



# Criminal Attempts Act 1981

## 1981 CHAPTER 47

### PART I

#### ATTEMPTS ETC.

##### *Specific offences of attempt*

### **3 Offences of attempt under other enactments.**

- (1) Subsections (2) to (5) below shall have effect, subject to subsection (6) below and to any inconsistent provision in any other enactment, for the purpose of determining whether a person is guilty of an attempt under a special statutory provision.
- (2) For the purposes of this Act an attempt under a special statutory provision is an offence which—
  - (a) is created by an enactment other than section 1 above, including an enactment passed after this Act; and
  - (b) is expressed as an offence of attempting to commit another offence (in this section referred to as “the relevant full offence”).
- (3) A person is guilty of an attempt under a special statutory provision if, with intent to commit the relevant full offence, he does an act which is more than merely preparatory to the commission of that offence.
- (4) A person may be guilty of an attempt under a special statutory provision even though the facts are such that the commission of the relevant full offence is impossible.
- (5) In any case where—
  - (a) apart from this subsection a person’s intention would not be regarded as having amounted to an intent to commit the relevant full offence; but
  - (b) if the facts of the case had been as he believed them to be, his intention would be so regarded,

then, for the purposes of subsection (3) above, he shall be regarded as having had an intent to commit that offence.

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**Changes to legislation:** *There are currently no known outstanding effects for the Criminal Attempts Act 1981, Section 3. (See end of Document for details)*

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- (6) Subsections (2) to (5) above shall not have effect in relation to an act done before the commencement of this Act.

**Changes to legislation:**

There are currently no known outstanding effects for the Criminal Attempts Act 1981, Section 3.