
Changes to legislation: There are currently no known outstanding effects for the Northern Ireland (Sentences) Act 1998, Cross Heading: Equivalent offence. (See end of Document for details)

SCHEDULES

SCHEDULE 3

SENTENCES PASSED OUTSIDE NORTHERN IRELAND

Equivalent offence

- 2 (1) An offence is equivalent to a qualifying offence if it—
- (a) was committed before 10th April 1998,
 - (b) was committed in connection with terrorism and the affairs of Northern Ireland, and
 - (c) is certified by the appropriate Law Officer as an offence which if it had been committed in Northern Ireland would have been a scheduled offence within the meaning of the ^{M1}Northern Ireland (Emergency Provisions) Act 1973, ^{M2}1978, ^{M3}1991 or ^{M4}1996.
- (2) If a person who makes an application under section 3 in relation to a sentence for an offence requests the appropriate Law Officer to provide a certificate under sub-paragraph (1)(c) in relation to that offence, the Law Officer shall as soon as reasonably practicable—
- (a) grant the certificate, or
 - (b) refuse the request and notify the person who made the request of the refusal and the reasons for it.
- (3) In deciding whether an offence would have been a scheduled offence a Law Officer shall ignore the possibility of a certificate by the Attorney General for Northern Ireland that the offence was not to be treated as a scheduled offence.
- (4) For the purposes of this paragraph the appropriate Law Officer is—
- (a) in relation to an offence committed in England and Wales, the Attorney General, and
 - (b) in relation to an offence committed in Scotland, the Lord Advocate.

Annotations:

Marginal Citations

M1 1973 c. 53.

M2 1978 c. 5.

M3 1991 c. 24.

M4 1996 c. 22.

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