



Criminal Jurisdiction Act 1975

1975 CHAPTER 59

Extra-territorial Offences

1 Criminal liability for offences in the Republic of Ireland.

- (1) Any act or omission which—
 - (a) takes place in the Republic of Ireland, and
 - (b) would, if taking place in Northern Ireland, constitute an offence described in Part I of Schedule 1 to this Act,shall, for the purposes of the law of Northern Ireland, constitute that offence.
- (2) The law applied by subsection (1) above shall be construed in accordance with Part II of the said Schedule 1.
- (3) In this Act “extra-territorial offence” means—
 - (a) any offence under subsection (1) above (read with Schedule 1),
 - (b) any offence in the Republic of Ireland under section 2 of this Act,
 - (c) any offence under section 3 of this Act,
 - (d) any offence defined as an extra-territorial offence by section 6(3) of this Act.
- (4) Liability for an extra-territorial offence (as defined by subsection (3) above) attaches irrespective of the nationality of the offender, and notwithstanding the provisions of section 3 of the ^{M1}British Nationality Act 1948 (limitation of criminal liability of certain persons who are not citizens of the United Kingdom and Colonies).
- (5) Proceedings for an extra-territorial offence may be taken, and the offence may for the purposes of those proceedings be treated as having been committed, in any place in Northern Ireland.

Modifications etc. (not altering text)

- C1** Definition in s. 1(3) applied (27.08.1991) by [Northern Ireland \(Emergency Provisions\) Act 1991](#) (c. 24, SIF 39:2), **ss. 2(1), 69(1)** .

Changes to legislation: There are currently no known outstanding effects for the Criminal Jurisdiction Act 1975, Cross Heading: Extra-territorial Offences. (See end of Document for details)

Marginal Citations

M1 1948 c. 56.

2 Hijacking of vehicles or ships.

- (1) A person who in Northern Ireland or in the Republic of Ireland unlawfully, by force or threat thereof, or by any other form of intimidation—
- (a) seizes or exercises control of or otherwise interferes with the control of any vehicle (whether mechanically propelled or not) . . . ^{F1}, or
 - (b) compels or induces some other person to use a vehicle, ship or hovercraft for an unlawful purpose,
- shall be liable on conviction on indictment to imprisonment for a term not exceeding fifteen years.
- (2) In this section—
- “ship” includes any boat or other vessel;
- “vehicle” includes a railway train or any other railway vehicle.

Textual Amendments

F1 Words repealed by [Aviation and Maritime Security Act 1990 \(c. 31, SIF 39:2\)](#), s. 53(1)(2), Sch. 3 para. 3, Sch. 4

3 Escape or rescue from detention in Republic of Ireland.

- (1) A person who under the law of the Republic of Ireland is charged with, or convicted of—
- (a) an extra-territorial offence under the law of the Republic of Ireland, or
 - (b) an act or omission which is also an offence triable under the law of Northern Ireland as an extra-territorial offence,
- shall be guilty of an offence if he escapes from any legal custody in which he is held in the Republic of Ireland at any stage in the proceedings beginning with the charge (including the hearing of any appeal), or in which he is held while serving a sentence imposed on his conviction.
- (2) A person shall be guilty of an offence if he escapes from legal custody in which he is held in the Republic of Ireland pursuant to any provision of the law of the Republic of Ireland corresponding to paragraph 4 of Schedule 4 to this Act (right of accused to attend examination of a witness out of court).
- (3) A person guilty of an offence under this section shall be liable on conviction on indictment to imprisonment for a term not exceeding seven years.
- (4) In this section and in the following provisions of this Act “extra-territorial offence under the law of the Republic of Ireland” means any offence under the law of the Republic of Ireland which—
- (a) is committed in Northern Ireland and which is, under the law of Northern Ireland, an offence described in Part I of Schedule 1 to this Act, or

