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## SCHEDULES

### SCHEDULE 9

#### SCHEDULED OFFENCES

#### PART I

#### SUBSTANTIVE OFFENCES

##### *Common law offences*

1 Murder <sup>F1</sup> . . . .

##### Textual Amendments

**F1** Words in [Sch. 9 Pt. I para. 1](#) repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss. {3(1)(a)}, 5(2)(3), {Sch.}

2 Manslaughter <sup>F2</sup> . . . .

##### Textual Amendments

**F2** Words in [Sch. 9 Pt. I para. 2](#) repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss. {3(1)(a)}, 5(2)(3), {Sch.}

3 Riot <sup>F3</sup> . . . .

##### Textual Amendments

**F3** Words in [Sch. 9 Pt. I para. 3](#) repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss. {3(1)(a)}, 5(2)(3), {Sch.}

4 Kidnapping <sup>F4</sup> . . . .

##### Textual Amendments

**F4** Words in [Sch. 9 Pt. I para. 4](#) repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss. {3(1)(a)}, 5(2)(3), {Sch.}

5 False imprisonment <sup>F5</sup> . . . .

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#### Textual Amendments

**F5** Words in [Sch. 9 Pt. I para. 5](#) repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss. {3(1)(a)}, 5(2)(3), {Sch.}

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

6 Offences under section 35 of the <sup>M1</sup>Malicious Damage Act 1861 (interference with railway) <sup>F6</sup> . . . .

#### Textual Amendments

**F6** Words in [Sch. 9 Pt. I para. 6](#) repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss. {3(1)(a)}, 5(2)(3), {Sch.}

#### Marginal Citations

**M1** [1861 c. 97](#)

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

7 Offences under the following provisions of the <sup>M2</sup>Offences against the Person Act 1861 <sup>F7</sup> . . . —

- (a) section 4 (offences relating to murder),
- (b) section 16 (threats to kill),
- (c) section 18 (wounding with intent to cause grievous bodily harm),
- (d) section 20 (causing grievous bodily harm),
- (e) section 29 (causing explosion or sending explosive substance or throwing corrosive liquid with intent to cause grievous bodily harm), and
- (f) section 47 (assault occasioning actual bodily harm).

#### Textual Amendments

**F7** Words in [Sch. 9 Pt. I para. 7](#) repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss. {3(1)(a)}, 5(2)(3), {Sch.}

#### Marginal Citations

**M2** [1861 c. 100](#).

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

8 Offences under the following provisions of the <sup>M3</sup>Explosive Substances Act 1883 <sup>F8</sup> . . . —

- (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), and
- (c) section 4 (making or possessing explosives in suspicious circumstances).

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#### Textual Amendments

**F8** Words in [Sch. 9 Pt. 1 para. 8](#) repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss. {3(1)(a)}, 5(2)(3), {Sch.}

#### Marginal Citations

**M3** [1883 c. 3](#).

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

9 Offences under the following provisions of the <sup>M4</sup>Prison Act (Northern Ireland) 1953 <sup>F9</sup>. . . —

- (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), and
- (h) section 33 (assisting prisoners to escape by conveying things into prisons).

#### Textual Amendments

**F9** Words in [Sch. 9 Pt. 1 para. 9](#) repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss. {3(1)(a)}, 5(2)(3), {Sch.}

#### Marginal Citations

**M4** [1953 c. 18\(N.I.\)](#).

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

10 [<sup>F10</sup>Subject to notes 2 and 3 below,] offences under the following provisions of the <sup>M5</sup>Theft Act (Northern Ireland) 1969—

- (a) section 1 (theft) <sup>F11</sup>. . . ,
- (b) section 8 (robbery) <sup>F11</sup>. . . ,
- (c) section 9 (burglary) <sup>F11</sup>. . . ,
- (d) section 10 (aggravated burglary) <sup>F11</sup>. . . ,
- (e) section 15 (obtaining property by deception) <sup>F11</sup>. . . , and
- (f) section 20 (blackmail) <sup>F11</sup>. . . .

