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## SCHEDULES

### SCHEDULE 9

Section 30

#### OFFENCES FOR PURPOSES OF PART 5

#### PART 1

#### COMMON LAW OFFENCES

*Offences under the law of England and Wales, Scotland and Northern Ireland*

1 Kidnapping.

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**Commencement Information**

- I1** Sch. 9 para. 1 not in force at Royal Assent, see **s. 67(1)**  
**I2** Sch. 9 para. 1 in force at 1.11.2023 by S.I. 2023/1145, **reg. 3(j)**

2 Murder.

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**Commencement Information**

- I3** Sch. 9 para. 2 not in force at Royal Assent, see **s. 67(1)**  
**I4** Sch. 9 para. 2 in force at 1.11.2023 by S.I. 2023/1145, **reg. 3(j)**

*Offences under the law of England and Wales and Northern Ireland*

3 False imprisonment.

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**Commencement Information**

- I5** Sch. 9 para. 3 not in force at Royal Assent, see **s. 67(1)**  
**I6** Sch. 9 para. 3 in force at 1.11.2023 by S.I. 2023/1145, **reg. 3(j)**

4 Manslaughter.

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**Commencement Information**

- I7** Sch. 9 para. 4 not in force at Royal Assent, see **s. 67(1)**  
**I8** Sch. 9 para. 4 in force at 1.11.2023 by S.I. 2023/1145, **reg. 3(j)**

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### Offences under the law of Scotland

#### 5 Abduction.

**Commencement Information**

- I9** Sch. 9 para. 5 not in force at Royal Assent, see **s. 67(1)**  
**I10** Sch. 9 para. 5 in force at 1.11.2023 by S.I. 2023/1145, **reg. 3(j)**

#### 6 Assault to the danger of life.

**Commencement Information**

- I11** Sch. 9 para. 6 not in force at Royal Assent, see **s. 67(1)**  
**I12** Sch. 9 para. 6 in force at 1.11.2023 by S.I. 2023/1145, **reg. 3(j)**

#### 7 Assault to severe injury.

**Commencement Information**

- I13** Sch. 9 para. 7 not in force at Royal Assent, see **s. 67(1)**  
**I14** Sch. 9 para. 7 in force at 1.11.2023 by S.I. 2023/1145, **reg. 3(j)**

#### 8 Assault with intent to rape or ravish.

**Commencement Information**

- I15** Sch. 9 para. 8 not in force at Royal Assent, see **s. 67(1)**  
**I16** Sch. 9 para. 8 in force at 1.11.2023 by S.I. 2023/1145, **reg. 3(j)**

#### 9 Assault other than a kind listed in paragraphs 6 to 8.

**Commencement Information**

- I17** Sch. 9 para. 9 not in force at Royal Assent, see **s. 67(1)**  
**I18** Sch. 9 para. 9 in force at 1.11.2023 by S.I. 2023/1145, **reg. 3(j)**

#### 10 Breach of the peace.

**Commencement Information**

- I19** Sch. 9 para. 10 not in force at Royal Assent, see **s. 67(1)**  
**I20** Sch. 9 para. 10 in force at 1.11.2023 by S.I. 2023/1145, **reg. 3(j)**

#### 11 Culpable homicide.

**Commencement Information**

- I21** Sch. 9 para. 11 not in force at Royal Assent, see **s. 67(1)**  
**I22** Sch. 9 para. 11 in force at 1.11.2023 by S.I. 2023/1145, **reg. 3(j)**

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12 Culpable and reckless conduct.

