

*Status: Point in time view as at 20/07/2000.*

*Changes to legislation: There are currently no known outstanding effects for the Northern Ireland (Emergency Provisions) Act 1996 (repealed). (See end of Document for details)*

## SCHEDULES

### SCHEDULE 1

Section 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 Riot [<sup>F1</sup>subject to note 1 below].

#### Textual Amendments

**F1** Words in [Sch. 1 para. 3](#) added (8.4.1998) by [1998 c. 9, s. 2\(1\)\(a\)](#)

- 4 Kidnapping subject to note 1 below.
- 5 False imprisonment subject to note 1 below.

#### *Malicious Damage Act 1861 (c. 97)*

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

#### *Offences against the Person Act 1861 (c. 100)*

- 7 Offences under the following provisions of the Offences against the Person Act 1861 [<sup>F2</sup>subject to note 1 below]—
  - (a) section 4 (offences relating to murder) <sup>F3</sup> . . . ;
  - (b) section 16 (threats to kill) <sup>F3</sup> . . . ;

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- (c) section 18 (wounding with intent to cause grievous bodily harm)<sup>F3</sup> . . . ;
- (d) section 20 (causing grievous bodily harm)<sup>F3</sup> . . . ;
- (e) section 29 (causing explosion or sending explosive substance or throwing corrosive liquid with intent to cause grievous bodily harm);
- (f) section 47 (assault occasioning actual bodily harm)<sup>F3</sup> . . . .

#### Textual Amendments

**F2** Words in [Sch. 1 para. 7](#) inserted (8.4.1998) by [1998 c. 9, s. 2\(2\)\(a\)](#)

**F3** Words in [Sch. 1 para. 7](#) repealed (8.4.1998) by [1998 c. 9, ss. 2\(2\)\(a\), 7\(2\)](#), [Sch. 2](#)

#### *Explosive Substances Act 1883 (c. 3)*

- 8 Offences under the following provisions of the Explosive Substances Act 1883 [<sup>F4</sup>subject to note 1 below]
- (a) section 2 (causing explosion likely to endanger life or damage property);
  - (b) section 3 (intending or conspiring 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).

#### Textual Amendments

**F4** Words in [Sch. 1 para. 8](#) inserted (8.4.1998) by [1998 c. 9, s. 2\(3\)\(a\)](#)

#### *Prison Act (Northern Ireland) 1953 (c. 18 (N.I.))*

- 9 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);
  - (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).

#### *Theft Act (Northern Ireland) 1969 (c. 16 (N.I.))*

- 10 Offences under the following provisions of the Theft Act (Northern Ireland) 1969—

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- (a) section 1 (theft) subject to note 2 below;
- (b) section 8 (robbery) subject to notes 1 and 3 below;
- (c) section 9 (burglary) subject to note 2 below;
- (d) section 10 (aggravated burglary) subject to notes 1 and 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 Person and Property Act (Northern Ireland) 1969 (c. 29 (N.I.))*

- 11 Offences under the following provisions of the Protection of the Person and Property Act (Northern Ireland) 1969 [<sup>F5</sup>subject to note 1 below]—
- (a) section 1 (intimidation) <sup>F6</sup>. . .;
  - (b) section 2 (making or possessing petrol bomb, etc. in suspicious circumstances);
  - (c) section 3 (throwing or using petrol bomb, etc).

**Textual Amendments**

**F5** Words in [Sch. 1 para. 11](#) inserted (8.4.1998) by [1998 c. 9, s. 2\(2\)\(b\)](#)

**F6** Words in [Sch. 1 para. 11](#) repealed (8.4.1998) by [1998 c. 9, ss. 2\(2\)\(b\), 7\(2\), Sch. 2](#)

*Hijacking*

- 12 Offences under section 1 of the <sup>M1</sup>Aviation Security Act 1982 (aircraft) [<sup>F7</sup>subject to note 1 below].

