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STATUTORY INSTRUMENTS

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**2004 No. 3346**

**CRIMINAL LAW, ENGLAND AND WALES**

**The Criminal Justice Act 2003  
(Categories of Offences) Order 2004**

*Made - - - - 15th December 2004*

*Coming into force 29th December 2004*

**THE CRIMINAL JUSTICE ACT 2003  
(CATEGORIES OF OFFENCES) ORDER 2004**

1. (1) This Order may be cited as the Criminal Justice...
2. (1) The categories of offences set out in Parts 1...  
Signature

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SCHEDULE — Prescribed Categories of Offences

PART 1 — THEFT CATEGORY

1. An offence under section 1 of the Theft Act 1968...
2. An offence under section 8 of that Act (robbery).
3. An offence under section 9(1)(a) of that Act (burglary) if...
4. An offence under section 9(1)(b) of that Act (burglary) if...
5. An offence under section 10 of that Act (aggravated burglary)...
6. An offence under section 12 of that Act (taking motor...
7. An offence under section 12A of that Act (aggravated vehicle-taking)...
8. An offence under section 22 of that Act (handling stolen...
9. An offence under section 25 of that Act (going equipped...
10. An offence under section 3 of the Theft Act 1978...
11. An offence of— (a) aiding, abetting, counselling, procuring or inciting...

PART 2 — SEXUAL OFFENCES (PERSONS UNDER THE AGE OF 16)  
CATEGORY

1. An offence under section 1 of the Sexual Offences Act...
2. An offence under section 5 of the Sexual Offences Act...
3. An offence under section 6 of that Act (intercourse with...
4. An offence under section 7 of that Act (intercourse with...
5. An offence under section 10 of that Act (incest by...
6. An offence under section 11 of that Act (incest by...

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Criminal Justice Act 2003 (Categories of Offences) Order 2004. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

7. An offence under section 12 of that Act (buggery) if...
8. An offence under section 13 of that Act (indecently between...)
9. An offence under section 14 of that Act (indecent assault...)
10. An offence under section 15 of that Act (indecent assault...)
11. An offence under section 128 of the Mental Health Act...
12. An offence under section 1 of the Indecency with Children...
13. An offence under section 54 of the Criminal Law Act...
14. An offence under section 3 of the Sexual Offences (Amendment)...
15. An offence under section 1 of the Sexual Offences Act...
16. An offence under section 2 of that Act (assault by...)
17. An offence under section 3 of that Act (sexual assault)...
18. An offence under section 4 of that Act (causing a...)
19. An offence under section 5 of the Sexual Offences Act...
20. An offence under section 6 of that Act (assault of...)
21. An offence under section 7 of that Act (sexual assault...)
22. An offence under section 8 of that Act (causing or...)
23. An offence under section 9 of that Act (sexual activity...)
24. An offence under section 10 of that Act (causing or...)
25. An offence under section 14 of that Act if doing...
26. An offence under section 16 of that Act (abuse of...)
27. An offence under section 17 of that Act (abuse of...)
28. An offence under section 25 of that Act (sexual activity...)
29. An offence under section 26 of that Act (inciting a...)
30. An offence under section 30 of that Act (sexual activity...)
31. An offence under section 31 of that Act (causing or...)
32. An offence under section 34 of that Act (inducement, threat,...)
33. An offence under section 35 of that Act (causing a...)
34. An offence under section 38 of that Act (care workers:...
35. An offence under section 39 of that Act (care workers:...
36. An offence of- (a) aiding, abetting, counselling, procuring or inciting...

Explanatory Note

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. Pt. 2 para. 25 words substituted by [S.I. 2023/250 reg. 3](#)