**Commencement Information**

**I23** Sch. 9 para. 12 not in force at Royal Assent, see [s. 67\(1\)](#)

**I24** [Sch. 9 para. 12](#) in force at 1.11.2023 by [S.I. 2023/1145](#), [reg. 3\(j\)](#)

13 Culpable and reckless endangering of the public.

**Commencement Information**

**I25** Sch. 9 para. 13 not in force at Royal Assent, see [s. 67\(1\)](#)

**I26** [Sch. 9 para. 13](#) in force at 1.11.2023 by [S.I. 2023/1145](#), [reg. 3\(j\)](#)

14 Culpable and reckless fire-raising.

**Commencement Information**

**I27** Sch. 9 para. 14 not in force at Royal Assent, see [s. 67\(1\)](#)

**I28** [Sch. 9 para. 14](#) in force at 1.11.2023 by [S.I. 2023/1145](#), [reg. 3\(j\)](#)

15 Drugging.

**Commencement Information**

**I29** Sch. 9 para. 15 not in force at Royal Assent, see [s. 67\(1\)](#)

**I30** [Sch. 9 para. 15](#) in force at 1.11.2023 by [S.I. 2023/1145](#), [reg. 3\(j\)](#)

16 Extortion.

**Commencement Information**

**I31** Sch. 9 para. 16 not in force at Royal Assent, see [s. 67\(1\)](#)

**I32** [Sch. 9 para. 16](#) in force at 1.11.2023 by [S.I. 2023/1145](#), [reg. 3\(j\)](#)

17 Malicious mischief.

**Commencement Information**

**I33** Sch. 9 para. 17 not in force at Royal Assent, see [s. 67\(1\)](#)

**I34** [Sch. 9 para. 17](#) in force at 1.11.2023 by [S.I. 2023/1145](#), [reg. 3\(j\)](#)

18 Mobbing and rioting.

**Commencement Information**

**I35** Sch. 9 para. 18 not in force at Royal Assent, see [s. 67\(1\)](#)

**I36** [Sch. 9 para. 18](#) in force at 1.11.2023 by [S.I. 2023/1145](#), [reg. 3\(j\)](#)

19 Uttering threats.

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**Commencement Information**

- I37** Sch. 9 para. 19 not in force at Royal Assent, see [s. 67\(1\)](#)  
**I38** [Sch. 9 para. 19](#) in force at 1.11.2023 by [S.I. 2023/1145](#), [reg. 3\(j\)](#)

20 Wilful fire-raising.

**Commencement Information**

- I39** Sch. 9 para. 20 not in force at Royal Assent, see [s. 67\(1\)](#)  
**I40** [Sch. 9 para. 20](#) in force at 1.11.2023 by [S.I. 2023/1145](#), [reg. 3\(j\)](#)

*Offences under the law of Northern Ireland*

21 Affray.

**Commencement Information**

- I41** Sch. 9 para. 21 not in force at Royal Assent, see [s. 67\(1\)](#)  
**I42** [Sch. 9 para. 21](#) in force at 1.11.2023 by [S.I. 2023/1145](#), [reg. 3\(j\)](#)

22 Riot.

**Commencement Information**

- I43** Sch. 9 para. 22 not in force at Royal Assent, see [s. 67\(1\)](#)  
**I44** [Sch. 9 para. 22](#) in force at 1.11.2023 by [S.I. 2023/1145](#), [reg. 3\(j\)](#)

## PART 2

### STATUTORY OFFENCES

*Offences against the Person Act 1861*

- 23 An offence under any of the following provisions of the Offences against the Person Act 1861—
- (a) section 4 (soliciting murder);
  - (b) section 16 (threats to kill);
  - (c) section 18 (wounding with intent);
  - (d) section 20 (inflicting bodily injury, with or without weapon);
  - (e) section 21 (attempting to choke etc in order to commit any indictable offence);
  - (f) section 23 (maliciously administering poison etc so as to endanger life or inflict grievous bodily harm);
  - (g) section 28 (causing bodily injury by explosives);
  - (h) section 29 (using explosives etc with intent to do grievous bodily harm);
  - (i) section 30 (placing explosives with intent to do bodily injury);

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- (j) section 35 (drivers of carriages injuring persons by furious driving);
- (k) section 42 (common assault or battery);
- (l) section 47 (assault occasioning bodily harm).

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**Commencement Information**

- I45** Sch. 9 para. 23 not in force at Royal Assent, see [s. 67\(1\)](#)  
**I46** Sch. 9 para. 23 in force at 1.11.2023 by [S.I. 2023/1145](#), [reg. 3\(j\)](#)

*Explosive Substances Act 1883*

- 24 An offence under either of the following provisions of the Explosive Substances Act 1883—
- (a) section 2 (causing explosion likely to endanger life or property);
  - (b) section 3 (attempt to cause explosion, or making or keeping explosive with intent to endanger life or property).

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**Commencement Information**

- I47** Sch. 9 para. 24 not in force at Royal Assent, see [s. 67\(1\)](#)  
**I48** Sch. 9 para. 24 in force at 1.11.2023 by [S.I. 2023/1145](#), [reg. 3\(j\)](#)

*Theft Act 1968*

- 25 An offence under any of the following provisions of the Theft Act 1968—
- (a) section 9, where the offence is burglary with intent to—
    - (i) inflict grievous bodily harm on a person, or
    - (ii) do unlawful damage to a building or anything in it;
  - (b) section 10 (aggravated burglary);
  - (c) section 12A (aggravated vehicle-taking);
  - (d) section 21 (blackmail).

