

SCHEDULES

SCHEDULE 3

Section 49(5)

LISTED OFFENCES

PART 1

OFFENCES COMMON TO ENGLAND AND WALES AND NORTHERN IRELAND

Offences against the Person Act 1861 (c. 100)

- 1 An offence under section 4 of the Offences against the Person Act 1861 (solicitation etc. of murder).
- 2 An offence under section 21 of that Act (attempting to choke etc. in order to commit or assist in the committing of any indictable offence) so far as it may be committed with the intention of enabling any other person to commit, or assisting any other person in the commission of, an indictable offence.
- 3 An offence under section 22 of that Act (using chloroform etc. to commit or assist in the committing of any indictable offence) so far as it may be committed with the intention of enabling any other person to commit, or assisting any other person in the commission of, an indictable offence.
- 4 But references in paragraphs 2 and 3 to any other person do not include reference to the person whose act is capable of encouraging or assisting the commission of the offence under section 21 or, as the case may be, section 22 of that Act.

Aliens Restriction (Amendment) Act 1919 (c. 92)

- 5 An offence under section 3(1) of the Aliens Restriction (Amendment) Act 1919 (acts calculated or likely to cause sedition or disaffection amongst HM forces etc.) consisting in attempting an act calculated or likely to cause sedition or disaffection in contravention of that subsection.
- 6 An offence under section 3(2) of that Act (promoting or attempting to promote industrial unrest) consisting in attempting to promote industrial unrest in contravention of that subsection.

Official Secrets Act 1920 (c. 75)

- 7 An offence under section 7 of the Official Secrets Act 1920 (soliciting etc. commission of an offence under that Act or the Official Secrets Act 1911 (c. 28)).

Incitement to Disaffection Act 1934 (c. 56)

- 8 An offence under section 1 of the Incitement to Disaffection Act 1934 (endeavouring to seduce members of HM forces from their duty or allegiance).

Status: This is the original version (as it was originally enacted).

Misuse of Drugs Act 1971 (c. 38)

- 9 An offence under section 19 of the Misuse of Drugs Act 1971 (inciting any other offence under that Act).
- 10 An offence under section 20 of that Act (assisting or inducing commission outside United Kingdom of offence punishable under corresponding law).

Immigration Act 1971 (c. 77)

- 11 An offence under section 25 of the Immigration Act 1971 (assisting unlawful immigration to a member State).
- 12 An offence under section 25B of that Act (assisting entry to the United Kingdom in breach of deportation or exclusion order).

Representation of the People Act 1983 (c. 2)

- 13 An offence under section 97(1) of the Representation of the People Act 1983 (public meetings) consisting in the incitement of others to act in a disorderly manner for the purpose of preventing at a lawful public meeting to which that section applies the transaction of the business for which the meeting was called.

Computer Misuse Act 1990 (c. 18)

- 14 An offence under section 3A(1) of the Computer Misuse Act 1990 (making etc. article intending it to be used to commit, or to assist in the commission of, an offence under section 1 or 3 of that Act).
- 15 An offence under section 3A(2) of that Act (supply or offer to supply article believing it is likely to be used to commit, or to assist in the commission of, an offence under section 1 or 3 of that Act).
- 16 An offence under section 3A(3) of that Act (obtaining an article with a view to its being supplied for use to commit, or to assist in the commission of, an offence under section 1 or 3 of that Act).

Criminal Justice Act 1993 (c. 36)

- 17 An offence under section 52(2)(a) of the Criminal Justice Act 1993 (encouraging insider dealing).

Reserve Forces Act 1996 (c. 14)

- 18 An offence under section 101 of the Reserve Forces Act 1996 (inducing a person to desert or absent himself).

Landmines Act 1998 (c. 33)

- 19 An offence under section 2(2) of the Landmines Act 1998 (encouraging, assisting or inducing an offence under section 2(1) of that Act).

Terrorism Act 2006 (c. 11)

- 20 An offence under section 1(2) of the Terrorism Act 2006 (encouraging terrorism).

- 21 An offence under section 2(1) of that Act (disseminating terrorist publications).
- 22 An offence under section 5 of that Act (engaging in conduct in preparation for giving effect to intention to commit or assisting another to commit acts of terrorism).
- 23 An offence under section 6(1) of that Act (provision of instruction or training knowing that a person trained or instructed intends to use the skills obtained for or in connection with the commission of acts of terrorism or for assisting the commission or preparation of such acts by others).
- 24 An offence under section 6(2) of that Act as a result of paragraph (b)(ii) of that subsection (receipt of instruction or training intending to use the skills obtained for assisting the commission or preparation of acts of terrorism by others).

PART 2

OFFENCES UNDER PARTICULAR ENACTMENTS: ENGLAND AND WALES

Public Meeting Act 1908 (c. 66)

- 25 An offence under section 1(2) of the Public Meeting Act 1908 (inciting others to commit offences under that section).