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- (b) is committed in Northern Ireland and is an offence under an enactment of the Republic of Ireland corresponding to section 2 of this Act, or to subsection (1) or (2) of this section, or
 - (c) is aiding, abetting, counselling, procuring or inciting the commission of an offence under paragraph (a) or (b) above, or
 - (d) is attempting or conspiring to commit an offence under paragraph (a) or (b) above, or
 - (e) is doing any act with intent to impede the arrest or prosecution of a person who has committed an offence under any of the preceding paragraphs of this subsection, being an offence which if committed in Northern Ireland would be an arrestable offence.
- (5) For the purposes of subsection (4)(a) above paragraph 10 of Schedule 1 to this Act shall be read without sub-paragraph (2) (which restricts the offences there described to those where it is charged that an explosive, firearm, imitation firearm or weapon was used to commit the offence).

4 Trial of extra-territorial offences.

- (1) ^{F2}... the [^{F3}Northern Ireland (Emergency Provisions) Act 1973]^{M2} shall have effect subject to the further amendments in Schedule 2 to this Act.
- (2) An extra-territorial offence shall not be tried summarily.
- ^{F4}(3)
- (4) The further provisions concerning extra-territorial offences which are contained in Schedule 3 to this Act shall have effect.

Textual Amendments

- F2** Words repealed by Northern Ireland (Emergency Provisions) Act 1978 (c. 5), Sch. 6 Pt. I
- F3** Words substituted by Northern Ireland (Emergency Provisions) Act 1978 (c. 5), s. 34(3)
- F4** S. 4(3) repealed (17.10.2022) by Criminal Justice (Committal Reform) Act (Northern Ireland) 2022 (c. 4), s. 5(2), Sch. para. 5; S.R. 2022/221, art. 2(d)

Marginal Citations

- M2** 1973 c. 53.

5 Evidence for trial of extra-territorial offences.

- (1) Schedule 4 to this Act, which deals with the examination of witnesses out of court for the purpose of assisting courts in the Republic of Ireland, and in Northern Ireland, in dealing with extra-territorial offences under the law of those countries, shall have effect.
- (2) A court (in Northern Ireland) before which proceedings in connection with an extra-territorial offence are being heard may direct that the name and address of any person whose evidence, whether oral or in writing, is tendered to the court shall not be disclosed to any person other than—
 - (a) the members of the court and its officers,
 - (b) the parties to the proceedings and their counsel and solicitors, and

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- (c) where the court considers it required in the interests of justice, any other person whom the court specifies in the direction, or in any subsequent direction.
- (3) A person who contravenes a direction under subsection (2) above shall be liable on summary conviction to a fine not exceeding [^{F5}£200][^{F5}level 4 on the standard scale], or to imprisonment for a term not exceeding six months, or to both.

Textual Amendments

F5 “level 4 on the standard scale” substituted (N.I.) for “£200” by virtue of [S.I. 1984/703 \(N.I. 3\)](#), [arts. 5, 6](#)

6 Inchoate offences.

- (1) In this section “substantive offence” means—
- (a) any offence described in Schedule 1 to this Act (wherever committed),
 - (b) any offence under section 2 or section 3 of this Act.
- (2) The following, that is—
- (a) aiding, abetting, counselling, procuring or inciting the commission of a substantive offence;
 - (b) attempting or conspiring to commit a substantive offence;
 - (c) an offence under section 4 of the ^{M3}Criminal Law Act (Northern Ireland) 1967 of doing any act with intent to impede the arrest or prosecution of a person who has committed a substantive offence, or who has committed an arrestable offence under the preceding provisions of this subsection,
- shall constitute offences under the law of Northern Ireland whether committed in Northern Ireland or in the Republic of Ireland.
- (3) In this Act “extra-territorial offence” shall include any offence within subsection (2) above if that offence takes place in the Republic of Ireland, or if the related substantive offence takes place, or would have taken place, in the Republic of Ireland.

Marginal Citations

M3 1967 c. 18 (N.I.)

Changes to legislation:

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