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**Commencement Information**

- I49** Sch. 9 para. 25 not in force at Royal Assent, see [s. 67\(1\)](#)  
**I50** Sch. 9 para. 25 in force at 1.11.2023 by [S.I. 2023/1145](#), [reg. 3\(j\)](#)

*Theft Act (Northern Ireland) 1969*

- 26 An offence under any of the following provisions of the Theft Act (Northern Ireland) 1969—
- (a) section 9, where the offence is burglary with intent to—
    - (i) inflict grievous bodily harm on a person, or
    - (ii) do unlawful damage to a building or anything in it;
  - (b) section 10 (aggravated burglary);
  - (c) section 20 (blackmail).

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**Commencement Information**

- I51** Sch. 9 para. 26 not in force at Royal Assent, see [s. 67\(1\)](#)  
**I52** [Sch. 9 para. 26](#) in force at 1.11.2023 by [S.I. 2023/1145](#), [reg. 3\(j\)](#)

*Criminal Damage Act 1971*

- 27 An offence under any of the following provisions of the Criminal Damage Act 1971—
- (a) section 1(1) (destroying or damaging property);
  - (b) section 1(2) (destroying or damaging property intending, or being reckless as to, endangerment of life);
  - (c) section 1(3) (arson);
  - (d) section 2 (threats to destroy or damage property).

**Commencement Information**

- I53** Sch. 9 para. 27 not in force at Royal Assent, see [s. 67\(1\)](#)  
**I54** [Sch. 9 para. 27](#) in force at 1.11.2023 by [S.I. 2023/1145](#), [reg. 3\(j\)](#)

*Protection from Eviction Act 1977*

- 28 An offence under section 1 of the Protection from Eviction Act 1977 (unlawful eviction and harassment of occupier).

**Commencement Information**

- I55** Sch. 9 para. 28 not in force at Royal Assent, see [s. 67\(1\)](#)  
**I56** [Sch. 9 para. 28](#) in force at 1.11.2023 by [S.I. 2023/1145](#), [reg. 3\(j\)](#)

*Criminal Law Act 1977*

- 29 An offence under either of the following provisions of the Criminal Law Act 1977—
- (a) section 6 (violence for securing entry);
  - (b) section 51 (bomb hoaxes).

**Commencement Information**

- I57** Sch. 9 para. 29 not in force at Royal Assent, see [s. 67\(1\)](#)  
**I58** [Sch. 9 para. 29](#) in force at 1.11.2023 by [S.I. 2023/1145](#), [reg. 3\(j\)](#)

*Criminal Damage (Northern Ireland) Order 1977*

- 30 An offence under any of the following provisions of the Criminal Damage (Northern Ireland) Order 1977—
- (a) article 3(1) (destroying or damaging property);
  - (b) article 3(2) (destroying or damaging property intending, or being reckless as to, endangerment of life);

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- (c) article 3(3) (arson);
- (d) article 4 (threats to destroy or damage property).

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**Commencement Information**

- I59** Sch. 9 para. 30 not in force at Royal Assent, see [s. 67\(1\)](#)
- I60** Sch. 9 para. 30 in force at 1.11.2023 by [S.I. 2023/1145](#), [reg. 3\(j\)](#)

*Rent (Northern Ireland) Order 1978*

- 31 An offence under article 54 of the Rent (Northern Ireland) Order 1978 (unlawful eviction and harassment of occupier).

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**Commencement Information**

- I61** Sch. 9 para. 31 not in force at Royal Assent, see [s. 67\(1\)](#)
- I62** Sch. 9 para. 31 in force at 1.11.2023 by [S.I. 2023/1145](#), [reg. 3\(j\)](#)

*Road Traffic (Northern Ireland) Order 1981*

- 32 An offence under article 172A or 172B of the Road Traffic (Northern Ireland) Order 1981 (aggravated vehicle taking).

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**Commencement Information**

- I63** Sch. 9 para. 32 not in force at Royal Assent, see [s. 67\(1\)](#)
- I64** Sch. 9 para. 32 in force at 1.11.2023 by [S.I. 2023/1145](#), [reg. 3\(j\)](#)

*Taking of Hostages Act 1982*

- 33 An offence under section 1 of the Taking of Hostages Act 1982 (hostage taking).