**Textual Amendments**

**F7** Words in [Sch. 1 para. 12](#) added (8.4.1998) by [1998 c. 9, s. 2\(1\)\(b\)](#)

**Marginal Citations**

**M1** [1982 c. 36.](#)

- 13 Offences in Northern Ireland under section 2 of the <sup>M2</sup>Criminal Jurisdiction Act 1975 (vehicles or ships) [<sup>F8</sup>subject to note 1 below].

**Textual Amendments**

**F8** Words in [Sch. 1 para. 13](#) added (8.4.1998) by [1998 c. 9, s. 2\(1\)\(c\)](#)

**Marginal Citations**

**M2** [1975 c. 59.](#)

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*Criminal Damage (Northern Ireland) Order 1977 (S.I. 1977/426 (N.I. 4))*

- 14 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).

*Criminal Law (Amendment) (Northern Ireland) Order 1977 (S.I. 1977/1249 (N.I. 16))*

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

*Firearms (Northern Ireland) Order 1981 (S.I. 1981/155 (N.I. 2))*

- 16 Offences under the following provisions of the Firearms (Northern Ireland) Order 1981 [<sup>F9</sup>subject to note 1 below]—
- (a) Article 4(1), (2), (3) or (4) (manufacturing, dealing in, repairing, etc, firearm or ammunition without being registered) <sup>F10</sup> . . . ;
  - (b) Article 5 (shortening barrel of shot gun or converting imitation firearm into firearm) <sup>F10</sup> . . . ;
  - (c) Article 6(1) (manufacturing, dealing in or possessing certain weapons, etc.) <sup>F10</sup> . . . ;
  - (d) Article 17 (possessing firearm or ammunition with intent to endanger life or cause serious damage to property);
  - (e) Article 18 (use or attempted use of firearm or imitation firearm to prevent arrest of self or another etc.);
  - (f) Article 19 (carrying firearm or imitation firearm with intent to commit indictable offence or prevent arrest of self or another);
  - (g) Article 20 (carrying firearm, etc, in public place) [<sup>F11</sup>subject to note 4 below];
  - (h) 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) <sup>F10</sup> . . . ;
  - (i) Article 23 (possessing firearm or ammunition in suspicious circumstances).

**Textual Amendments**

**F9** Words in Sch. 1 para. 16 inserted (8.4.1998) by 1998 c. 9, s. 2(2)(c)

**F10** Words in Sch. 1 para. 16 repealed (8.4.1998) by 1998 c. 9, ss. 2(2)(c), 7(2), Sch. 2

**F11** Words in Sch. 1 para. 16 substituted (8.4.1998) by 1998 c. 9, s. 7(1), Sch. 1 para. 3(5)(a)

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*Taking of Hostages Act 1982 (c. 28)*

17 Offences under the Taking of Hostages Act 1982 [<sup>F12</sup>subject to note 1 below].

**Textual Amendments**

**F12** Words in [Sch. 1 para. 17](#) added (8.4.1998) by [1998 c. 9, s. 2\(1\)\(d\)](#)

*Nuclear Material (Offences) Act 1983 (c. 18)*

18 Offences under section 2 of the Nuclear Material (Offences) Act 1983 (offences involving nuclear material: preparatory acts and threats) [<sup>F13</sup>subject to note 1 below].

**Textual Amendments**

**F13** Words in [Sch. 1 para. 18](#) added (8.4.1998) by [1998 c. 9, s. 2\(1\)\(e\)](#)

*Prevention of Terrorism (Temporary Provisions) Act 1989 (c. 4)*

19 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);
- (d) section 18 (information about acts of terrorism);
- (e) section 18A (failure to disclose knowledge or suspicion of financial assistance for terrorism);
- (f) paragraph 25B of Schedule 4 (contravention of restraint orders).

*Aviation and Maritime Security Act 1990 (c. 31)*

20 Offences under the following provisions of the Aviation and Maritime Security Act 1990 [<sup>F14</sup>subject to note 1 below]

- (a) section 1 (endangering safety at aerodromes);
- (b) section 9 (hijacking of ships);
- (c) section 10 (seizing or exercising control of fixed platforms).

