

Status: Point in time view as at 16/02/2009.

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SCHEDULES

SCHEDULE 9

SCHEDULED OFFENCES

PART I

SUBSTANTIVE OFFENCES

Common law offences

1 Murder ^{F1}

Textual Amendments

F1 Words in [Sch. 9 Pt. I para. 1](#) repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss. {3(1)(a)}, 5(2)(3), {Sch.}

2 Manslaughter ^{F2}

Textual Amendments

F2 Words in [Sch. 9 Pt. I para. 2](#) repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss. {3(1)(a)}, 5(2)(3), {Sch.}

3 Riot ^{F3}

Textual Amendments

F3 Words in [Sch. 9 Pt. I para. 3](#) repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss. {3(1)(a)}, 5(2)(3), {Sch.}

4 Kidnapping ^{F4}

Textual Amendments

F4 Words in [Sch. 9 Pt. I para. 4](#) repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss. {3(1)(a)}, 5(2)(3), {Sch.}

5 False imprisonment ^{F5}

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Textual Amendments

- F5** Words in [Sch. 9 Pt. I para. 5](#) repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss. {3(1)(a)}, 5(2)(3), {Sch.}

Malicious Damage Act 1861 (c. 97)

- 6 Offences under section 35 of the ^{M1}Malicious Damage Act 1861 (interference with railway) ^{F6}

Textual Amendments

- F6** Words in [Sch. 9 Pt. I para. 6](#) repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss. {3(1)(a)}, 5(2)(3), {Sch.}

Marginal Citations

- M1** [1861 c. 97](#)

Offences against the Person Act 1861 (c. 100)

- 7 Offences under the following provisions of the ^{M2}Offences against the Person Act 1861 ^{F7} . . . —
- (a) section 4 (offences relating to murder),
 - (b) section 16 (threats to kill),
 - (c) section 18 (wounding with intent to cause grievous bodily harm),
 - (d) section 20 (causing grievous bodily harm),
 - (e) section 29 (causing explosion or sending explosive substance or throwing corrosive liquid with intent to cause grievous bodily harm), and
 - (f) section 47 (assault occasioning actual bodily harm).

Textual Amendments

- F7** Words in [Sch. 9 Pt. I para. 7](#) repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss. {3(1)(a)}, 5(2)(3), {Sch.}

Marginal Citations

- M2** [1861 c. 100](#).

Explosive Substances Act 1883 (c. 3)

- 8 Offences under the following provisions of the ^{M3}Explosive Substances Act 1883 ^{F8} . . . —
- (a) section 2 (causing explosion likely to endanger life or damage property),
 - (b) section 3 (intending or conspiring to cause any such explosion, and making or possessing explosive with intent to endanger life or cause serious damage to property), and
 - (c) section 4 (making or possessing explosives in suspicious circumstances).

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Textual Amendments

F8 Words in [Sch. 9 Pt. 1 para. 8](#) repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss. {3(1)(a)}, 5(2)(3), {Sch.}

Marginal Citations

M3 [1883 c. 3](#).

Prison Act (Northern Ireland) 1953 (c. 18 (N.I.))

9 Offences under the following provisions of the ^{M4}Prison Act (Northern Ireland) 1953 ^{F9}. . . —

- (a) section 25 (being unlawfully at large while under sentence),
- (b) section 26 (escaping from lawful custody and failing to surrender to bail),
- (c) section 27 (attempting to break prison),
- (d) section 28 (breaking prison by force or violence),
- (e) section 29 (rescuing or assisting or permitting to escape from lawful custody persons under sentence of death or life imprisonment),
- (f) section 30 (rescuing or assisting or permitting to escape from lawful custody persons other than persons under sentence of death or life imprisonment),
- (g) section 32 (causing discharge of prisoner under pretended authority), and
- (h) section 33 (assisting prisoners to escape by conveying things into prisons).

Textual Amendments

F9 Words in [Sch. 9 Pt. 1 para. 9](#) repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss. {3(1)(a)}, 5(2)(3), {Sch.}

Marginal Citations

M4 [1953 c. 18\(N.I.\)](#).

Theft Act (Northern Ireland) 1969 (c. 16 (N.I.))