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#### Textual Amendments

- F10** Words in [Sch. 9 Pt. I para. 10](#) inserted (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss. {3(2)(a)}, 5(3)
- F11** Words in [Sch. 9 Pt. I para. 10](#) repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss. {3(2)(b)}, 5(2)(3), {Sch.}

#### Marginal Citations

- M5** [1969 c. 16\(N.I.\)](#).

### *Protection of the Person and Property Act (Northern Ireland) 1969 (c. 29 (N.I.))*

- 11 Offences under the following provisions of the <sup>M6</sup>Protection of the Person and Property Act (Northern Ireland) 1969 <sup>F12</sup>. . . —
- (a) section 1 (intimidation),
  - (b) section 2 (making or possessing petrol bomb, etc. in suspicious circumstances), and
  - (c) section 3 (throwing or using petrol bomb, etc.).

#### Textual Amendments

- F12** Words in [Sch. 9 Pt. I para. 11](#) repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss. {3(1)(a)}, 5(2)(3), {Sch.}

#### Marginal Citations

- M6** [1969 c. 29\(N.I.\)](#).

### *Hijacking*

- 12 Offences under section 1 of the <sup>M7</sup>Aviation Security Act 1982 (aircraft) <sup>F13</sup>. . . .

#### Textual Amendments

- F13** Words in [Sch. 9 Pt. I para. 12](#) repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss. {3(1)(a)}, 5(2)(3), {Sch.}

#### Marginal Citations

- M7** [1982 c. 36](#).

- 13 Offences in Northern Ireland under section 2 of the <sup>M8</sup>Criminal Jurisdiction Act 1975 (vehicles or ships) <sup>F14</sup>. . . .

#### Textual Amendments

- F14** Words in [Sch. 9 Pt. I para. 13](#) repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss. {3(1)(a)}, 5(2)(3), {Sch.}

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#### Marginal Citations

**M8** 1975 c. 59.

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

- 14 Offences under the following provisions of the <sup>M9</sup>Criminal Damage (Northern Ireland) Order 1977 <sup>F15</sup>. . . —
- (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), and
  - (d) Article 5 (possessing anything with intent to destroy or damage property).

#### Textual Amendments

**F15** Words in [Sch. 9 Pt. I para. 14](#) repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss. {3(1)(a)}, 5(2)(3), {Sch.}

#### Marginal Citations

**M9** [S.I. 1977/426 \(N.I. 4\)](#).

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

- 15 Offences under Article 3 of the <sup>M10</sup>Criminal Law (Amendment) (Northern Ireland) Order 1977 (bomb hoaxes) <sup>F16</sup>. . . .

#### Textual Amendments

**F16** Words in [Sch. 9 Pt. I para. 15](#) repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss. {3(1)(a)}, 5(2)(3), {Sch.}

#### Marginal Citations

**M10** [S.I. 1977/1249 \(N.I. 16\)](#)

#### *[<sup>F17</sup>Firearms (Northern Ireland) Order 2004 (S.I. 2004/ (N.I. ))]*

#### Textual Amendments

**F17** Cross-heading substituted (1.2.2005) by [The Firearms \(Northern Ireland\) Order 2004 \(S.I. 2004/702 \(N.I. 3\)\)](#), art. 82(1), [Sch. 7 para. 24](#) (with art. 81); S.R. 2005/4, [art. 3](#)

- [<sup>F18</sup>16 Offences under the following provisions of the Firearms (Northern Ireland) Order 2004 <sup>F19</sup>. . . —
- (a) Article 24(1)(manufacturing, dealing in, repairing, etc., firearm or ammunition without firearms dealer's certificate),
  - (b) Article 37(1), (2) or (4)(sale, etc., of firearm or ammunition),
  - (c) Article 45(1)(manufacturing, dealing in or possessing certain weapons, etc.),