**Textual Amendments**

**F14** Words in [Sch. 1 para. 20](#) inserted (8.4.1998) by [1998 c. 9, s. 2\(3\)\(b\)](#)

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*Channel Tunnel (Security) Order 1994 (S.I. 1994/570)*

- 21 Offences under the following provisions of the Channel Tunnel (Security) Order 1994 [<sup>F15</sup>subject to note 1 below]
  - (a) Article 4 (hijacking of Channel Tunnel trains);
  - (b) Article 5 (seizing or exercising control of the tunnel system).

**Textual Amendments**  
**F15** Words in [Sch. 1 para. 21](#) inserted (8.4.1998) by [1998 c. 9, s. 2\(3\)](#)

*This Act*

- 22 Offences under the following provisions of this Act—
  - (a) section 21(5) [<sup>F16</sup>subject to note 1 below];
  - (b) section 29;
  - (c) section 30;
  - (d) section 31;
  - (e) section 32;
  - (f) section 33;
  - (g) section 34;
  - (h) section 35;
  - (i) section 37 [<sup>F16</sup>subject to note 1 below];
  - <sup>F17</sup>(j) .....

**Textual Amendments**  
**F16** Words in [Sch. 1 para. 22\(a\)](#) and 22(i) added (8.4.1998) by [1998 c. 9, s. 2\(1\)\(f\)](#)  
**F17** Words in [Sch. 1 para. 22\(j\)](#) repealed (8.4.1998) by [1998 c. 9, s. 7\(2\)](#), [Sch. 2](#)

*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 10(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 <sup>M3</sup>Nuclear Material (Offences) Act 1983; and the Attorney General for Northern Ireland shall not certify that the offence specified in paragraph 10(f) is not to be treated as a scheduled offence in a case where it is charged that the offence was so committed.

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- 3 An offence specified in paragraph 10(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 <sup>M4</sup>Theft Act (Northern Ireland) 1969 have the same meaning when used in this note.
- 4 The offence specified in paragraph 16(g) is a scheduled offence only where it is charged that the offence relates to a weapon other than an air weapon.

## PART II

### INCHOATE AND RELATED OFFENCES

Each of the following offences, that is to say—

- (a) aiding, abetting, counselling, procuring or inciting the commission of an offence specified in Part I of this Schedule (hereafter in this paragraph referred to as a “substantive offence”);
- (b) attempting or conspiring to commit a substantive offence;
- (c) an offence under section 4 of the <sup>M5</sup>Criminal Law Act (Northern Ireland) 1967 of doing any act with intent to impede the arrest or prosecution of a person who has committed a substantive offence;
- (d) an offence under section 5(1) of the Criminal Law Act (Northern Ireland) 1967 of failing to give information to a constable which is likely to secure, or to be of material assistance in securing, the apprehension, prosecution or conviction of a person for a substantive offence,

shall be treated for the purposes of this Act as if it were the substantive offence.

#### Marginal Citations

M5 1967 c. 18 (N.I.).

## PART III

### EXTRA-TERRITORIAL OFFENCES

Any extra-territorial offence as defined in section 1(3) of the <sup>M6</sup>Criminal Jurisdiction Act 1975.

#### Marginal Citations

M6 1975 c. 59.

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## SCHEDULE 2

Section 30(2).

## PROSCRIBED ORGANISATIONS

The Irish Republican Army.  
 Cumann na mBan.  
 Fianna na hEireann.  
 The Red Hand Commando.  
 Saor Eire.  
 The Ulster Freedom Fighters.  
 The Ulster Volunteer Force.  
 The Irish National Liberation Army.  
 The Irish People’s Liberation Organisation.  
 The Ulster Defence Association.  
 [<sup>F18</sup>The Loyalist Volunteer Force.  
 The Continuity Army Council.]  
 [<sup>F19</sup>The Organisation using the name “The Orange Volunteers” and being the Organisation in whose name a statement described as a press release was published on 14th October 1998  
 The Red Hand Defenders]

**Textual Amendments**

**F18** Words in [Sch. 2](#) added (4.6.1997) by [S.I. 1997/1403](#), [art. 2](#)

**F19** Words in [Sch. 2](#) added (4.3.1999) by [S.I. 1999/525](#), [art. 2](#)

## SCHEDULE 3

Section 36.

