



Northern Ireland (Emergency Provisions) Act 1978 ^{F1}(Repealed 27.8.1991)

CHAPTER 5

NORTHERN IRELAND (EMERGENCY PROVISIONS) ACT 1978 (REPEALED 27.8.1991)

PART I

SCHEDULED OFFENCES

Preliminary enquiries, bail and young persons in custody

- 1 Preliminary enquiry into scheduled offences.
- 2 Limitation of power to grant bail in case of Scheduled offences.
- 3 Legal aid to applicants for bail in case of scheduled offences.
- 3A Maximum period of remand in custody in case of scheduled offences.
- 4 Holding in custody of young persons charged with scheduled offences.
- 5 Directions under s. 4.

Time limits on preliminary proceedings

- 5A Power of Secretary of State to set time limits in relation to preliminary proceedings for scheduled offences.

Court and mode of trial

- 6 Court for trial of scheduled offences.
- 7 Mode of trial on indictment of scheduled offences.

Evidence, onus of proof and treatment of convicted young persons

- 8 Admissions by persons charged with scheduled offences.
- 9 Onus of proof in relation to offences of possession.

Changes to legislation: There are currently no known outstanding effects for the Northern Ireland (Emergency Provisions) Act 1978 (Repealed 27.8.1991). (See end of Document for details)

- 10 Treatment of young persons convicted of scheduled offences.

PART II

POWERS OF ARREST, DETENTION, SEARCH AND SEIZURE, ETC.

- 11 Entry and search of premises for purpose of arresting terrorists.
 12 Detention of terrorists, etc.
 13 Constables' general power of arrest and seizure.
 14 Powers of arrest of members of Her Majesty's forces.
 15 Power to search for munitions and radio transmitters.
 16 Powers of explosives inspectors.
 17 Entry to search for persons unlawfully detained.
 18 Power to stop and question.
 19 General powers of entry and interference with rights of property and with highways.
 19A Power of the secretary of State to direct the closure, etc. of roads.
 20 Supplementary provisions.

PART III

OFFENCES AGAINST PUBLIC SECURITY AND PUBLIC ORDER

- 21 Proscribed organisations.
 22 Unlawful collection, etc. of information.
 23 Training in making or use of firearms, explosives or explosive substances.
 24 Failure to disperse when required to do so.
 25 Display of support in public for a proscribed organisation.
 26 Wearing of hoods, etc. in public places.

PART IV

MISCELLANEOUS AND GENERAL

- 27 Supplementary regulations for preserving the peace, etc.
 28 Compensation.
 28 Compensation.
 28A (1) The Lord Chief Justice of Northern Ireland after consultation...
 29 Restriction of prosecutions.
 30 The scheduled offences.
 31 Interpretation.
 32 Orders and regulations.
 33 Commencement, duration, expiry and revival of provisions of this Act.
 34 (1)
 35 Transitional provisions, savings and repeals.
 36 Short title and extent.

SCHEDULES

SCHEDULE 1 — Detention of Terrorists

Advisers

- 1 The Secretary of State shall for the purposes of this...

Changes to legislation: There are currently no known outstanding effects for the Northern Ireland (Emergency Provisions) Act 1978 (Repealed 27.8.1991). (See end of Document for details)

- 2 An Adviser shall be a person who holds or has...
3 (1) An Adviser shall hold and vacate his office in...

Interim Custody Orders

- 4 (1) Where it appears to the Secretary of State that...
5 (1) The Secretary of State may, at any time before...

Reference to an Adviser

- 6 (1) As soon as possible after a case is referred...
7 (1) Where the case of a person detained under an...

Detention Orders

- 8 (1) After receiving a report made by an Adviser under...

Supplemental

- 9 (1) The Secretary of State may at any time refer...
10 (1) The Secretary of State may, as respects a person...
11 (1) A person required to be detained under an interim...
12 Where a person required to be detained under an interim...
13 Any person who— (a) being detained under an interim custody...
14 (1) Any document purporting to be an order, notice or...
15 The Secretary of State may make such payments to persons...

SCHEDULE 2 — Proscribed Organisations

The Irish Republican Army.
Cumann na mBan.
Fianna na hEireann.
The Red Hand Commando.
Saor Eire.
The Ulster Freedom Fighters.
The Ulster Volunteer Force.
The Irish National Liberation Army.

