

SCHEDULES

SCHEDULE 1

THE SCHEDULED OFFENCES

PART I

SUBSTANTIVE OFFENCES

Common law offences

- 1 Murder subject to note 1 below.
- 2 Manslaughter subject to note 1 below.
- 3 The common law offence of riot.
- 4 Kidnapping subject to note 1 below.
- 5 False imprisonment subject to note 1 below.
- 6 Assault occasioning actual bodily harm subject to note 1 below.

^{M1}*Malicious Damage Act 1861*

Marginal Citations

M1 1861 c. 97.

- 7 Offences under section 35 of the Malicious Damage Act 1861 (interference with railway) subject to note 1 below.

Status: Point in time view as at 27/08/1991. This version of this part contains provisions that are not valid for this point in time.

Changes to legislation: There are currently no known outstanding effects for the Northern Ireland (Emergency Provisions) Act 1991 (repealed 25.8.1996), Part I. (See end of Document for details)

M²Offences against the Person Act 1861

Marginal Citations

M2 1861 c. 100.

8 Offences under the following provisions of the Offences against the Person Act 1861—

- (a) section 4 (conspiracy, etc to murder) subject to note 1 below;
- (b) section 16 (threats to kill) subject to note 1 below;
- (c) section 18 (wounding with intent to cause grievous bodily harm) subject to note 1 below;
- (d) section 20 (causing grievous bodily harm) subject to note 1 below;
- (e) section 28 (causing grievous bodily harm by explosives);
- (f) section 29 (causing explosion or sending explosive substance or throwing corrosive liquid with intent to cause grievous bodily harm);
- (g) section 30 (placing explosive near building or ship with intent to do bodily injury).

M³Explosive Substances Act 1883

Marginal Citations

M3 1883 c. 3.

9 Offences under the following provisions of the Explosive Substances Act 1883—

- (a) section 2 (causing explosion likely to endanger life or damage property);
- (b) section 3 (attempting to cause any such explosion, and making or possessing explosive with intent to endanger life or cause serious damage to property);
- (c) section 4 (making or possessing explosives in suspicious circumstances).

M⁴Prison Act (Northern Ireland) 1953

Marginal Citations

M4 1953 c. 18 (N.I.).

10 Offences under the following provisions of the Prison Act (Northern Ireland) 1953 subject to note 1 below—

- (a) section 25 (being unlawfully at large while under sentence);
- (b) section 26 (escaping from lawful custody and failing to surrender to bail);
- (c) section 27 (attempting to break prison);
- (d) section 28 (breaking prison by force or violence);

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- (e) section 29 (rescuing or assisting or permitting to escape from lawful custody persons under sentence of death or life imprisonment);
- (f) section 30 (rescuing or assisting or permitting to escape from lawful custody persons other than persons under sentence of death or life imprisonment);
- (g) section 32 (causing discharge of prisoner under pretended authority);
- (h) section 33 (assisting prisoners to escape by conveying things into prisons).

^{M5}Theft Act (Northern Ireland) 1969

Marginal Citations

M5 1969 c. 16 (N.I.).

- 11 Offences under the following provisions of the Theft Act (Northern Ireland) 1969—
- (a) section 1 (theft) subject to note 2 below;
 - (b) section 8 (robbery) subject to note 3 below;
 - (c) section 9 (burglary) subject to note 2 below;
 - (d) section 10 (aggravated burglary) subject to note 3 below;
 - (e) section 15 (obtaining property by deception) subject to note 2 below;
 - (f) section 20 (blackmail) subject to notes 1 and 2 below.

Protection of the ^{M6}Person and Property Act (Northern Ireland) 1969

Marginal Citations

M6 1969 c. 29 (N.I.).

- 12 Offences under the following provisions of the Protection of the Person and Property Act (Northern Ireland) 1969—
- (a) section 1 (intimidation) subject to note 1 below;
 - (b) section 2 (making or possessing petrol bomb, etc. in suspicious circumstances);
 - (c) section 3 (throwing or using petrol bomb, etc).

Hijacking

- 13 Offences under section 1 of the ^{M7}Aviation Security Act 1982 (aircraft).

Marginal Citations

M7 1982 c. 36.

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- 14 Offences in Northern Ireland under section 2 of the ^{M8}Criminal Jurisdiction Act 1975 (vehicles).

Marginal Citations

M8 1975 c. 59.

^{M9}*Criminal Damage (Northern Ireland) Order 1977*

Marginal Citations

M9 S.I.1977/426 (N.I.4).

- 15 Offences under the following provisions of the Criminal Damage (Northern Ireland) Order 1977 subject to note 1 below—

- (a) Article 3(1) and (3) or Article 3(2) and (3) (arson);
- (b) Article 3(2) (destroying or damaging property with intent to endanger life);
- (c) Article 4 (threats to destroy or damage property);
- (d) Article 5 (possessing anything with intent to destroy or damage property).

^{M10}*Criminal Law (Amendment) (Northern Ireland) Order 1977*

Marginal Citations

M10 S.I.1977/1249 (N.I.16).