## SCHEDULE 4

Section 51.

## INDEPENDENT ASSESSOR OF MILITARY COMPLAINTS PROCEDURES IN NORTHERN IRELAND

*Tenure of office*

- 1 (1) Subject to the following provisions of this paragraph, the Independent Assessor shall hold and vacate office in accordance with the terms of his appointment.
- (2) The Independent Assessor shall be appointed for a term not exceeding three years.
- (3) The Independent Assessor may at any time resign his office by notice in writing addressed to the Secretary of State.
- (4) The Secretary of State may remove the Independent Assessor from office—



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- (a) if he has without reasonable excuse failed to carry out his duties for a continuous period of six months or more;
  - (b) if he has been convicted of a criminal offence;
  - (c) if a bankruptcy order has been made against him, his estate has been sequestrated or he has made a composition or arrangement with, or granted a trust deed for, his creditors; or
  - (d) if the Secretary of State is satisfied that he is otherwise unable or unfit to perform his functions.
- (5) At the end of a term of appointment the Independent Assessor shall be eligible for re-appointment.

*Remuneration etc.*

- 2
- (1) There shall be paid to the Independent Assessor such remuneration and such travelling and other allowances as the Secretary of State may determine.
  - (2) In the case of any such holder of the office of Independent Assessor as may be determined by the Secretary of State, there shall be paid such pension, allowances or gratuities to or in respect of him, or such payments towards the provision of a pension to or in respect of him, as may be so determined.

*Staff*

- 3
- (1) The Independent Assessor may appoint such number of employees as he may determine.
  - (2) The remuneration and other terms and conditions of service of persons employed by the Independent Assessor shall be such as he may determine.
  - (3) The approval of the Secretary of State shall be required for the making of a determination under this paragraph.

*Reports*

- 4
- (1) The Independent Assessor shall prepare an annual report on the performance of his functions which he shall submit to the Secretary of State who shall cause it to be published and lay copies of it before each House of Parliament.
  - (2) The Independent Assessor may make a report to the Secretary of State about any matter which comes to his attention in the course of the performance of his functions.

*Disqualification*

- 5
- In Part III of Schedule 1 to the <sup>M8</sup>Northern Ireland Assembly Disqualification Act 1975 (other disqualifying offices), the following entry shall be inserted at the appropriate place—

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“Independent Assessor of Military Complaints Procedures in Northern Ireland.”

**Marginal Citations**

**M8** 1975 c. 25.

SCHEDULE 5

Section 63(2).

SCHEDULED OFFENCES: TRANSITIONAL PROVISIONS

- 1 In this Schedule “commencement” means the time when this Act comes into force.
- 2 (1) This Schedule applies to offences which—
- (a) were immediately before commencement specified in Part I of Schedule 1 to the Northern Ireland (Emergency Provisions) Act 1991, but
  - (b) are not immediately after commencement specified in Part I of Schedule 1 to this Act.
- (2) In relation to offences committed (or alleged to have been committed) before commencement, this Act shall apply as if offences to which this Schedule applies were specified in Part I of Schedule 1.
- (3) Sub-paragraph (2) is subject to the following provisions.
- 3 Paragraph 2(2) shall not apply in relation to section 2 (preliminary inquiry) unless a request that a preliminary inquiry be held has been granted under section 2 of the 1991 Act.
- 4 Paragraph 2(2) shall not apply in relation to section 3 (limitation of power to grant bail).
- 5 Paragraph 2(2) shall not apply in relation to section 4 (legal aid to applicants for bail) except for the purposes of assignments made before commencement.
- 6 Paragraph 2(2) shall not apply in relation to section 5 (maximum period of remand in custody) except for the purposes of orders for remand made before commencement.
- 7 Paragraph 2(2) shall not apply in relation to section 6 (custody of young persons).
- 8 Paragraph 2(2) shall not apply in relation to section 8 (time limits for preliminary proceedings).

