
STATUTORY INSTRUMENTS

1977 No. 1249 (N.I. 16)

NORTHERN IRELAND

The Criminal Law (Amendment) (Northern Ireland) Order 1977

<i>Made - - -</i>	<i>26th July 1977</i>
<i>Laid before Parliament</i>	<i>3rd August 1977</i>
<i>Coming into Operation</i>	<i>9th August 1977</i>

At the Court at Buckingham Palace, the 26th day of July 1977

Present,

The Queen's Most Excellent Majesty in Council

Whereas it has been made to appear to Her Majesty that by reason of urgency this Order requires to be made without a draft having been approved by resolution of each House of Parliament:

Now, therefore, Her Majesty, in exercise of the powers conferred by paragraph 1 of Schedule 1 to the Northern Ireland Act 1974(a) and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

Title and commencement

1. This Order may be cited as the Criminal Law (Amendment) (Northern Ireland) Order 1977 and shall come into operation on the fourteenth day after the day on which it is made.

Interpretation

2. The Interpretation Act (Northern Ireland) 1954(b) shall apply to Article 1 and the following provisions of this Order as it applies to a Measure of the Northern Ireland Assembly.

Bomb hoaxes

3.—(1) A person who—

- (a) places any article in any place whatever; or
- (b) dispatches any article by post, rail or any other means whatever of sending things from one place to another,

with the intention (in either case) of inducing in some other person a belief that it is likely to explode or ignite and thereby cause personal injury or damage to property is guilty of an offence.

In this paragraph “article” includes substance.

(2) A person who communicates any information which he knows or believes to be false to another person with the intention of inducing in him or any other

(a) 1974 c. 28.

(b) 1954 c. 33 (N.I.).

person a false belief that a bomb or other thing liable to explode or ignite is present in any place or location whatever is guilty of an offence.

(3) For a person to be guilty of an offence under paragraph (1) or (2) it is not necessary for him to have any particular person in mind as the person in whom he intends to induce the belief mentioned in that paragraph.

(4) A person guilty of an offence under this Article shall be liable—

(a) on summary conviction, to imprisonment for a term not exceeding three months or to a fine not exceeding £1,000, or both;

(b) on conviction on indictment, to imprisonment for a term not exceeding five years.

Threats to kill

4. For section 16 of the Offences Against the Person Act 1861(a) there shall be substituted the following section:—

“Threats to kill

16. A person who without lawful excuse makes to another a threat, intending that that other would fear it would be carried out, to kill that other or a third person shall be guilty of an offence and liable on conviction on indictment to imprisonment for a term not exceeding ten years.”.

Increase in penalties for certain offences

5.—(1) In section 4 of the Offences Against the Person Act 1861 (conspiring or soliciting to commit murder) for the words from “be kept” to the end of the section there shall be substituted the words “imprisonment for life”.

(2) In section 3(1) of the Explosive Substances Act 1883(b) (attempting or conspiring to cause an explosion or making or keeping an explosive substance with intent to endanger life or damage property) for the words “for a term not exceeding twenty years” there shall be substituted the words “for life”.

(3) Paragraphs (1) and (2) shall not have effect in relation to an offence committed before the commencement of this Order.

N. E. Leigh,

Clerk of the Privy Council.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order amends the criminal law in Northern Ireland by making it an offence for a person—

(a) to place or dispatch an article intending to make any one believe that it is likely to explode or ignite so as to cause injury or damage;

(b) to communicate information known or believed by him to be false intending to make any one believe falsely that something liable to explode or ignite is in any place.

The Order also substitutes a new provision for section 16 of the Offences Against the Person Act 1861 so as to make any threat to kill, whether written or oral, an offence and increases penalties for offences under section 4 of the Offences Against the Person Act 1861 (conspiracy, etc. to murder) and section 3(1) of the Explosive Substances Act 1883.

(a) 1861 c. 100.

(b) 1883 c. 3.