- 16 Offences under Article 3 of the Criminal Law (Amendment) (Northern Ireland) Order 1977 (bomb hoaxes) subject to note 1 below.

^{M11}*Firearms (Northern Ireland) Order 1981*

Marginal Citations

M11 S.I.1981/155 (N.I.2).

- 17 Offences under the following provisions of the Firearms (Northern Ireland) Order 1981—

- (a) Article 3(1) (possessing, purchasing or acquiring firearm or ammunition without certificate) subject to note 1 below;
- (b) Article 4(1), (2), (3) or (4) (manufacturing, dealing in, repairing, etc, firearm or ammunition without being registered) subject to note 1 below;
- (c) Article 5 (shortening barrel of shot gun or converting imitation firearm into firearm) subject to note 1 below;

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- (d) Article 6(1) (manufacturing, dealing in or possessing machine gun, or weapon discharging, or ammunition containing, noxious substance) subject to note 1 below;
- (e) Article 17 (possessing firearm or ammunition with intent to endanger life or cause serious damage to property);
- (f) Article 18 (use or attempted use of firearm or imitation firearm to prevent arrest of self or another etc.);
- (g) Article 19 (carrying firearm or imitation firearm with intent to commit indictable offence or prevent arrest of self or another);
- (h) Article 20 (carrying firearm, etc., in public place) subject to notes 1 and 4 below;
- (i) Article 22 (possession of firearm or ammunition by person who has been sentenced to imprisonment, etc., and sale of firearm or ammunition to such a person) subject to note 1 below;
- (j) Article 23 (possessing firearm or ammunition in suspicious circumstances).

M¹²Taking of Hostages Act 1982

Marginal Citations

M12 1982 c. 28.

- 18 Offences under the Taking of Hostages Act 1982.

M¹³Nuclear Material (Offences) Act 1983

Marginal Citations

M13 1983 c. 18.

- 19 Offences under section 2 of the Nuclear Material (Offences) Act 1983 (offences involving nuclear material: preparatory acts and threats).

M¹⁴Prevention of Terrorism (Temporary Provisions) Act 1989

Marginal Citations

M14 1989 c. 4.

- 20 Offences under the following provisions of the Prevention of Terrorism (Temporary Provisions) Act 1989—
- (a) section 8 (breach of exclusion order);
 - (b) sections 9, 10 and 11 (financial assistance for terrorism);
 - (c) section 17 and Schedule 7 (terrorist investigations);

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- (d) section 18 (information about acts of terrorism);
- (e) paragraph 25B of Schedule 4 (contravention of restraint orders).

Aviation and Maritime Security Act 1990

- 21 Offences under the following provisions of the ^{M15}Aviation and Maritime Security Act 1990—
- (a) section 1 (endangering safety at aerodromes);
 - (b) section 9 (hijacking of ships);
 - (c) section 10 (seizing or exercising control of fixed platforms).

Marginal Citations

M15 1990 c. 31.

VALID FROM 05/03/1994

Channel Tunnel (Security) Order 1994 No. 570

- [^{F1}21A Offences under the following provisions of the Channel Tunnel (Security) Order 1994—
- (a) Article 4 (hijacking of Channel Tunnel trains);
 - (b) Article 5 (seizing or exercising control of the tunnel system).]

Textual Amendments

F1 S. 21A added (5.3.1994) S.I. 1994/540, arts. 1, 38, Sch. 3 para. 1

This Act

- 22 Offences under the following provisions of this Act—
- (a) section 19(12);
 - (b) section 27;
 - (c) section 28;
 - (d) section 29;
 - (e) section 30;
 - (f) section 31;
 - (g) section 32;
 - (h) section 33;
 - (i) section 35;
 - (j) section 53;
 - (k) section 54;
 - (l) paragraph 13 of Schedule 3;

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- (m) paragraph 9 of Schedule 4;
- (n) paragraph 4 of Schedule 5.

NOTES

- 1 Any offence specified in this Part of this Schedule which is stated to be subject to this note is not a scheduled offence in any particular case in which the Attorney General for Northern Ireland certifies that it is not to be treated as a scheduled offence.
- 2 An offence specified in paragraph 11(a), (c) or (e) is a scheduled offence only where it is charged that the offence was committed in relation to or by means of nuclear material within the meaning of the ^{M16}Nuclear Material (Offences) Act 1983; and the Attorney General for Northern Ireland shall not certify that the offence specified in paragraph 11(f) is not to be treated as a scheduled offence in a case where it is charged that the offence was so committed.
- 3 An offence specified in paragraph 11(b) or (d) is a scheduled offence only where it is charged—
 - (a) that an explosive, firearm, imitation firearm or weapon of offence was used to commit the offence; or
 - (b) that the offence was committed in relation to or by means of nuclear material within the meaning of the Nuclear Material (Offences) Act 1983;and expressions defined in section 10 of the ^{M17}Theft Act (Northern Ireland) 1969 have the same meaning when used in this note.
- 4 The offence specified in paragraph 17(h) is a scheduled offence only where it is charged that the offence relates to a weapon other than an air weapon.

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Changes to legislation:

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