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- 9 Paragraph 2(2) shall not apply in relation to sections 10 to 13 (court, mode of trial, evidence and onus of proof) except in cases where the case for the prosecution was opened, or a plea of guilty was accepted, before commencement.
- 10 Paragraph 2(2) shall not apply in relation to sections 14 to 16 (treatment of offenders) except where the conviction of the offence in question occurred before commencement.
- 11 Paragraph 2(2) shall not apply in relation to section 18 (constable’s general power of arrest and seizure) except where the arrest, entry, search or seizure occurred before commencement.
- 12 Paragraph 2(2) shall not apply in relation to section 46(8)(a) to (c) (right to have someone informed of detention: delay related to scheduled offence) except for the purposes of authorisations given before commencement.
- 13 Paragraph 2(2) shall not apply in relation to section 47(8)(a) to (c) (right of access to legal advice: delay related to scheduled offence) except for the purposes of authorisations given before commencement.
- 14 Paragraph 2(2) shall not apply in relation to section 53(7) (compensation: restriction) except where the act in question was done before commencement.
- 15 Note 1 of Part I of Schedule 1 shall apply to any offence to which the corresponding note in the Northern Ireland (Emergency Provisions) Act 1991 applied.

## SCHEDULE 6

Section 63(6).

### CONSEQUENTIAL AMENDMENTS

#### *The Elected Authorities (Northern Ireland) Act 1989 (c. 3)*

- 1 The Elected Authorities (Northern Ireland) Act 1989 shall be amended as follows.
- 2 In section 6(5) (breach of terms of declaration), in the definition of “proscribed organisation” for the words “section 28 of the Northern Ireland (Emergency Provisions) Act 1991” there shall be substituted the words “ section 30 of the Northern Ireland (Emergency Provisions) Act 1996 ”.

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- 3 In Schedule 2 (declaration against terrorism), for the words “Schedule 2 to the Northern Ireland (Emergency Provisions) Act 1991” there shall be substituted the words “Schedule 2 to the Northern Ireland (Emergency Provisions) Act 1996”.

*The Prevention of Terrorism (Temporary Provisions) Act 1989 (c. 4)*

- 4 The Prevention of Terrorism (Temporary Provisions) Act 1989 shall be amended as follows.

- 5 In section 10(3) (contributions to resources of proscribed organisations), for the words “section 28 of the Northern Ireland (Emergency Provisions) Act 1991” there shall be substituted the words “ section 30 of the Northern Ireland (Emergency Provisions) Act 1996 ”.

- 6 (1) Section 17 (investigation of terrorist activities) shall be amended as follows.
- (2) In subsection (1)(a)(ii) for the words “section 27, 28, 53, 54 or 54A of the Northern Ireland (Emergency Provisions) Act 1991” there shall be substituted the words “ section 29 or 30 of the Northern Ireland (Emergency Provisions) Act 1996 ”.
- (3) In subsection (1)(a)(iii) for the words “section 28 of the said Act of 1991” there shall be substituted the words “ section 30 of the said Act of 1996 ”.
- (4) In subsection (1)(b) for the words “section 28(3) of that Act” there shall be substituted the words “ section 30(3) of the Act of 1996 ”.
- (5) In subsection (2A) the words “or section 53, 54 or 54A of the Northern Ireland (Emergency Provisions) Act 1991” shall be omitted.
- (6) In subsection (2B) the words “or section 53(4A), 54(5D) or 54A(5) of the Act of 1991” shall be omitted.
- (7) In subsection (6) the words “or section 54A of the Act of 1991” shall be omitted.

- 7 (1) Section 27 (commencement and duration) shall be amended as follows.
- (2) In subsection (10) for the words “section 28 of the Northern Ireland (Emergency Provisions) Act 1991” there shall be substituted the words “ section 30 of the Northern Ireland (Emergency Provisions) Act 1996 ”.
- (3) For subsection (11) there shall be substituted—
- “(11) The provisions excluded by subsection (10) above from subsection (5) shall remain in force until 15th June 1997 and then expire but shall be—
- (a) included in the provisions to which subsection (3) of section 62 of the said Act of 1996 applies (provisions that can be continued in force, repealed or revived by order); and
- (b) treated as part of that Act for the purposes of subsection (10) of that section (repeal at end of two years).”.

