deeds of Arrangement Act 1914 (trustee making preferential payments).
- 17 Offences under section 3(4) of the Checkweighing in Various Industries Act 1919 (false statements).
- 18 Offences under section 8(2) of the Census Act 1920 (disclosing census information).
- 19 Offences under section 36 of the Criminal Justice Act 1925 (forgery of passports etc.).
- 20 Offences under section 11 of the Agricultural Credits Act 1928 (frauds by farmers).
- 21 Offences under the following provisions of the Coinage Offences Act 1936—
- (a) section 4(1) (defacing coins);
  - (b) section 5(1) (uttering counterfeit coin);
  - (c) section 5(2) (uttering counterfeit gold or silver coin);
  - (d) section 5(3) (possession of counterfeit gold or silver coin);
  - (e) section 5(4) (possession of counterfeit copper coin);
  - (f) section 5(6) (uttering coins etc. as gold or silver coins);
  - (g) section 7 (importing and exporting counterfeit coin);
  - (h) section 8 (making, possessing or selling medals resembling gold or silver coin).
- 22 Offences under the following provisions of the Post Office Act 1953—
- (a) section 53 (unlawfully taking away or opening mail bag);
  - (b) section 55 (fraudulent retention of mail bag or postal packet);
  - (c) section 57 (stealing, embezzlement, destruction etc. by officer of Post Office of postal packet) ;

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- (d) section 58 (opening or delaying of postal packets by officers of the Post Office).
- 23 Offences under the following provisions of the Sexual Offences Act 1956—
- (a) section 6 (unlawful sexual intercourse with a girl under 16);
  - (b) section 13 (indecenty between men) ;
  - (c) section 26 (permitting a girl under 16 to use premises for sexual intercourse).
- 24 Offences under section 3(1) of the Shipping Contracts and Commercial Documents Act 1964 (offences), so far as it relates to the contravention of any direction under that Act.
- 25 Offences under section 24B(7) of the Housing Subsidies Act 1967 (failure to notify lender that residence condition not fulfilled or ceased to be fulfilled).
- 26 The following offences under the Criminal Law Act 1967—
- (a) offences under section 4(1) (assisting offenders); and
  - (b) offences under section 5(1) (concealing arrestable offences and giving false information),
- where the offence to which they relate is triable either way.
- 27 Offences under section 4(1) of the Sexual Offences Act 1967 (procuring others to commit homosexual acts).
- 28 All indictable offences under the Theft Act 1968 except:—
- (a) robbery, aggravated burglary, blackmail and assault with intent to rob;
  - (b) burglary comprising the commission of, or an intention to commit, an offence which is triable only on indictment;
  - (c) burglary in a dwelling if any person in the dwelling was subjected to violence or the threat of violence.
- 29 Offences under the following provisions of the Criminal Damage Act 1971—
- section 1(1) (destroying or damaging property);
  - section 1(1) and (3) (arson);
  - section 2 (threats to destroy or damage property);
  - section 3 (possessing anything with intent to destroy or damage property).
- 30 Offences in relation to stamps issued for the purpose of national insurance under the provisions of any enactments as applied to those stamps.
- 31 Uttering any forged document the forgery of which is an offence listed in this Schedule.
- 32 Committing an indecent assault upon a person whether male or female.
- 33 Aiding, abetting, counselling or procuring the commission of any offence listed in the preceding paragraphs of this Schedule except paragraph 26.
- 34 Attempting to commit an offence triable either way except an offence mentioned in paragraph 26 or 33 above.
- 35 Any offence consisting in the incitement to commit an offence triable either way except an offence mentioned in paragraph 33 or 34 above.