10 [^{F10}Subject to notes 2 and 3 below,] offences under the following provisions of the ^{M5}Theft Act (Northern Ireland) 1969—

- (a) section 1 (theft) ^{F11}. . . ,
- (b) section 8 (robbery) ^{F11}. . . ,
- (c) section 9 (burglary) ^{F11}. . . ,
- (d) section 10 (aggravated burglary) ^{F11}. . . , [^{F12}and]
- (e) ^{F13}
- (f) section 20 (blackmail) ^{F11}. . . .

Textual Amendments

F10 Words in [Sch. 9 Pt. 1 para. 10](#) inserted (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss. {3(2)(a)}, 5(3)

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- F11** Words in [Sch. 9 Pt. I para. 10](#) repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss. {3(2)(b)}, 5(2)(3), {Sch.}
- F12** Word in [Sch. 9 Pt. 1 para. 10\(d\)](#) inserted (15.1.2007) by [Fraud Act 2006 \(c. 35\)](#), s. 14(1), [Sch. 1 para. 30\(1\)](#); S.I. 2006/3200, [art. 2](#)
- F13** [Sch. 9 Pt. 1 para. 10\(e\)](#) repealed (15.1.2007) by [Fraud Act 2006 \(c. 35\)](#), s. 14(1)(3), [Sch. 1 para. 30\(1\)](#), [Sch. 3](#); S.I. 2006/3200, [art. 2](#)

Marginal Citations

- M5** [1969 c. 16\(N.I.\)](#).

Protection of the Person and Property Act (Northern Ireland) 1969 (c. 29 (N.I.))

- 11 Offences under the following provisions of the ^{M6}Protection of the Person and Property Act (Northern Ireland) 1969 ^{F14} . . . —
- (a) section 1 (intimidation),
 - (b) section 2 (making or possessing petrol bomb, etc. in suspicious circumstances), and
 - (c) section 3 (throwing or using petrol bomb, etc.).

Textual Amendments

- F14** Words in [Sch. 9 Pt. I para. 11](#) repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss. {3(1)(a)}, 5(2)(3), {Sch.}

Marginal Citations

- M6** [1969 c. 29\(N.I.\)](#).

Hijacking

- 12 Offences under section 1 of the ^{M7}Aviation Security Act 1982 (aircraft) ^{F15}

Textual Amendments

- F15** Words in [Sch. 9 Pt. I para. 12](#) repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss. {3(1)(a)}, 5(2)(3), {Sch.}

Marginal Citations

- M7** [1982 c. 36](#).

- 13 Offences in Northern Ireland under section 2 of the ^{M8}Criminal Jurisdiction Act 1975 (vehicles or ships) ^{F16}

Textual Amendments

- F16** Words in [Sch. 9 Pt. I para. 13](#) repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss. {3(1)(a)}, 5(2)(3), {Sch.}

Marginal Citations

- M8** [1975 c. 59](#).

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Criminal Damage (Northern Ireland) Order 1977 (S.I. 1977/426 (N.I. 4))

- 14 Offences under the following provisions of the ^{M9}Criminal Damage (Northern Ireland) Order 1977 ^{F17} . . . —
- (a) Article 3(1) and (3) or Article 3(2) and (3) (arson),
 - (b) Article 3(2) (destroying or damaging property with intent to endanger life),
 - (c) Article 4 (threats to destroy or damage property), and
 - (d) Article 5 (possessing anything with intent to destroy or damage property).

Textual Amendments

F17 Words in [Sch. 9 Pt. I para. 14](#) repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss. {3(1)(a)}, 5(2)(3), {Sch.}

Marginal Citations

M9 [S.I. 1977/426 \(N.I. 4\)](#).

Criminal Law (Amendment) (Northern Ireland) Order 1977 (S.I. 1977/1249 (N.I. 16))

- 15 Offences under Article 3 of the ^{M10}Criminal Law (Amendment) (Northern Ireland) Order 1977 (bomb hoaxes) ^{F18}

Textual Amendments

F18 Words in [Sch. 9 Pt. I para. 15](#) repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss. {3(1)(a)}, 5(2)(3), {Sch.}

Marginal Citations

M10 [S.I. 1977/1249 \(N.I. 16\)](#)

[^{F19}Firearms (Northern Ireland) Order 2004 (S.I. 2004/ (N.I.))]