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- 8 In paragraph 7(4) of Schedule 3 (supervision of detention and examination powers), for the words “sections 44 and 45 of the Northern Ireland (Emergency Provisions) Act 1991” there shall be substituted the words “ sections 46 and 47 of the Northern Ireland (Emergency Provisions) Act 1996 ”.
- 9 (1) Schedule 4 (forfeiture orders) shall be amended as follows.
- (2) In paragraph 8(1), in the definition of “a Northern Ireland order” for paragraph (b) there shall be substituted—
- “(b) an order made under paragraph 23 or 25A below (“a Northern Ireland restraint order”); or”.
- (3) In paragraph 18(1), in the definition of “a Northern Ireland order” for paragraph (b) there shall be substituted—
- “(b) an order made under paragraph 23 or 25A below (“a Northern Ireland restraint order”); or”.
- (4) After paragraph 25 there shall be inserted—
- “25A(1) The power to make a restraint order under the provisions of paragraphs 23 and 24 above shall be exercisable by the Secretary of State in any case in which it appears to him that the information which it would be necessary to provide in support of an application to the High Court or a judge under those provisions would, if disclosed, be likely to place any person in danger or prejudice the capability of members of the Royal Ulster Constabulary to investigate an offence under Part III of this Act.
- (2) In their application by virtue of sub-paragraph (1) above paragraphs 23 to 25 above shall have effect with the necessary modifications and as if references to the High Court were references to the Secretary of State.
- (3) An order made by the Secretary of State by virtue of this paragraph may be varied or discharged by the High Court under paragraph 23(5) or 24(2) above.
- 25B(1) A person who, without lawful authority or reasonable excuse (the proof of which lies on him), contravenes a restraint order is guilty of an offence and liable—
- (a) on conviction on indictment, to imprisonment for a term not exceeding fourteen years or a fine or both;
- (b) on summary conviction, to imprisonment for a term not exceeding six months or a fine not exceeding the statutory maximum or both.
- (2) Nothing in sub-paragraph (1) above shall be taken to prejudice any power of the High Court to deal with the contravention of a restraint order as a contempt of court.”
- 10 In paragraph 8(1) of Schedule 7 (terrorist investigations), for the words “or an offence under section 27 of the Northern Ireland (Emergency Provisions) Act 1991”

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there shall be substituted the words “ or an offence under section 29 of the Northern Ireland (Emergency Provisions) Act 1996 ”.

*The Police and Criminal Evidence (Northern Ireland) Order 1989 (S.I. 1989/1341 (N.I. 12))*

11 (1) The Police and Criminal Evidence (Northern Ireland) Order 1989 shall be amended as follows.

12 In Article 4(3) (provisions relating to powers to stop and search), for subparagraph (b) there shall be substituted—

“(b) sections 20, 22 and 28 of the Northern Ireland (Emergency Provisions) Act 1996, and”.

13 In Article 30(3) (information to be given on arrest), for the words “section 18(2) of the Northern Ireland (Emergency Provisions) Act 1991” there shall be substituted the words “ section 19(2) of the Northern Ireland (Emergency Provisions) Act 1996 ”.

14 In Article 54(2) (abolition of certain powers of constables to search persons), the words “section 19(6)(b) of the Northern Ireland (Emergency Provisions) Act 1991 or” shall cease to have effect.

15 At the beginning of Article 61(9)(b) (fingerprinting), there shall be inserted the words “ except as provided by section 48 of the Northern Ireland (Emergency Provisions) Act 1996, ”.

16 In Article 74(9) (confessions), for the words “section 11 of the Northern Ireland (Emergency Provisions) Act 1991” there shall be substituted the words “ section 12 of the Northern Ireland (Emergency Provisions) Act 1996 ”.

17 In Article 76(2)(b) (exclusion of unfair evidence), for the words “subsection (1) of section 11 of the Northern Ireland (Emergency Provisions) Act 1991” there shall be substituted the words “ subsection (1) of section 12 of the Northern Ireland (Emergency Provisions) Act 1996 ”.

