

SCHEDULES

SCHEDULE 2

Section 18.

AMENDMENTS OF PART I OF SCHEDULE 4 TO THE PRINCIPAL ACT

- 1 Part I of Schedule 4 to the principal Act shall be amended as set out below.
- 2 After paragraph 4B (inserted by paragraph 1(2) of Schedule 2 to the Criminal
Jurisdiction Act 1975) insert—
- “4C Assault occasioning actual bodily harm, subject to note 1 below.”
- 3 In paragraph 5 (malicious damage) after sub-paragraph (o) (inserted by the said
Schedule 2) insert—
- “(p) section 51 (injuries not provided for earlier in the Act) subject to
note 1A below.”
- 4 In paragraph 6 (offences against the person) before sub-paragraph (a) insert—
- “(aa) section 4 (conspiracy, etc. to murder) subject to note 2 below;”
- 5 After paragraph 7 insert—
- “Prison Act (Northern Ireland) 1953*
- 7A Offences under the following provisions of the Prison Act (Northern
Ireland) 1953, subject to note 2 below.—
- (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);
 - (h) section 33 (assisting prisoners to escape by conveying things
into prisons).”
- 6 In paragraph 9 (firearms)—
- in sub-paragraph (a) for " 1 " substitute " 1(1) ";
 - in sub-paragraph (b) for " 2 " substitute " 2(1), (2), (3) or (4) ";
 - in sub-paragraph (d) for " 4 " substitute " 4(1) ";
 - at the end of sub-paragraph (h) insert " , subject to note 3 below " .

7 After paragraph 12 insert—

“Northern Ireland (Emergency Provisions) (Amendment) Act 1975

13 Offences under the following provisions of the Northern Ireland (Emergency Provisions) (Amendment) Act 1975—

- (a) section 15 (training in firearms, explosives, etc.),
- (b) paragraph 13 of Schedule 1 (escape or rescue from detention, etc.).”

8 In Note 1, for the words "Neither murder nor manslaughter shall" substitute " Murder, manslaughter or an assault occasioning actual bodily harm shall not "

9 After Note 1 insert—

“1A An offence under section 51 of the Malicious Damage Act 1861 shall be a scheduled offence only where it is charged that the damaged property was a motor vehicle as defined in the Road Traffic Act (Northern Ireland) 1970 or property in the occupation or possession of the Commissioners of Customs and Excise.”

10 In Note 2—

- (a) for " 18, 20 or 47 " substitute " 4,18 or 20 ";
- (b) after " 1861 " insert " or section 25, 26, 27, 28, 29, 30, 32 or 33 of the Prison Act (Northern Ireland) 1953 ".

11 For Note 3 substitute—

“3 An offence under section 17 of the Firearms Act (Northern Ireland) 1969 shall be a scheduled offence only where it is charged that the offence relates to a weapon other than an air weapon.”

12 In Note 4, for the words from " offensive weapon" onwards substitute " weapon of offence was used to commit the offence ; and expressions defined in section 10 of the Theft Act (Northern Ireland) 1969 have the same meaning when used in this note ".