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SCHEDULES

PROSPECTIVE

SCHEDULE 9

OFFENCES FOR PURPOSES OF [PART 5](#)

PART 2

STATUTORY OFFENCES

Offences against the Person Act 1861

- 23 An offence under any of the following provisions of the Offences against the Person Act 1861—
- (a) section 4 (soliciting murder);
 - (b) section 16 (threats to kill);
 - (c) section 18 (wounding with intent);
 - (d) section 20 (inflicting bodily injury, with or without weapon);
 - (e) section 21 (attempting to choke etc in order to commit any indictable offence);
 - (f) section 23 (maliciously administering poison etc so as to endanger life or inflict grievous bodily harm);
 - (g) section 28 (causing bodily injury by explosives);
 - (h) section 29 (using explosives etc with intent to do grievous bodily harm);
 - (i) section 30 (placing explosives with intent to do bodily injury);
 - (j) section 35 (drivers of carriages injuring persons by furious driving);
 - (k) section 42 (common assault or battery);
 - (l) section 47 (assault occasioning bodily harm).

Commencement Information

II Sch. 9 para. 23 not in force at Royal Assent, see [s. 67\(1\)](#)

Explosive Substances Act 1883

- 24 An offence under either of the following provisions of the Explosive Substances Act 1883—
- (a) section 2 (causing explosion likely to endanger life or property);
 - (b) section 3 (attempt to cause explosion, or making or keeping explosive with intent to endanger life or property).

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Commencement Information

I2 Sch. 9 para. 24 not in force at Royal Assent, see [s. 67\(1\)](#)

Theft Act 1968

- 25 An offence under any of the following provisions of the Theft Act 1968—
- (a) section 9, where the offence is burglary with intent to—
 - (i) inflict grievous bodily harm on a person, or
 - (ii) do unlawful damage to a building or anything in it;
 - (b) section 10 (aggravated burglary);
 - (c) section 12A (aggravated vehicle-taking);
 - (d) section 21 (blackmail).

Commencement Information

I3 Sch. 9 para. 25 not in force at Royal Assent, see [s. 67\(1\)](#)

Theft Act (Northern Ireland) 1969

- 26 An offence under any of the following provisions of the Theft Act (Northern Ireland) 1969—
- (a) section 9, where the offence is burglary with intent to—
 - (i) inflict grievous bodily harm on a person, or
 - (ii) do unlawful damage to a building or anything in it;
 - (b) section 10 (aggravated burglary);
 - (c) section 20 (blackmail).

Commencement Information

I4 Sch. 9 para. 26 not in force at Royal Assent, see [s. 67\(1\)](#)

Criminal Damage Act 1971

- 27 An offence under any of the following provisions of the Criminal Damage Act 1971—
- (a) section 1(1) (destroying or damaging property);
 - (b) section 1(2) (destroying or damaging property intending, or being reckless as to, endangerment of life);
 - (c) section 1(3) (arson);
 - (d) section 2 (threats to destroy or damage property).

Commencement Information

I5 Sch. 9 para. 27 not in force at Royal Assent, see [s. 67\(1\)](#)

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Protection from Eviction Act 1977

- 28 An offence under section 1 of the Protection from Eviction Act 1977 (unlawful eviction and harassment of occupier).

Commencement Information

I6 Sch. 9 para. 28 not in force at Royal Assent, see [s. 67\(1\)](#)

Criminal Law Act 1977

- 29 An offence under either of the following provisions of the Criminal Law Act 1977—
- (a) section 6 (violence for securing entry);
 - (b) section 51 (bomb hoaxes).

Commencement Information

I7 Sch. 9 para. 29 not in force at Royal Assent, see [s. 67\(1\)](#)

Criminal Damage (Northern Ireland) Order 1977

- 30 An offence under any of the following provisions of the Criminal Damage (Northern Ireland) Order 1977—
- (a) article 3(1) (destroying or damaging property);
 - (b) article 3(2) (destroying or damaging property intending, or being reckless as to, endangerment of life);
 - (c) article 3(3) (arson);
 - (d) article 4 (threats to destroy or damage property).

Commencement Information

I8 Sch. 9 para. 30 not in force at Royal Assent, see [s. 67\(1\)](#)

Rent (Northern Ireland) Order 1978

- 31 An offence under article 54 of the Rent (Northern Ireland) Order 1978 (unlawful eviction and harassment of occupier).

Commencement Information

I9 Sch. 9 para. 31 not in force at Royal Assent, see [s. 67\(1\)](#)

Road Traffic (Northern Ireland) Order 1981

- 32 An offence under article 172A or 172B of the Road Traffic (Northern Ireland) Order 1981 (aggravated vehicle taking).

