
Status: Point in time view as at 04/09/1998.

Changes to legislation: There are currently no known outstanding effects for the Criminal Justice (Terrorism and Conspiracy) Act 1998. (See end of Document for details)

SCHEDULES

SCHEDULE 1

Section 9(1).

CONSEQUENTIAL AMENDMENTS

PART I

PROSCRIBED ORGANISATIONS

Criminal Justice Act 1988 (c.33)

- 1 In section 74(2) of the Criminal Justice Act 1988 (property not realisable) the word “or” at the end of paragraph (c) shall be omitted and at the end of paragraph (d) there shall be inserted “or
- (e) an order under section 4(3) of the Criminal Justice (Terrorism and Conspiracy) Act 1998 (forfeiture orders).”.

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

- 2 In Schedule 3 to the Prevention of Terrorism (Temporary Provisions) Act 1989 (supervision of detention and examination powers) in paragraph 3(3)(a)(i) for “(in the case of detention under section 14) or under section 8” there shall be substituted “ or under section 30 of the Northern Ireland (Emergency Provisions) Act 1996 (in the case of detention under section 14 of this Act) or under section 8 of this Act ”.

Drug Trafficking Act 1994 (c.37)

- 3 In section 6(3) of the Drug Trafficking Act 1994 (property not realisable) after paragraph (e) there shall be inserted—
- “(f) section 4(3) of the Criminal Justice (Terrorism and Conspiracy) Act 1998 (forfeiture orders).”

PART II

CONSPIRACY

Criminal Law Act 1977 (c. 45)

- 4 In section 1 of the Criminal Law Act 1977 (conspiracy) the following shall cease to have effect—

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- (a) subsections (1A) and (1B),
- (b) in subsection (4), the words from “except that” to the end, and
- (c) subsections (5) and (6).

Criminal Attempts and Conspiracy (Northern Ireland) Order 1983 (S.I. 1983/1120 (N.I. 13)).

- 5 In Article 9 of the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983 (conspiracy) the following shall cease to have effect—
- (a) paragraphs (1A) and (1B),
 - (b) in paragraph (4), the words from “except that” to the end, and
 - (c) paragraphs (5) and (6).

Computer Misuse Act 1990 (c. 18)

- 6 (1) In section 8 of the Computer Misuse Act 1990 (relevance of external law)—
- (a) subsection (2) shall cease to have effect,
 - (b) in subsection (5), for “any of subsections (1) to (3)” there shall be substituted “ subsection (1) or (3) ”, and
 - (c) subsection (6)(b) shall cease to have effect.
- (2) Section 9(2)(b) of that Act (British citizenship immaterial: conspiracy) shall cease to have effect.
- (3) In section 16 of that Act (application to Northern Ireland)—
- (a) in subsection (4), for “Subsections (5) to (7) below apply in substitution for subsections (1) to (3) of section 7” there shall be substituted “ Subsection (7) below shall apply in substitution for subsection (3) of section 7 ”, and
 - (b) subsections (5), (6) and (8)(a) shall cease to have effect.

Criminal Justice Act 1993 (c. 36)

- 7 (1) Section 5(1) of the Criminal Justice Act 1993 (conspiracy, attempt and incitement) shall cease to have effect.
- (2) In section 6(1) of that Act (relevance of external law) the words “by virtue of section 1A of the Criminal Law Act 1977, or” shall cease to have effect.

Criminal Law (Consolidation) (Scotland) Act 1995 (c. 39)

- 8 Section 16A of the Criminal Law (Consolidation) (Scotland) Act 1995 (conspiracy or incitement to commit certain sexual acts outside the United Kingdom) shall be amended as follows—
- (a) in subsection (1) omit the words “conspiracy or” and “the criminal purpose or, as the case may be,”,
 - (b) in subsection (2) omit the words “the criminal purpose or, as the case may be,” and “conspiracy or”,
 - (c) in subsection (3) omit paragraph (a) and the words “(b) in the case of proceedings charging incitement”, and
 - (d) in subsection (5) omit paragraph (a) and the words “(b) in relation to proceedings charging incitement”.