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**Commencement Information**

- I65** Sch. 9 para. 33 not in force at Royal Assent, see [s. 67\(1\)](#)
- I66** Sch. 9 para. 33 in force at 1.11.2023 by [S.I. 2023/1145](#), [reg. 3\(j\)](#)

*Rent (Scotland) Act 1984*

- 34 An offence under section 22 of the Rent (Scotland) Act 1984 (unlawful eviction and harassment of occupier).

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**Commencement Information**

- I67** Sch. 9 para. 34 not in force at Royal Assent, see [s. 67\(1\)](#)
- I68** Sch. 9 para. 34 in force at 1.11.2023 by [S.I. 2023/1145](#), [reg. 3\(j\)](#)

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### Public Order Act 1986

- 35 An offence under any of the following provisions of the Public Order Act 1986—
- (a) section 1 (riot);
  - (b) section 2 (violent disorder);
  - (c) section 3 (affray);
  - (d) section 4 (using threatening or abusive words or behaviour etc with intent to cause fear of violence etc);
  - (e) section 4A (intentional harassment, alarm or distress);
  - (f) section 5 (using threatening or abusive words or behaviour within the hearing or sight of someone likely to be caused alarm or distress);
  - (g) section 18 (racial hatred: use of words or behaviour or display of written material);
  - (h) section 19 (racial hatred: publishing or distributing written material);
  - (i) section 20 (racial hatred: public performance of play);
  - (j) section 21 (racial hatred: distributing, showing or playing a recording);
  - (k) section 22 (racial hatred: broadcasting or including programme in programme service);
  - (l) section 29B (religious hatred or hatred on the grounds of sexual orientation: use of words or behaviour or display of written material);
  - (m) section 29C (religious hatred or hatred on the grounds of sexual orientation: publishing or distributing written material);
  - (n) section 29D (religious hatred or hatred on the grounds of sexual orientation: public performance of play);
  - (o) section 29E (religious hatred or hatred on the grounds of sexual orientation: distributing, showing or playing a recording);
  - (p) section 29F (religious hatred or hatred on the grounds of sexual orientation: broadcasting or including programme in programme service).

#### Commencement Information

**I69** Sch. 9 para. 35 not in force at Royal Assent, see [s. 67\(1\)](#)

**I70** Sch. 9 para. 35 in force at 1.11.2023 by [S.I. 2023/1145](#), [reg. 3\(j\)](#)

### Public Order (Northern Ireland) Order 1987

- 36 An offence under any of the following provisions of the Public Order (Northern Ireland) Order 1987—
- (a) article 9 (racial hatred: use of words or behaviour or display of written material);
  - (b) article 10 (racial hatred: publishing or distributing written material);
  - (c) article 11 (racial hatred: distributing, showing or playing a recording);
  - (d) article 12 (racial hatred: broadcasting or including programme in programme service);
  - (e) article 18(1)(a) (disorderly behaviour);
  - (f) article 18(1)(b) (breach of the peace);
  - (g) article 18(3) (riotous behaviour).



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**Commencement Information**

- I71** Sch. 9 para. 36 not in force at Royal Assent, see [s. 67\(1\)](#)  
**I72** [Sch. 9 para. 36](#) in force at 1.11.2023 by [S.I. 2023/1145](#), [reg. 3\(j\)](#)

*Criminal Justice Act 1988*

- 37 An offence under either of the following provisions of the Criminal Justice Act 1988—
- (a) section 39(1) (common assault or battery);
  - (b) section 134 (torture).

**Commencement Information**

- I73** Sch. 9 para. 37 not in force at Royal Assent, see [s. 67\(1\)](#)  
**I74** [Sch. 9 para. 37](#) in force at 1.11.2023 by [S.I. 2023/1145](#), [reg. 3\(j\)](#)

*Malicious Communications Act 1988*

- 38 An offence under section 1 of the Malicious Communications Act 1988 (sending communications with intent to cause distress or anxiety).

**Commencement Information**

- I75** Sch. 9 para. 38 not in force at Royal Assent, see [s. 67\(1\)](#)  
**I76** [Sch. 9 para. 38](#) in force at 1.11.2023 by [S.I. 2023/1145](#), [reg. 3\(j\)](#)

*Malicious Communications (Northern Ireland) Order 1988*

- 39 An offence under article 3 of the Malicious Communications (Northern Ireland) Order 1988 (sending communications with intent to cause distress or anxiety).