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Commencement Information

I10 Sch. 9 para. 32 not in force at Royal Assent, see [s. 67\(1\)](#)

Taking of Hostages Act 1982

33 An offence under section 1 of the Taking of Hostages Act 1982 (hostage taking).

Commencement Information

I11 Sch. 9 para. 33 not in force at Royal Assent, see [s. 67\(1\)](#)

Rent (Scotland) Act 1984

34 An offence under section 22 of the Rent (Scotland) Act 1984 (unlawful eviction and harassment of occupier).

Commencement Information

I12 Sch. 9 para. 34 not in force at Royal Assent, see [s. 67\(1\)](#)

Public Order Act 1986

35 An offence under any of the following provisions of the Public Order Act 1986—

- (a) section 1 (riot);
- (b) section 2 (violent disorder);
- (c) section 3 (affray);
- (d) section 4 (using threatening or abusive words or behaviour etc with intent to cause fear of violence etc);
- (e) section 4A (intentional harassment, alarm or distress);
- (f) section 5 (using threatening or abusive words or behaviour within the hearing or sight of someone likely to be caused alarm or distress);
- (g) section 18 (racial hatred: use of words or behaviour or display of written material);
- (h) section 19 (racial hatred: publishing or distributing written material);
- (i) section 20 (racial hatred: public performance of play);
- (j) section 21 (racial hatred: distributing, showing or playing a recording);
- (k) section 22 (racial hatred: broadcasting or including programme in programme service);
- (l) section 29B (religious hatred or hatred on the grounds of sexual orientation: use of words or behaviour or display of written material);
- (m) section 29C (religious hatred or hatred on the grounds of sexual orientation: publishing or distributing written material);
- (n) section 29D (religious hatred or hatred on the grounds of sexual orientation: public performance of play);
- (o) section 29E (religious hatred or hatred on the grounds of sexual orientation: distributing, showing or playing a recording);

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- (p) section 29F (religious hatred or hatred on the grounds of sexual orientation: broadcasting or including programme in programme service).

Commencement Information

I13 Sch. 9 para. 35 not in force at Royal Assent, see [s. 67\(1\)](#)

Public Order (Northern Ireland) Order 1987

- 36 An offence under any of the following provisions of the Public Order (Northern Ireland) Order 1987—
- (a) article 9 (racial hatred: use of words or behaviour or display of written material);
 - (b) article 10 (racial hatred: publishing or distributing written material);
 - (c) article 11 (racial hatred: distributing, showing or playing a recording);
 - (d) article 12 (racial hatred: broadcasting or including programme in programme service);
 - (e) article 18(1)(a) (disorderly behaviour);
 - (f) article 18(1)(b) (breach of the peace);
 - (g) article 18(3) (riotous behaviour).

Commencement Information

I14 Sch. 9 para. 36 not in force at Royal Assent, see [s. 67\(1\)](#)

Criminal Justice Act 1988

- 37 An offence under either of the following provisions of the Criminal Justice Act 1988—
- (a) section 39(1) (common assault or battery);
 - (b) section 134 (torture).

Commencement Information

I15 Sch. 9 para. 37 not in force at Royal Assent, see [s. 67\(1\)](#)

Malicious Communications Act 1988

- 38 An offence under section 1 of the Malicious Communications Act 1988 (sending communications with intent to cause distress or anxiety).

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I16 Sch. 9 para. 38 not in force at Royal Assent, see [s. 67\(1\)](#)

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Malicious Communications (Northern Ireland) Order 1988

- 39 An offence under article 3 of the Malicious Communications (Northern Ireland) Order 1988 (sending communications with intent to cause distress or anxiety).

Commencement Information

I17 Sch. 9 para. 39 not in force at Royal Assent, see [s. 67\(1\)](#)

Trade Union and Labour Relations (Consolidation) Act 1992

- 40 An offence under section 241 of the Trade Union and Labour Relations (Consolidation) Act 1992 (intimidation or annoyance by violence or otherwise).

Commencement Information

I18 Sch. 9 para. 40 not in force at Royal Assent, see [s. 67\(1\)](#)

Criminal Justice and Public Order Act 1994

- 41 An offence under section 68 of the Criminal Justice and Public Order Act 1994 (aggravated trespass).

Commencement Information

I19 Sch. 9 para. 41 not in force at Royal Assent, see [s. 67\(1\)](#)

Criminal Law (Consolidation) (Scotland) Act 1995

- 42 An offence under either of the following provisions of the Criminal Law (Consolidation) (Scotland) Act 1995—
- (a) section 50A (racially aggravated harassment);
 - (b) section 52 (vandalism).

