
STATUTORY INSTRUMENTS

1983 No. 1120

**The Criminal Attempts and Conspiracy
(Northern Ireland) Order 1983**

PART II

ATTEMPTS

Attempting to commit an offence

3.—(1) If, with intent to commit an offence to which this Article applies, a person does an act which is more than merely preparatory to the commission of the offence, he is guilty of attempting to commit the offence.

[^{F1}(1A) Subject to section 8 of the Computer Misuse Act 1990 (relevance of external law), if this paragraph applies to an act, what the person doing it had in view shall be treated as an offence to which this Article applies.

(1B) Paragraph (1A) above applies to an act if—

- (a) it is done in Northern Ireland; and
- (b) it would fall within paragraph (1) as more than merely preparatory to the commission of an offence under section 3 of the Computer Misuse Act 1990 but for the fact that the offence, if completed, would not be an offence triable in Northern Ireland.]

(2) A person may be guilty of attempting to commit an offence to which this Article applies even though the facts are such that the commission of the offence is impossible.

(3) In any case where—

- (a) apart from this paragraph a person's intention would not be regarded as having amounted to an intent to commit an offence; but
- (b) if the facts of the case had been as he believed them to be, his intention would be so regarded,

then, for the purposes of paragraph (1), he shall be regarded as having had an intent to commit that offence.

(4) This Article applies to any offence which, if it were completed, would be triable in Northern Ireland, other than—

- (a) conspiracy (at common law or under Article 9 or any other statutory provision);
- (b) aiding, abetting, counselling, procuring or suborning the commission of an offence;
- [^{F2}(ba) an offence under section 13(1) of the Criminal Justice Act (Northern Ireland) 1966 (encouraging or assisting suicide);]
- (c) an offence under section 4 (1) (assisting offenders) of the Criminal Law Act (Northern Ireland) 1967^{F3};
- (d) an offence under Article 8.

Status: Point in time view as at 01/02/2010. This version of this provision has been superseded.

Changes to legislation: The Criminal Attempts and Conspiracy (Northern Ireland) Order 1983, Section 3 is up to date with all changes known to be in force on or before 07 July 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)

- F1** 1990 c.18
- F2** Art. 3(4)(ba) inserted (1.2.2010) by Coroners and Justice Act 2009 (c. 25), ss. 177(1), 182(5), **Sch. 21 para. 59** (with savings in s. 180); S.I. 2010/145, **art. 2(2)**, Sch. para. 25(a)
- F3** 1967 c. 18 (N.I.).

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