**Commencement Information**

- I77** Sch. 9 para. 39 not in force at Royal Assent, see [s. 67\(1\)](#)  
**I78** [Sch. 9 para. 39](#) in force at 1.11.2023 by [S.I. 2023/1145](#), [reg. 3\(j\)](#)

*Trade Union and Labour Relations (Consolidation) Act 1992*

- 40 An offence under section 241 of the Trade Union and Labour Relations (Consolidation) Act 1992 (intimidation or annoyance by violence or otherwise).

**Commencement Information**

- I79** Sch. 9 para. 40 not in force at Royal Assent, see [s. 67\(1\)](#)  
**I80** [Sch. 9 para. 40](#) in force at 1.11.2023 by [S.I. 2023/1145](#), [reg. 3\(j\)](#)

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#### *Criminal Justice and Public Order Act 1994*

- 41 An offence under section 68 of the Criminal Justice and Public Order Act 1994 (aggravated trespass).

##### **Commencement Information**

- I81** Sch. 9 para. 41 not in force at Royal Assent, see [s. 67\(1\)](#)  
**I82** [Sch. 9 para. 41](#) in force at 1.11.2023 by [S.I. 2023/1145](#), [reg. 3\(j\)](#)

#### *Criminal Law (Consolidation) (Scotland) Act 1995*

- 42 An offence under either of the following provisions of the Criminal Law (Consolidation) (Scotland) Act 1995—
- (a) section 50A (racially aggravated harassment);
  - (b) section 52 (vandalism).

##### **Commencement Information**

- I83** Sch. 9 para. 42 not in force at Royal Assent, see [s. 67\(1\)](#)  
**I84** [Sch. 9 para. 42](#) in force at 1.11.2023 by [S.I. 2023/1145](#), [reg. 3\(j\)](#)

#### *Protection from Harassment Act 1997*

- 43 An offence under any of the following provisions of the Protection from Harassment Act 1997—
- (a) section 2 (harassment);
  - (b) section 2A (stalking);
  - (c) section 4 (harassment involving putting a person in fear of violence);
  - (d) section 4A (stalking involving putting a person in fear of violence).

##### **Commencement Information**

- I85** Sch. 9 para. 43 not in force at Royal Assent, see [s. 67\(1\)](#)  
**I86** [Sch. 9 para. 43](#) in force at 1.11.2023 by [S.I. 2023/1145](#), [reg. 3\(j\)](#)

#### *Protection from Harassment (Northern Ireland) Order 1997*

- 44 An offence under either of the following provisions of the Protection from Harassment (Northern Ireland) Order 1997—
- (a) article 4 (harassment);
  - (b) article 6 (course of conduct involving putting someone in fear of violence).

##### **Commencement Information**

- I87** Sch. 9 para. 44 not in force at Royal Assent, see [s. 67\(1\)](#)  
**I88** [Sch. 9 para. 44](#) in force at 1.11.2023 by [S.I. 2023/1145](#), [reg. 3\(j\)](#)

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### *Crime and Disorder Act 1998*

- 45 An offence under any of the following provisions of the Crime and Disorder Act 1998—
- (a) section 29 (racially or religiously aggravated assault);
  - (b) section 30 (racially or religiously aggravated criminal damage);
  - (c) section 31 (racially or religiously aggravated offences under section 4, 4A or 5 of the Public Order Act 1986);
  - (d) section 32 (racially or religiously aggravated harassment or stalking).

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#### **Commencement Information**

**I89** Sch. 9 para. 45 not in force at Royal Assent, see [s. 67\(1\)](#)

**I90** Sch. 9 para. 45 in force at 1.11.2023 by [S.I. 2023/1145](#), [reg. 3\(j\)](#)

### *Communications Act 2003*

- 46 An offence under section 127 of the Communications Act 2003 (improper use of public electronic communications network).