Perjury Act 1911 (c. 6)

- 26 An offence under section 7(2) of the Perjury Act 1911 (inciting a person to commit an offence under that Act).

Prison Act 1952 (c. 52)

- 27 An offence under section 39(1) of the Prison Act 1952 (assisting a prisoner to escape).

Criminal Law Act 1967 (c. 58)

- 28 An offence under section 4(1) of the Criminal Law Act 1967 (assisting persons who have committed an offence).
- 29 An offence under section 5(1) of that Act (accepting or agreeing to accept consideration for not disclosing information about an offence).

Greater London Council (General Powers) Act 1973 (c. xxx)

- 30 An offence under section 13 of the Greater London Council (General Powers) Act 1973 (assaults etc. on officers) consisting in the aiding or inciting of any person to assault, resist or obstruct an officer of the Thames Water Authority duly exercising or performing any power or duty under a section or byelaw mentioned in that section.

Greater London Council (General Powers) Act 1974 (c. xxiv)

- 31 An offence under section 21(6) of the Greater London Council (General Powers) Act 1974 (assaults etc. on officers of a borough council) consisting in the aiding or inciting of any person to assault, resist or obstruct an officer of a borough council duly exercising or performing any power or duty under section 21 of that Act.

Status: This is the original version (as it was originally enacted).

Criminal Law Act 1977 (c. 45)

- 32 An offence under section 1(1) of the Criminal Law Act 1977 (conspiracy).

Criminal Attempts Act 1981 (c. 47)

- 33 An offence under section 1(1) of the Criminal Attempts Act 1981 (attempting to commit an offence).

Public Order Act 1986 (c. 64)

- 34 An offence under section 12(6) of the Public Order Act 1986 (inciting commission of offences under section 12(5) of that Act).
- 35 An offence under section 13(9) of that Act (inciting commission of offences under section 13(8) of that Act).
- 36 An offence under section 14(6) of that Act (inciting commission of offences under section 14(5) of that Act).
- 37 An offence under section 14B(3) of that Act (inciting commission of offences under section 14B(2) of that Act).

Terrorism Act 2000 (c. 11)

- 38 An offence under section 59 of the Terrorism Act 2000 (inciting in England and Wales the commission of acts of terrorism outside the United Kingdom).

PART 3

OTHER OFFENCES: ENGLAND AND WALES

- 39 An offence of conspiracy falling within section 5(2) or (3) of the Criminal Law Act 1977 (c. 45) (forms of conspiracy not affected by abolition of offence of conspiracy at common law).
- 40 (1) An attempt under a special statutory provision.
- (2) Sub-paragraph (1) is to be read with section 3 of the Criminal Attempts Act 1981 (c. 47).

PART 4

OFFENCES UNDER PARTICULAR ENACTMENTS: NORTHERN IRELAND

Prison Act (Northern Ireland) 1953 (c. 18)

- 41 An offence under section 29(a) of the Prison Act (Northern Ireland) 1953 (rescuing or assisting a person sentenced to imprisonment for life, or in lawful custody for an offence carrying that sentence, to escape or attempt to escape) so far as it consists in assisting a person.
- 42 An offence under section 30(a) of that Act (rescuing or assisting a person sentenced to imprisonment for a term less than life, or in lawful custody for an offence carrying

such a sentence, to escape or attempt to escape) so far as it consists in assisting a person.

Criminal Law Act (Northern Ireland) 1967 (c. 18)

- 43 An offence under section 4(1) of the Criminal Law Act (Northern Ireland) 1967 (assisting persons who have committed an offence).

Perjury (Northern Ireland) Order 1979 (S.I. 1979/1714 (N.I.19))

- 44 An offence under Article 12(2) of the Perjury (Northern Ireland) Order 1979 (inciting a person to commit an offence under that Order).

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

- 45 An offence under Article 3(1) of the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983 (attempting to commit an offence).
46 An offence under Article 9(1) of that Order (conspiracy).

Public Processions (Northern Ireland) Act 1998 (c. 2)

- 47 An offence under section 8(8) of the Public Processions (Northern Ireland) Act 1998 (inciting commission of offences under section 8(7) of that Act).
48 An offence under section 9A(8) of that Act (inciting commission of offences under section 9A of that Act).

Terrorism Act 2000 (c. 11)

- 49 An offence under section 60 of the Terrorism Act 2000 (inciting in Northern Ireland the commission of acts of terrorism outside the United Kingdom).

PART 5

OTHER OFFENCES: NORTHERN IRELAND

- 50 An offence of conspiracy falling within Article 13(2) or (3) of the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983 (S.I. 1983/1120 (N.I.13)) (forms of conspiracy not affected by abolition of offence of conspiracy at common law).