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- (d) Article 58(1)(possessing firearm or ammunition with intent to endanger life or cause serious damage to property),
- (e) Article 59 (use or attempted use of firearm or imitation firearm to prevent arrest of self or another),
- (f) Article 60 (carrying firearm or imitation firearm with intent to commit indictable offence or prevent arrest of self or another),
- (g) Article 61 (carrying firearm, etc. in public place) subject to note 4 below,
- (h) Article 63 (possession of firearm or ammunition by person who has been sentenced to imprisonment, etc. and sale of firearm or ammunition to such a person),
- (i) Article 64 (possessing firearm or ammunition in suspicious circumstances), and
- (j) Article 67 (shortening barrel of shotgun or converting imitation firearm into firearm).]

#### Textual Amendments

**F18** Sch. 9 para. 16 substituted (1.2.2005) by [The Firearms \(Northern Ireland\) Order 2004 \(S.I. 2004/702 \(N.I. 3\)\)](#), art. 82(1), [Sch. 7 para. 24](#) (with art. 81); S.R. 2005/4, [art. 3](#)

**F19** Words in [Sch. 9 Pt. I para. 16](#) repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss. {3(1)(a)}, 5(2)(3), {Sch.}

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

17 Offences under the <sup>M11</sup>Taking of Hostages Act 1982 <sup>F20</sup>. . . .

#### Textual Amendments

**F20** Words in [Sch. 9 Pt. I para. 17](#) repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss. {3(1)(a)}, 5(2)(3), {Sch.}

#### Marginal Citations

**M11** 1982 c. 28

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

18 Offences under section 2 of the <sup>M12</sup>Nuclear Material (Offences) Act 1983 (offences involving nuclear material: preparatory acts and threats) <sup>F21</sup>. . . .

#### Textual Amendments

**F21** Words in [Sch. 9 Pt. I para. 18](#) repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss. {3(1)(a)}, 5(2)(3), {Sch.}

#### Marginal Citations

**M12** 1983 c. 18

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### *Computer Misuse Act 1990 (c. 18)*

- 19 Offences under the following provisions of the <sup>M13</sup>Computer Misuse Act 1990  
F22 . . . —
- (a) section 1 (unauthorised access to computer material),
  - (b) section 2 (unauthorised access with intent to commit further offence), and
  - (c) section 3 (unauthorised modification).

#### **Textual Amendments**

**F22** Words in [Sch. 9 Pt. I para. 19](#) repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss. {3(1)(a)}, 5(2)(3), {Sch.}

#### **Marginal Citations**

**M13** [1990 c. 18](#)

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

- 20 Offences under the following provisions of the <sup>M14</sup>Aviation and Maritime Security Act 1990  
F23 . . . —
- (a) section 1 (endangering safety at aerodromes),
  - (b) section 9 (hijacking of ships), and
  - (c) section 10 (seizing or exercising control of fixed platforms).

#### **Textual Amendments**

**F23** Words in [Sch. 9 Pt. I para. 20](#) repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss. {3(1)(a)}, 5(2)(3), {Sch.}

#### **Marginal Citations**

**M14** [1990 c. 31](#)

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

- 21 Offences under the following provisions of <sup>M15</sup>the Channel Tunnel (Security) Order 1994  
F24 . . . —
- (a) Article 4 (hijacking of Channel Tunnel trains), and
  - (b) Article 5 (seizing or exercising control of the tunnel system).

#### **Textual Amendments**

**F24** Words in [Sch. 9 Pt. I para. 21](#) repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss. {3(1)(a)}, 5(2)(3), {Sch.}

#### **Marginal Citations**

**M15** [S.I. 1994/570](#)

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*This Act*

- 22 Offences under the following provisions of this Act—
- (a) section 11,
  - (b) section 12,
  - (c) section 13,
  - (d) sections 15 to 19,
  - (e) section 54,
  - (f) section 56,
  - (g) section 57,
  - (h) section 58,
  - (i) section 103,
  - (j) paragraph 37 of Schedule 4,
  - (k) Schedule 5,
  - (l) paragraph 10 of Schedule 10 <sup>F25</sup> . . . , and
  - (m) paragraphs 2 and 3 of Schedule 13 <sup>F25</sup> . . . .