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Sexual Offences (Conspiracy and Incitement) Act 1996 (c. 29)

- 9 (1) Section 1 of the Sexual Offences (Conspiracy and Incitement) Act 1996 (conspiracy to commit certain sexual acts outside the United Kingdom) shall cease to have effect.
- (2) Section 3 of that Act (supplementary) shall be amended as follows—
- (a) in subsection (1) for “sections 1 and 2” substitute “ section 2 ”,
 - (b) in subsection (2)—
 - (i) omit “1(3) or”, and
 - (ii) for “the relevant conduct” substitute “ what the accused had in view ”,
 - (c) omit subsection (3),
 - (d) in subsection (6) omit “1 or”,
 - (e) omit subsection (7), and
 - (f) in subsection (9)—
 - (i) for “Subsections (7) and (8) apply” substitute “ Subsection (8) applies ”, and
 - (ii) for “sections 1 and 2” substitute “ section 2 ”.
- (3) Section 4(b) and (c) of that Act (application to Northern Ireland) shall cease to have effect.
- (4) In section 7(3) of that Act (commencement), the word “1” shall cease to have effect.

Criminal Justice (Northern Ireland) Order 1996 (S.I. 1996/3160 (N.I. 24))

- 10 (1) Article 42(1)(b) of the Criminal Justice (Northern Ireland) Order 1996 (attempt, conspiracy and incitement) shall cease to have effect.
- (2) In Article 43(2) of that Order (relevance of external law) the words “by virtue of Article 9A of that Order, or” shall cease to have effect.

SCHEDULE 2

Section 9(2).

REPEALS AND REVOCATIONS

PART I

PROSCRIBED ORGANISATIONS

Chapter	Short title	Extent of repeal
1988 c. 33.	Criminal Justice Act 1988.	In section 74(2) the word “or” at the end of paragraph (c).

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 Criminal Justice (Terrorism and Conspiracy) Act 1998. (See end of Document for details)*

PART II

CONSPIRACY

Chapter	Short title	Extent of repeal
1977 c. 45.	Criminal Law Act 1977.	In section 1, subsections (1A) and (1B), the words in subsection (4) from “except that” to the end, and subsections (5) and (6).
S.I. 1983/1120 (N.I. 13).	Criminal Attempts and Conspiracy (Northern Ireland) Order 1983	In Article 9, paragraphs (1A) and (1B), the words in paragraph (4) from “except that” to the end, and paragraphs (5) and (6).
1990 c. 18.	Computer Misuse Act 1990.	Section 7(1) and (2). Section 8(2) and (6)(b). Section 9(2)(b). Section 16(5), (6) and (8)(a).
1993 c. 36.	Criminal Justice Act 1993.	Section 5(1). In section 6(1), the words “by virtue of section 1A of the Criminal Law Act 1977, or”.
1995 c. 39.	Criminal Law (Consolidation) (Scotland) Act 1995.	In section 16A, in subsection (1) the words “conspiracy or” and “the criminal purpose or, as the case may be,” in subsection (2) the words “the criminal purpose or, as the case may be,” and “conspiracy or”, in subsection (3) paragraph (a) and the words “(b) in the case of proceedings charging incitement” and in subsection (5) paragraph (a) and the words “(b) in relation to proceedings charging incitement”.
1996 c. 29.	Sexual Offences (Conspiracy and Incitement) Act 1996.	Section 1. In section 3, the words “1(3) or” in subsection (2), subsection (3), the words “1 or” in subsection (6) and subsection (7).

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S.I. 1996/3160 (N.I. 24).	Criminal Justice (Northern Ireland) Order 1996.	Section 4(b) and (c). In section 7(3), the word “1”. Article 42(1)(b). In Article 43(2), the words “by virtue of Article 9A of that Order, or”.
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Status:

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Changes to legislation:

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