Textual Amendments

F19 Cross-heading substituted (1.2.2005) by [The Firearms \(Northern Ireland\) Order 2004 \(S.I. 2004/702 \(N.I. 3\)\)](#), art. 82(1), [Sch. 7 para. 24](#) (with art. 81); S.R. 2005/4, [art. 3](#)

- [^{F20}16 Offences under the following provisions of the Firearms (Northern Ireland) Order 2004 ^{F21} . . . —
- (a) Article 24(1)(manufacturing, dealing in, repairing, etc., firearm or ammunition without firearms dealer’s certificate),
 - (b) Article 37(1), (2) or (4)(sale, etc., of firearm or ammunition),
 - (c) Article 45(1)(manufacturing, dealing in or possessing certain weapons, etc.),
 - (d) Article 58(1)(possessing firearm or ammunition with intent to endanger life or cause serious damage to property),
 - (e) Article 59 (use or attempted use of firearm or imitation firearm to prevent arrest of self or another),

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- (f) Article 60 (carrying firearm or imitation firearm with intent to commit indictable offence or prevent arrest of self or another),
- (g) Article 61 (carrying firearm, etc. in public place) subject to note 4 below,
- (h) Article 63 (possession of firearm or ammunition by person who has been sentenced to imprisonment, etc. and sale of firearm or ammunition to such a person),
- (i) Article 64 (possessing firearm or ammunition in suspicious circumstances), and
- (j) Article 67 (shortening barrel of shotgun or converting imitation firearm into firearm).]

Textual Amendments

- F20** Sch. 9 para. 16 substituted (1.2.2005) by [The Firearms \(Northern Ireland\) Order 2004 \(S.I. 2004/702 \(N.I. 3\)\)](#), art. 82(1), [Sch. 7 para. 24](#) (with art. 81); [S.R. 2005/4](#), art. 3
- F21** Words in [Sch. 9 Pt. I para. 16](#) repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss. {3(1)(a)}, 5(2)(3), {Sch.}

Taking of Hostages Act 1982 (c. 28)

- 17 Offences under the ^{M11}Taking of Hostages Act 1982 ^{F22}

Textual Amendments

- F22** Words in [Sch. 9 Pt. I para. 17](#) repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss. {3(1)(a)}, 5(2)(3), {Sch.}

Marginal Citations

- M11** [1982 c. 28](#)

Nuclear Material (Offences) Act 1983 (c. 18)

- 18 Offences under section 2 of the ^{M12}Nuclear Material (Offences) Act 1983 (offences involving nuclear material: preparatory acts and threats) ^{F23}

Textual Amendments

- F23** Words in [Sch. 9 Pt. I para. 18](#) repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss. {3(1)(a)}, 5(2)(3), {Sch.}

Marginal Citations

- M12** [1983 c. 18](#)

Computer Misuse Act 1990 (c. 18)

- 19 Offences under the following provisions of the ^{M13}Computer Misuse Act 1990 ^{F24} —

- (a) section 1 (unauthorised access to computer material),

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- (b) section 2 (unauthorised access with intent to commit further offence), and
- (c) section 3 (unauthorised modification).

Textual Amendments

F24 Words in [Sch. 9 Pt. I para. 19](#) repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss. {3(1)(a)}, 5(2)(3), {Sch.}

Marginal Citations

M13 [1990 c. 18](#)

Aviation and Maritime Security Act 1990 (c. 31)

- 20 Offences under the following provisions of the ^{M14}Aviation and Maritime Security Act 1990 ^{F25} . . . —
- (a) section 1 (endangering safety at aerodromes),
 - (b) section 9 (hijacking of ships), and
 - (c) section 10 (seizing or exercising control of fixed platforms).

Textual Amendments

F25 Words in [Sch. 9 Pt. I para. 20](#) repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss. {3(1)(a)}, 5(2)(3), {Sch.}

Marginal Citations

M14 [1990 c. 31](#)

Channel Tunnel (Security) Order 1994 (S.I. 1994/570)

- 21 Offences under the following provisions of ^{M15}the Channel Tunnel (Security) Order 1994 ^{F26} . . . —
- (a) Article 4 (hijacking of Channel Tunnel trains), and
 - (b) Article 5 (seizing or exercising control of the tunnel system).

