

*Status: This version of this provision is prospective.*

**Changes to legislation:** Northern Ireland Troubles (Legacy and Reconciliation) Act 2023, Paragraph 2 is up to date with all changes known to be in force on or before 22 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

## SCHEDULES

PROSPECTIVE

### SCHEDULE 12

#### PRISONER RELEASE

*Qualifying offences: offences committed between 1966 and 1973*

2 (1) Section 3 (applications to the Sentence Review Commissioners) is amended in accordance with this paragraph.

(2) After subsection (6) insert—

“(6A) An offence is a qualifying offence if—

(a) subsection (7) or (7A) applies to the offence, and

(b) the prisoner was convicted of the offence—

(i) before the day on which section 19(1) of the Northern Ireland Troubles (Legacy and Reconciliation) Act 2023 came into force, or

(ii) on or after that day by virtue of a public prosecution begun before that day.

(6B) For the purposes of subsection (6A)—

(a) “public prosecution” means any prosecution other than a private prosecution;

(b) a public prosecution of a person for an offence is “begun” when a prosecutor makes the decision to prosecute that person for that offence.”

(3) In subsection (7)—

(a) in the opening words, for “A qualifying offence is” substitute “This subsection applies to”;

(b) in paragraph (a), after “committed” insert “on or after 8 August 1973 and”.

(4) After subsection (7) insert—

“(7A) This subsection applies to an offence which—

(a) was committed on or after 1 January 1966 and before 8 August 1973,

(b) arose out of any conduct forming part of the Troubles, and

(c) is certified by the Director of Public Prosecutions for Northern Ireland as an offence which, if it had been committed in Northern Ireland on 8 August 1973, would have been a scheduled offence within the meaning of the Northern Ireland (Emergency Provisions) Act 1973.

---

*Status: This version of this provision is prospective.*

**Changes to legislation:** Northern Ireland Troubles (Legacy and Reconciliation) Act 2023, Paragraph 2 is up to date with all changes known to be in force on or before 22 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

---

(7B) In deciding whether an offence would have been a scheduled offence, the Director of Public Prosecutions for Northern Ireland must 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.”

---

**Commencement Information**

**II** Sch. 12 para. 2 in force at 1.5.2024, see [s. 63\(3\)](#)

**Status:**

This version of this provision is prospective.

**Changes to legislation:**

Northern Ireland Troubles (Legacy and Reconciliation) Act 2023, Paragraph 2 is up to date with all changes known to be in force on or before 22 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- Sch. 12 para. 2 coming into force by [2023 c. 41 s. 63\(3\)](#)