



Internationally Protected Persons Act 1978

1978 CHAPTER 17

1 Attacks and threats of attacks on protected persons.

(1) If a person, whether a citizen of the United Kingdom and Colonies or not, does outside the United Kingdom—

- (a) any act to or in relation to a protected person which, if he had done it in any part of the United Kingdom, would have made him guilty of the offence of murder, manslaughter, culpable homicide, ^{F1}... assault occasioning actual bodily harm or causing injury, kidnapping, abduction, false imprisonment or plagium or an offence under section 18, 20, 21, 22, 23, 24, 28, 29, 30 or 56 of the Offences against the ^{M1}Person Act 1861 or section 2 of the ^{M2}Explosive Substances Act 1883^{F2} or an offence listed in subsection (1A)]; or
- (b) in connection with an attack on any relevant premises or on any vehicle ordinarily used by a protected person which is made when a protected person is on or in the premises or vehicle, any act which, if he had done it in any part of the United Kingdom, would have made him guilty of an offence under section 2 of the ^{M3}Explosive Substances Act 1883, section 1 of the ^{M4}Criminal Damage Act 1971 or article 3 of the ^{M5}Criminal Damage (Northern Ireland) Order 1977 or the offence of wilful fire-raising,

he shall in any part of the United Kingdom be guilty of the offences aforesaid of which the act would have made him guilty if he had done it there.

^{F3}(1A) The offences mentioned in subsection (1)(a) are—

- (a) in Scotland or Northern Ireland, rape;
- (b) an offence under section 1 or 2 of the Sexual Offences Act 2003;
- (c) an offence under section 4 of that Act, where the activity caused involved penetration within subsection (4)(a) to (d) of that section;
- (d) an offence under section 5 or 6 of that Act;
- (e) an offence under section 8 of that Act, where an activity involving penetration within subsection (3)(a) to (d) of that section was caused;
- (f) an offence under section 30 of that Act, where the touching involved penetration within subsection (3)(a) to (d) of that section;
- (g) an offence under section 31 of that Act, where an activity involving penetration within subsection (3)(a) to (d) of that section was caused.]

Status: Point in time view as at 01/05/2004.

Changes to legislation: There are currently no known outstanding effects for the Internationally Protected Persons Act 1978, Section 1. (See end of Document for details)

- (2) If a person in the United Kingdom or elsewhere, whether a citizen of the United Kingdom and Colonies or not—
- (a) attempts to commit an offence which, by virtue of the preceding subsection or otherwise, is an offence mentioned in paragraph (a) of that subsection against a protected person or an offence mentioned in paragraph (b) of that subsection in connection with an attack so mentioned; or
 - (b) aids, abets, counsels or procures, or is art and part in, the commission of such an offence or of an attempt to commit such an offence,
- he shall in any part of the United Kingdom be guilty of attempting to commit the offence in question or, as the case may be, of aiding, abetting, counselling or procuring, or being art and part in, the commission of the offence or attempt in question.
- (3) If a person in the United Kingdom or elsewhere, whether a citizen of the United Kingdom and Colonies or not—
- (a) makes to another person a threat that any person will do an act which is an offence mentioned in paragraph (a) of the preceding subsection; or
 - (b) attempts to make or aids, abets, counsels or procures or is art and part in the making of such a threat to another person,
- with the intention that the other person shall fear that the threat will be carried out, the person who makes the threat or, as the case may be, who attempts to make it or aids, abets, counsels or procures or is art and part in the making of it, shall in any part of the United Kingdom be guilty of an offence and liable on conviction on indictment to imprisonment for a term not exceeding ten years and not exceeding the term of imprisonment to which a person would be liable for the offence constituted by doing the act threatened at the place where the conviction occurs and at the time of the offence to which the conviction relates.
- (4) For the purposes of the preceding subsections it is immaterial whether a person knows that another person is a protected person.
- (5) In this section—
- “act” includes omission;
- “a protected person” means, in relation to an alleged offence, any of the following, namely—
- (a) a person who at the time of the alleged offence is a Head of State, a member of a body which performs the functions of Head of State under the constitution of the State, a Head of Government or a Minister for Foreign Affairs and is outside the territory of the State in which he holds office;
 - (b) a person who at the time of the alleged offence is a representative or an official of a State or an official or agent of an international organisation of an intergovernmental character, is entitled under international law to special protection from attack on his person, freedom or dignity and does not fall within the preceding paragraph;
 - (c) a person who at the time of the alleged offence is a member of the family of another person mentioned in either of the preceding paragraphs and—
 - (i) if the other person is mentioned in paragraph (a) above, is accompanying him,
 - (ii) if the other person is mentioned in paragraph (b) above, is a member of his household;

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“relevant premises” means premises at which a protected person resides or is staying or which a protected person uses for the purpose of carrying out his functions as such a person; and

“vehicle” includes any means of conveyance;

and if in any proceedings a question arises as to whether a person is or was a protected person, a certificate issued by or under the authority of the Secretary of State and stating any fact relating to the question shall be conclusive evidence of that fact.

Textual Amendments

- F1** Word in s. 1(1)(a) repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, Sch. 6 para. 22(a) (i), [Sch. 7](#); S.I. 2004/874, art. 2
- F2** Words in s. 1(1)(a) inserted (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, [Sch. 6 para. 22\(a\) \(ii\)](#); S.I. 2004/874, art. 2
- F3** S. 1(1A) inserted (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. 141, [Sch. 6 para. 22\(b\)](#); S.I. 2004/874, art. 2

Modifications etc. (not altering text)

- C1** S. 1(1) restricted by [Child Abduction Act 1984 \(c. 37, SIF 39:4\)](#), s. 11(3)

Marginal Citations

- M1** 1861 c. 100.
- M2** 1883 c. 3.
- M3** 1883 c. 3.
- M4** 1971 c. 48.
- M5** S.I. 1977 No. 426 (N.I. 1)

Status:

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Changes to legislation:

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