SCHEDULE 3 — The Northern Ireland (Emergency Provisions) Regulations 1978

Title

- 1 These regulations may be cited as the Northern Ireland (Emergency...

Road traffic

- 2 The Secretary of State may by order prohibit, restrict or...

Railways

- 3 The Secretary of State, or any officer of the Royal...

Funerals

- 4 Where it appears to an officer of the Royal Ulster...

Changes to legislation: There are currently no known outstanding effects for the Northern Ireland (Emergency Provisions) Act 1978 (Repealed 27.8.1991). (See end of Document for details)

Closing of licensed premises, clubs, etc.

- 5 The Secretary of State may by order require that premises...

SCHEDULE 4 — The Scheduled Offences

Part I — SUBSTANTIVE OFFENCES

Common law offences

- 1 Murder, subject to note 1 below.
 2 Manslaughter, subject to note 1 below.
 3 The common law offence of riot.
 4 Kidnapping, subject to note 1 below.
 5 False imprisonment, subject to note 1 below.
 6 Assault occasioning actual bodily harm, subject to note 1 below....

Malicious Damage Act 1861

- 7 Offences under section 35 of the Malicious Damage Act 1861...

Offences against the Person Act 1861

- 8 Offences under the following provisions of the Offences against the...

Explosive Substances Act 1883

- 9 Offences under the following provisions of the Explosives Substances Act...

Prison Act (Northern Ireland) 1953

- 10 Offences under the following provisions of the Prison Act (Northern...

Firearms Act (Northern Ireland) 1969

- 11

Theft Act (Northern Ireland) 1969

- 12 Offences under the following provisions of the Theft Act (Northern...

Protection of the Person and Property Act (Northern Ireland) 1969

- 13 Offences under the following provisions of the Protection of the...

Hijacking

- 14 Offences under section 1 of the Aviation Security Act 1982...
 15 Offences in Northern Ireland under section 2 of the Criminal...

Prevention of Terrorism (Temporary Provisions) Act 1984

- 16 Offences under the following provisions of the Prevention of Terrorism...

Criminal Damage (Northern Ireland) Order 1977

- 17 Offences under the following provisions of the Criminal Damage (Northern...

Changes to legislation: There are currently no known outstanding effects for the Northern Ireland (Emergency Provisions) Act 1978 (Repealed 27.8.1991). (See end of Document for details)

Criminal Law (Amendment) (Northern Ireland) Order 1977

18 Offences under Article 3 of the Criminal Law (Amendment) (Northern...

This Act

19 Offences under the following provisions of this Act—

The Firearms (Northern Ireland) Order 1981

19A Offences under the following provisions of the Firearms (Northern Ireland)...

Taking of Hostages Act 1982

19A 19B. Offences under the Taking of Hostages Act 1982.

Nuclear Material (Offences) Act 1983

19C Offences under section 2 of the Nuclear Material (Offences Act...

Northern Ireland (Emergency Provisions) Act 1987

19D Offences under section 17 of the Northern Ireland (Emergency Provisions)...

NOTES

- 1 Murder, manslaughter kidnapping, false imprisonment or an assault occasioning actual...
- 2 An offence under— (a) section 35 of the Malicious Damage...
- 3 An offence under Article 20(1) of the Firearms (Northern Ireland)...
- 4 Robbery and aggravated burglary are scheduled offences only where it...
- 4 Robbery and aggravated burglary are scheduled offences only where it...
- 5 An offence under section 1, 9, or 15 of the...
Part II — INCHOATE AND RELATED OFFENCES
- 20 Each of the following offences, that is to say—
Part III — EXTRA-TERRITORIAL OFFENCES
- 21 Any extra-territorial offence as defined in section 1 of the...

SCHEDULE 5 — Transitional Provisions and Savings

- 1 (1) Subject to sub-paragraph (4) below, any instrument made, any...
- 2 Any enactment, instrument or document referring to any enactment repealed...
- 3 Nothing in this Act shall affect the enactments repealed by...
- 4
- 5 (1) Paragraph 14 of Schedule 1 to this Act shall...
- 6 Nothing in the foregoing paragraphs shall be construed as affecting...

SCHEDULE 6 — Enactments Repealed

- Part I — ACTS, ETC.
- Part II — ORDERS

Changes to legislation:

There are currently no known outstanding effects for the Northern Ireland (Emergency Provisions) Act 1978 (Repealed 27.8.1991).