
 STATUTORY INSTRUMENTS

1986 No. 75

NORTHERN IRELAND

**The Northern Ireland (Emergency Provisions) Act 1978
(Amendment) Order 1986**
Laid before Parliament in draft

<i>Made - - - -</i>	21st January 1986
<i>Coming into Operation</i>	21st January 1986

Whereas a draft of this Order has been approved by a resolution of each House of Parliament:

Now, therefore, in exercise of the powers conferred upon me by section 30(3) of the Northern Ireland (Emergency Provisions) Act 1978(a), I hereby make the following Order:—

1. This Order may be cited as the Northern Ireland (Emergency Provisions) Act 1978 (Amendment) Order 1986 and shall come into operation forthwith.

2. Part I of Schedule 4 to the Northern Ireland (Emergency Provisions) Act 1978 (scheduled offences for the purposes of the Act) shall be amended as follows:—

- (a) at the end of paragraphs 4 and 5, there shall be added, in each case “, subject to note 1 below”;
- (b) at the end of paragraphs 7, 13(a) and 19A(a), (b), (c), (d) and (i)(b), there shall be added, in each case “, subject to note 2 below”;
- (c) in paragraph 19A(h), for the words “subject to note 3 below” there shall be substituted “subject to notes 2 and 3 below”;
- (d) in note 1, after “manslaughter” there shall be inserted “, kidnapping, false imprisonment”; and
- (e) for note 2 there shall be substituted:—

“2. An offence under—

- (a) section 35 of the Malicious Damage Act 1861; or
- (b) section 4, 16, 18 or 20 of the Offences Against the Person Act 1861; or

(a) 1978 c. 5.

(b) Paragraph 19A was inserted by paragraph 4 of Schedule 4 to the Firearms (Northern Ireland) Order 1981 (S.I. 1981/155 (N.I.2)).

- (c) section 25, 26, 27, 28, 29, 30, 32 or 33 of the Prison Act (Northern Ireland) 1953; or
- (d) section 1 of the Protection of the Person and Property Act (Northern Ireland) 1969; or
- (e) Article 3, 4 or 5 of the Criminal Damage (Northern Ireland) Order 1977; or
- (f) Article 3 of the Criminal Law (Amendment) (Northern Ireland) Order 1977; or
- (g) Article 3, 4, 5, 6, 20 or 22 of the Firearms (Northern Ireland) Order 1981,

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.”.

Northern Ireland Office.
21st January 1986.

Tom King,
One of Her Majesty's Principal
Secretaries of State.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order extends the list of “scheduled offences” in Schedule 4 to the Northern Ireland (Emergency Provisions) Act 1978 which are not to be treated as scheduled offences if the Attorney General for Northern Ireland so certifies in any particular case.

The offences are kidnapping and false imprisonment, certain firearms offences and offences relating to malicious damage to or interference with railways and intimidation.

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