**Textual Amendments**

**F25** Words in [Sch. 9 Pt. I para. 22](#) repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss. {3(1)(a)}, 5(2)(3), {Sch.}

*[<sup>F26</sup>Justice (Northern Ireland) Act 2004*

**Textual Amendments**

**F26** [Sch. 9 Pt. 1 para. 22A](#) and preceding cross-heading inserted (14.7.2004) by [Justice \(Northern Ireland\) Act 2004 \(c. 4\)](#), s. 11, [Sch. 2 para. 1\(5\)](#) (with [para. 5](#)); S.R. 2004/267, [art. 2](#)

- 22A Offences under paragraph 1(1) or (2) of Schedule 2 to the Justice (Northern Ireland) Act 2004 (absconding by persons admitted to bail in respect of a scheduled offence), <sup>F27</sup> . . . .]

**Textual Amendments**

**F27** Words in [Sch. 9 Pt. I para. 22A](#) repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss. {3(1)(a)}, 5(2)(3), {Sch.}

*[<sup>F28</sup>Prevention of Terrorism Act 2005*

**Textual Amendments**

**F28** [Sch. 9 Pt. 1 para. 22B](#) and preceding cross-heading inserted (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss. {3(3)}, 5(3)

- 22B Offences under section 9 of the Prevention of Terrorism Act 2005 (contravention of control order obligations and obstruction of persons serving control order).]



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### *f<sup>F29</sup>Terrorism Act 2006*

#### Textual Amendments

**F29** Sch. 9 Pt. 1 para. 22C and preceding cross-heading inserted (13.4.2006) by [Terrorism Act 2006 \(c. 11\)](#), s. 37(4); S.I. 2006/1013, art. 2

22C Offences under Part 1 of the Terrorism Act 2006 (terrorism-related offences).]

VALID FROM 15/01/2007

### *f<sup>F30</sup>Fraud Act 2006*

#### Textual Amendments

**F30** Sch. 9 Pt. 1 para. 23 and preceding cross-heading inserted after para. 22 (15.1.2007) by [Fraud Act 2006 \(c. 35\)](#), s. 14(1), [Sch. 1 para. 30\(2\)](#); S.I. 2006/3200, art. 2

23 Offences under section 1 of the Fraud Act 2006 (fraud) subject to note 2 below.]

#### Notes

1 Any offence specified in this Part of this Schedule <sup>F31</sup> . . . 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.

#### Textual Amendments

**F31** Words in Sch. 9 Pt. I Note 1 repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss. {3(1)(a)}, 5(2)(3), {Sch.}

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>M16</sup>Nuclear Material (Offences) Act 1983 <sup>F32</sup> . . .

#### Textual Amendments

**F32** Words in Sch. 9 Pt. I note 2 repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006](#), ss. {3(1)(b)}, 5(2)(3), {Sch.}

#### Marginal Citations

**M16** 1983 c. 18.

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

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(b) that the offence was committed in relation to or by means of nuclear material within the meaning of the <sup>M17</sup>Nuclear Material (Offences) Act 1983;

and expressions defined in section 10 of the <sup>M18</sup>Theft Act (Northern Ireland) 1969 have the same meaning when used in this note.

#### Marginal Citations

**M17** 1983 c. 18.

**M18** 1969 c. 16(N.I.).

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.

[<sup>F335</sup> Notes 2 to 4 are subject to note 1.]

#### Textual Amendments

**F33** Sch. 9 Pt. I Note 5 inserted (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss. {3(1)(c)}, 5(3)

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