



Prison Act (Northern Ireland) 1953

1953 CHAPTER 18

OFFENCES

[^{F1}34 Sections 34A and 34B: classification of articles

- (1) This section defines the categories of articles which are referred to in sections 34A and 34B.
- (2) A List A article is any article or substance in the following list (“List A”)—
 - (a) a controlled drug (as defined for the purposes of the Misuse of Drugs Act 1971 (c. 38));
 - (b) an explosive;
 - (c) any firearm or ammunition (as defined in Article 2(2) of the Firearms (Northern Ireland) Order 2004 (NI 3));
 - (d) any other offensive weapon (as defined in Article 3(10) of the Police and Criminal Evidence (Northern Ireland) Order 1989 (NI 12)).
- (3) A List B article is any article or substance in the following list (“List B”)—
 - (a) intoxicating liquor (as defined for the purposes of the Licensing (Northern Ireland) Order 1996 (NI 22));
 - (b) a mobile or satellite telephone;
 - (c) a camera;
 - (d) a sound-recording device.
- (4) In List B—

“camera” includes any device by means of which a photograph (as defined in section 34C) can be produced;

“sound-recording device” includes any device by means of which a sound-recording (as defined in section 34C) can be made.
- (5) The reference in paragraph (b), (c) or (d) of list B to a device of any description includes a reference to —
 - (a) a component part of a device of that description;

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Changes to legislation: There are currently no known outstanding effects for the Prison Act (Northern Ireland) 1953, Section 34. (See end of Document for details)

- (b) an article designed or adapted for use with a device of that description (including any disk, film or other separate article on which images, sounds or information may be recorded).
- (6) A List C article is any article or substance prescribed for the purposes of this subsection by prison rules.
- (7) The Secretary of State may by order amend this section for the purpose of
 - (a) adding an entry to List A or List B;
 - (b) repealing or modifying any entry for the time being included in List A or List B;
 - (c) adding, repealing or modifying any provision for the interpretation of any such entry.
- (8) An order made under subsection (7) is subject to annulment in pursuance of a resolution of either House of Parliament in the same manner as a statutory instrument and section 5 of the Statutory Instruments Act 1946 (c. 36) shall apply accordingly.]

F1 Ss. 34, 34A, 34B substituted (19.12.2008) for ss. 34, 35 by [Criminal Justice \(Northern Ireland\) Order 2008 \(S.I. 2008/1216 \(N.I. 1\)\)](#), arts. 1(4), 77; S.R. 2008/472, [art. 2\(2\)](#), Sch. Pt. II

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