Textual Amendments

F26 Words in [Sch. 9 Pt. I para. 21](#) repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss. {3(1)(a)}, 5(2)(3), {Sch.}

Marginal Citations

M15 [S.I. 1994/570](#)

This Act

- 22 Offences under the following provisions of this Act—
- (a) section 11,
 - (b) section 12,
 - (c) section 13,

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- (d) sections 15 to 19,
- (e) section 54,
- (f) section 56,
- (g) section 57,
- (h) section 58,
- (i) section 103,
- (j) paragraph 37 of Schedule 4,
- (k) Schedule 5,
- (l) paragraph 10 of Schedule 10 ^{F27} . . . , and
- (m) paragraphs 2 and 3 of Schedule 13 ^{F27}

Textual Amendments

F27 Words in [Sch. 9 Pt. I para. 22](#) repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss. {3(1)(a)}, 5(2)(3), {Sch.}

^{F28} *Justice (Northern Ireland) Act 2004*

Textual Amendments

F28 [Sch. 9 Pt. 1 para. 22A](#) and preceding cross-heading inserted (14.7.2004) by [Justice \(Northern Ireland\) Act 2004 \(c. 4\)](#), s. 11, [Sch. 2 para. 1\(5\)](#) (with [para. 5](#)); S.R. 2004/267, [art. 2](#)

- 22A Offences under paragraph 1(1) or (2) of Schedule 2 to the Justice (Northern Ireland) Act 2004 (absconding by persons admitted to bail in respect of a scheduled offence), ^{F29}]

Textual Amendments

F29 Words in [Sch. 9 Pt. I para. 22A](#) repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss. {3(1)(a)}, 5(2)(3), {Sch.}

^{F30} *Prevention of Terrorism Act 2005*

Textual Amendments

F30 [Sch. 9 Pt. 1 para. 22B](#) and preceding cross-heading inserted (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss. {3(3)}, 5(3)

- 22B Offences under section 9 of the Prevention of Terrorism Act 2005 (contravention of control order obligations and obstruction of persons serving control order).]

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[^{F31}Terrorism Act 2006

Textual Amendments

F31 Sch. 9 Pt. 1 para. 22C and preceding cross-heading inserted (13.4.2006) by [Terrorism Act 2006 \(c. 11\)](#), s. 37(4); S.I. 2006/1013, [art. 2](#)

22C Offences under Part 1 of the Terrorism Act 2006 (terrorism-related offences).]

[^{F32}Fraud Act 2006

Textual Amendments

F32 Sch. 9 Pt. 1 para. 23 and preceding cross-heading inserted after para. 22 (15.1.2007) by [Fraud Act 2006 \(c. 35\)](#), s. 14(1), [Sch. 1 para. 30\(2\)](#); S.I. 2006/3200, [art. 2](#)

23 Offences under section 1 of the Fraud Act 2006 (fraud) subject to note 2 below.]

Notes

1 Any offence specified in this Part of this Schedule ^{F33} . . . is not a scheduled offence in any particular case in which the Attorney General for Northern Ireland certifies that it is not to be treated as a scheduled offence.

Textual Amendments

F33 Words in Sch. 9 Pt. I Note 1 repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss. {3(1)(a)}, 5(2)(3), {Sch.}

2 An offence specified in [^{F34}paragraph 10(a) or (c) or 23] is a scheduled offence only where it is charged that the offence was committed in relation to or by means of nuclear material within the meaning of the ^{M16}Nuclear Material (Offences) Act 1983 ^{F35} . . .

Textual Amendments

F34 Words in Sch. 9 Pt. 1 note 2 substituted (15.1.2007) by [Fraud Act 2006 \(c. 35\)](#), s. 14(1), [Sch. 1 para. 30\(3\)](#); S.I. 2006/3200, [art. 2](#)

F35 Words in Sch. 9 Pt. I note 2 repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006](#), ss. {3(1)(b)}, 5(2)(3), {Sch.}

Marginal Citations

M16 1983 c. 18.

3 An offence specified in paragraph 10(b) or (d) is a scheduled offence only where it is charged—

(a) that an explosive, firearm, imitation firearm or weapon of offence was used to commit the offence, or

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(b) that the offence was committed in relation to or by means of nuclear material within the meaning of the ^{M17}Nuclear Material (Offences) Act 1983;

and expressions defined in section 10 of the ^{M18}Theft Act (Northern Ireland) 1969 have the same meaning when used in this note.

Marginal Citations

M17 1983 c. 18.

M18 1969 c. 16(N.I.).

4 The offence specified in paragraph 16(g) is a scheduled offence only where it is charged that the offence relates to a weapon other than an air weapon.

[^{F365} Notes 2 to 4 are subject to note 1.]

Textual Amendments

F36 Sch. 9 Pt. I Note 5 inserted (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss. {3(1)(c)}, 5(3)

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