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## SCHEDULES

### SCHEDULE 9

#### SCHEDULED OFFENCES

#### PART I

#### SUBSTANTIVE OFFENCES

##### *Common law offences*

#### 1 Murder <sup>F1</sup> . . . .

##### **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 I para. 1 repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss.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 <sup>F2</sup> . . . .

##### **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 I para. 2 repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss.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 <sup>F3</sup> . . . .

##### **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 I para. 3 repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss.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 <sup>F4</sup> . . . .

##### **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 I para. 4 repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss.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 <sup>F5</sup> . . . .

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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 I para. 5 repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss.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 <sup>M1</sup>Malicious Damage Act 1861 (interference with railway) <sup>F6</sup> . . . .

#### 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 I para. 6 repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss.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 <sup>M2</sup>Offences against the Person Act 1861 <sup>F7</sup> . . . —

- (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 I para. 7 repealed (19.2.2006) by [Terrorism \(Northern Ireland\) Act 2006 \(c. 4\)](#), ss.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 <sup>M3</sup>Explosive Substances Act 1883 <sup>F8</sup> . . . —

- (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. I 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 <sup>M4</sup>Prison Act (Northern Ireland) 1953 <sup>F9</sup>. . . —

- (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. I 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 [<sup>F10</sup>Subject to notes 2 and 3 below,] offences under the following provisions of the <sup>M5</sup>Theft Act (Northern Ireland) 1969—

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

#### Textual Amendments

**F10** Words in Sch. 9 Pt. I 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 <sup>M6</sup>Protection of the Person and Property Act (Northern Ireland) 1969 <sup>F14</sup> . . . —
- (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 <sup>M7</sup>Aviation Security Act 1982 (aircraft) <sup>F15</sup> . . . .

#### 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 <sup>M8</sup>Criminal Jurisdiction Act 1975 (vehicles or ships) <sup>F16</sup> . . . .

#### 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 <sup>M9</sup>Criminal Damage (Northern Ireland) Order 1977 <sup>F17</sup> . . . —
- (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 <sup>M10</sup>Criminal Law (Amendment) (Northern Ireland) Order 1977 (bomb hoaxes) <sup>F18</sup> . . . .

**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 \(N.I. 16\)](#)

*<sup>F19</sup> 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](#)

- [<sup>F20</sup>16 Offences under the following provisions of the Firearms (Northern Ireland) Order 2004 <sup>F21</sup> . . . —
- (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 <sup>M11</sup>Taking of Hostages Act 1982 <sup>F22</sup> . . . .

#### 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 <sup>M12</sup>Nuclear Material (Offences) Act 1983 (offences involving nuclear material: preparatory acts and threats) <sup>F23</sup> . . . .

#### 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 <sup>M13</sup>Computer Misuse Act 1990 <sup>F24</sup> . . . . —

- (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 <sup>M14</sup>Aviation and Maritime Security Act 1990 <sup>F25</sup> . . . —
- (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 <sup>M15</sup>the Channel Tunnel (Security) Order 1994 <sup>F26</sup> . . . —
- (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 <sup>F27</sup> . . . , and
- (m) paragraphs 2 and 3 of Schedule 13 <sup>F27</sup> . . . .

#### 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.}

#### <sup>F28</sup> *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), <sup>F29</sup> . . . . ]

#### 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.}

#### <sup>F30</sup> *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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### *[<sup>F31</sup>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).]

### *[<sup>F32</sup>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 <sup>F33</sup> . . . is not a scheduled offence in any particular case in which the [<sup>F34</sup> Advocate General for Northern Ireland ] certifies that it is not to be treated as a scheduled offence.

#### **Textual Amendments**

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

**F34** Words in Sch. 9 Pt. 1 substituted (12.4.2010) by [Justice \(Northern Ireland\) Act 2002 \(c. 26\), s. 87\(1\), Sch. 7 para. 23](#); [S.R. 2010/113, art. 2, Sch. para. 19\(d\)](#)

2 An offence specified in [<sup>F35</sup> 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 <sup>M16</sup> Nuclear Material (Offences) Act 1983 <sup>F36</sup> . . .

#### **Textual Amendments**

**F35** 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](#)

**F36** Words in Sch. 9 Pt. 1 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 <sup>M17</sup>Nuclear Material (Offences) Act 1983;

and expressions defined in section 10 of the <sup>M18</sup>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.

[<sup>F375</sup> Notes 2 to 4 are subject to note 1.]

#### Textual Amendments

**F37** 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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