*The Northern Ireland (Remission of Sentences) Act 1995 (c. 47)*

18 (1) Section 1 of the Northern Ireland (Remission of Sentences) Act 1995 (release on licence of persons subject to restricted remission) shall be amended as follows.

(2) In subsection (1) for the words “section 14 of the Northern Ireland (Emergency Provisions) Act 1991” there shall be substituted the words “ section 15 of the Northern Ireland (Emergency Provisions) Act 1996 ”.

*Status: Point in time view as at 20/07/2000.*

*Changes to legislation: There are currently no known outstanding effects for the Northern Ireland (Emergency Provisions) Act 1996 (repealed). (See end of Document for details)*

- (3) In subsection (2) for the words “section 14” there shall be substituted the words “section 15 of that Act”.
- (4) In subsection (6) for the words “Section 15 of the Northern Ireland (Emergency Provisions) Act 1991” there shall be substituted the words “Section 16 of the Northern Ireland (Emergency Provisions) Act 1996”.

## SCHEDULE 7

Section 63(7).

### REPEALS AND REVOCATIONS

#### PART I

#### ENACTMENTS

| Chapter     | Short title  | Extent of repeal   |
|-------------|--|--|
| 1980 c. 47. | The Criminal Appeal (Northern Ireland) Act 1980.             | Section 30(2).   |
| 1989 c. 4.  | The Prevention of Terrorism (Temporary Provisions) Act 1989. | In section 17(2A), the words “or section 53, 54 or 54A of the Northern Ireland (Emergency Provisions) Act 1991”.<br><br>In section 17(2B), the words “or section 53(4A), 54(5D) or 54A(5) of the Act of 1991”.<br><br>In section 17(6), the words “or section 54A of the Act of 1991”. |
| 1991 c. 24. | The Northern Ireland (Emergency Provisions) Act 1991.        | The whole Act.   |
| 1993 c. 36. | The Criminal Justice Act 1993.                               | Sections 36 to 48.<br><br>Section 50(2)(b).<br>Section 78(8) and (12).<br>Section 79(6).<br>Paragraph 6 of Schedule 4.<br>Paragraphs 3 and 17 of Schedule 5.   |
| 1994 c. 33. | The Criminal Justice and Public Order Act 1994.              | Section 83(1)(c), (3) and (5).   |

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|             |  |   |
|-------------|--|---|
|             |  | Paragraph 51 of Schedule 9.                                 |
|             |  | Paragraph 63(2) of Schedule 10.                             |
| 1995 c. 35. | The Criminal Appeal Act 1995.  | Section 22(5)(b), and the word “and” immediately before it. |
| 1995 c. 40. | The Criminal Procedure (Consequential Provisions) (Scotland) Act 1995. | Paragraph 79 of Schedule 4.                                 |

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**PART II**

## ORDERS AND REGULATIONS

| <b>Number</b>              | <b>Title</b>   | <b>Extent of revocation</b>  |
|----------------------------|--|--|
| S.I. 1989/1341 (N. I. 12). | The Police and Criminal Evidence (Northern Ireland) Order 1989.              | In Article 54(2), the words “section 19(6)(b) of the Northern Ireland (Emergency Provisions) Act 1991 or”. |
| S.I. 1992/1958.            | The Northern Ireland (Emergency Provisions) Act 1991 (Amendment) Order 1992. | The whole Order.   |
| S.I. 1994/570.             | The Channel Tunnel (Security) Order 1994.                                    | Paragraph 1 of Schedule 3.   |
| S.I. 1994/764.             | The Northern Ireland (Emergency Provisions) Act 1991 (Guernsey) Order 1994.  | The whole Order.   |
| S.I. 1994/1696.            | The Insurance Companies (Third Insurance Directives) Regulations 1994.       | Paragraph 21 of Schedule 8.  |
| S.I. 1995/2993 (N.I. 17).  | The Police (Amendment) (Northern Ireland) Order 1995.                        | Article 9(4).  |

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**Status:**

Point in time view as at 20/07/2000.

**Changes to legislation:**

There are currently no known outstanding effects for the Northern Ireland (Emergency Provisions) Act 1996 (repealed).