



Terrorism Act 2000

2000 CHAPTER 11

PART VII

NORTHERN IRELAND

Scheduled offences

77 Possession: onus of proof

- (1) This section applies to a trial on indictment for a scheduled offence where the accused is charged with possessing an article in such circumstances as to constitute an offence under any of the enactments listed in subsection (3).
- (2) If it is proved that the article—
 - (a) was on any premises at the same time as the accused, or
 - (b) was on premises of which the accused was the occupier or which he habitually used otherwise than as a member of the public,the court may assume that the accused possessed (and, if relevant, knowingly possessed) the article, unless he proves that he did not know of its presence on the premises or that he had no control over it.
- (3) The following are the offences mentioned in subsection (1)—

“The Explosive Substances Act 1883

Section 3, so far as relating to subsection (1)(b) thereof (possessing explosive with intent to endanger life or cause serious damage to property).

Section 4 (possessing explosive in suspicious circumstances).

The Protection of the Person and Property Act (Northern Ireland) 1969

Section 2 (possessing petrol bomb, &c. in suspicious circumstances).

Status: This is the original version (as it was originally enacted).

The Firearms (Northern Ireland) Order 1981

- Article 6(1) (manufacturing, dealing in or possessing certain weapons, &c.).
Article 17 (possessing firearm or ammunition with intent to endanger life or cause serious damage to property).
Article 18(2) (possessing firearm or imitation firearm at time of committing, or being arrested for, a specified offence).
Article 22(1), (2) or (4) (possession of a firearm or ammunition by a person who has been sentenced to imprisonment, &c.).
Article 23 (possessing firearm or ammunition in suspicious circumstances).”