Commencement Information

I20 Sch. 9 para. 42 not in force at Royal Assent, see [s. 67\(1\)](#)

Protection from Harassment Act 1997

- 43 An offence under any of the following provisions of the Protection from Harassment Act 1997—
- (a) section 2 (harassment);
 - (b) section 2A (stalking);
 - (c) section 4 (harassment involving putting a person in fear of violence);
 - (d) section 4A (stalking involving putting a person in fear of violence).

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Commencement Information

I21 Sch. 9 para. 43 not in force at Royal Assent, see [s. 67\(1\)](#)

Protection from Harassment (Northern Ireland) Order 1997

- 44 An offence under either of the following provisions of the Protection from Harassment (Northern Ireland) Order 1997—
- (a) article 4 (harassment);
 - (b) article 6 (course of conduct involving putting someone in fear of violence).

Commencement Information

I22 Sch. 9 para. 44 not in force at Royal Assent, see [s. 67\(1\)](#)

Crime and Disorder Act 1998

- 45 An offence under any of the following provisions of the Crime and Disorder Act 1998—
- (a) section 29 (racially or religiously aggravated assault);
 - (b) section 30 (racially or religiously aggravated criminal damage);
 - (c) section 31 (racially or religiously aggravated offences under section 4, 4A or 5 of the Public Order Act 1986);
 - (d) section 32 (racially or religiously aggravated harassment or stalking).

Commencement Information

I23 Sch. 9 para. 45 not in force at Royal Assent, see [s. 67\(1\)](#)

Communications Act 2003

- 46 An offence under section 127 of the Communications Act 2003 (improper use of public electronic communications network).

Commencement Information

I24 Sch. 9 para. 46 not in force at Royal Assent, see [s. 67\(1\)](#)

Sexual Offences Act 2003

- 47 An offence under any of the following provisions of the Sexual Offences Act 2003—
- (a) section 1 (rape);
 - (b) section 2 (assault by penetration);
 - (c) section 3 (sexual assault);

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- (d) section 62 (committing an offence with intent to commit a relevant sexual offence) where the relevant sexual offence is an offence under section 1, 2, 3 or 66;
- (e) section 63 (trespass with intent to commit a relevant sexual offence) where the relevant sexual offence is an offence under section 1, 2, 3 or 66;
- (f) section 66 (exposure).

Commencement Information

I25 Sch. 9 para. 47 not in force at Royal Assent, see [s. 67\(1\)](#)

Sexual Offences (Northern Ireland) Order 2008

- 48 An offence under any of the following provisions of the Sexual Offences (Northern Ireland) Order 2008—
- (a) article 5 (rape);
 - (b) article 6 (assault by penetration);
 - (c) article 7 (sexual assault);
 - (d) article 66 (committing an offence with intent to commit a relevant sexual offence) where the relevant sexual offence is an offence under article 5, 6, 7 or 70;
 - (e) article 67 (trespass with intent to commit a relevant sexual offence) where the relevant sexual offence is an offence under article 5, 6, 7 or 70;
 - (f) article 70 (exposure).

Commencement Information

I26 Sch. 9 para. 48 not in force at Royal Assent, see [s. 67\(1\)](#)

Sexual Offences (Scotland) Act 2009 (asp 9)

- 49 An offence under any of the following provisions of the Sexual Offences (Scotland) Act 2009—
- (a) section 1 (rape);
 - (b) section 2 (sexual assault by penetration);
 - (c) section 3 (sexual assault);
 - (d) section 8 (sexual exposure).

Commencement Information

I27 Sch. 9 para. 49 not in force at Royal Assent, see [s. 67\(1\)](#)

Criminal Justice and Licensing (Scotland) Act 2010 (asp 13)

- 50 An offence under either of the following provisions of the Criminal Justice and Licensing (Scotland) Act 2010—
- (a) section 38 (threatening or abusive behaviour);
 - (b) section 39 (stalking).

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Commencement Information

I28 Sch. 9 para. 50 not in force at Royal Assent, see [s. 67\(1\)](#)

Serious Crime Act 2015

51 An offence under section 76 of the Serious Crime Act 2015 (controlling or coercive behaviour in an intimate or family relationship).

Commencement Information

I29 Sch. 9 para. 51 not in force at Royal Assent, see [s. 67\(1\)](#)

Hate Crime and Public Order (Scotland) Act 2021 (asp 14)

52 An offence under section 3 of the Hate Crime and Public Order (Scotland) Act 2021 (racially aggravated harassment).

Commencement Information

I30 Sch. 9 para. 52 not in force at Royal Assent, see [s. 67\(1\)](#)

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