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#### **Commencement Information**

**I91** Sch. 9 para. 46 not in force at Royal Assent, see [s. 67\(1\)](#)

**I92** Sch. 9 para. 46 in force at 1.11.2023 by [S.I. 2023/1145](#), [reg. 3\(j\)](#)

### *Sexual Offences Act 2003*

- 47 An offence under any of the following provisions of the Sexual Offences Act 2003—
- (a) section 1 (rape);
  - (b) section 2 (assault by penetration);
  - (c) section 3 (sexual assault);
  - (d) section 62 (committing an offence with intent to commit a relevant sexual offence) where the relevant sexual offence is an offence under section 1, 2, 3 or 66;
  - (e) section 63 (trespass with intent to commit a relevant sexual offence) where the relevant sexual offence is an offence under section 1, 2, 3 or 66;
  - (f) section 66 (exposure).
  - [<sup>F1</sup>(g) section 66A (sending etc photograph or film of genitals).]

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#### **Textual Amendments**

**F1** Sch. 9 para. 47(g) inserted (31.1.2024) by [Online Safety Act 2023 \(c. 50\)](#), s. 240(1), [Sch. 14 para. 21](#); [S.I. 2024/31](#), [reg. 2](#)

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#### **Commencement Information**

**I93** Sch. 9 para. 47 not in force at Royal Assent, see [s. 67\(1\)](#)

**I94** Sch. 9 para. 47 in force at 1.11.2023 by [S.I. 2023/1145](#), [reg. 3\(j\)](#)

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### *Sexual Offences (Northern Ireland) Order 2008*

- 48 An offence under any of the following provisions of the Sexual Offences (Northern Ireland) Order 2008—
- (a) article 5 (rape);
  - (b) article 6 (assault by penetration);
  - (c) article 7 (sexual assault);
  - (d) article 66 (committing an offence with intent to commit a relevant sexual offence) where the relevant sexual offence is an offence under article 5, 6, 7 or 70;
  - (e) article 67 (trespass with intent to commit a relevant sexual offence) where the relevant sexual offence is an offence under article 5, 6, 7 or 70;
  - (f) article 70 (exposure).

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**Commencement Information**

- I95** Sch. 9 para. 48 not in force at Royal Assent, see [s. 67\(1\)](#)  
**I96** Sch. 9 para. 48 in force at 1.11.2023 by [S.I. 2023/1145](#), [reg. 3\(j\)](#)

### *Sexual Offences (Scotland) Act 2009 (asp 9)*

- 49 An offence under any of the following provisions of the Sexual Offences (Scotland) Act 2009—
- (a) section 1 (rape);
  - (b) section 2 (sexual assault by penetration);
  - (c) section 3 (sexual assault);
  - (d) section 8 (sexual exposure).

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**Commencement Information**

- I97** Sch. 9 para. 49 not in force at Royal Assent, see [s. 67\(1\)](#)  
**I98** Sch. 9 para. 49 in force at 1.11.2023 by [S.I. 2023/1145](#), [reg. 3\(j\)](#)

### *Criminal Justice and Licensing (Scotland) Act 2010 (asp 13)*

- 50 An offence under either of the following provisions of the Criminal Justice and Licensing (Scotland) Act 2010—
- (a) section 38 (threatening or abusive behaviour);
  - (b) section 39 (stalking).

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**Commencement Information**

- I99** Sch. 9 para. 50 not in force at Royal Assent, see [s. 67\(1\)](#)  
**I100** Sch. 9 para. 50 in force at 1.11.2023 by [S.I. 2023/1145](#), [reg. 3\(j\)](#)

### *Serious Crime Act 2015*

- 51 An offence under section 76 of the Serious Crime Act 2015 (controlling or coercive behaviour in an intimate or family relationship).

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to Elections Act 2022. 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

#### Commencement Information

- I101** Sch. 9 para. 51 not in force at Royal Assent, see [s. 67\(1\)](#)  
**I102** Sch. 9 para. 51 in force at 1.11.2023 by S.I. 2023/1145, [reg. 3\(j\)](#)

#### *Hate Crime and Public Order (Scotland) Act 2021 (asp 14)*

- 52 An offence under section 3 of the Hate Crime and Public Order (Scotland) Act 2021 (racially aggravated harassment).

#### Commencement Information

- I103** Sch. 9 para. 52 not in force at Royal Assent, see [s. 67\(1\)](#)  
**I104** Sch. 9 para. 52 in force at 1.11.2023 by S.I. 2023/1145, [reg. 3\(j\)](#)

#### *Online Safety Act 2023*

- [<sup>F2</sup>52A An offence under any of the following provisions of the Online Safety Act 2023—  
(a) section 179 (false communications);  
(b) section 181 (threatening communications);  
(c) section 183 (sending or showing flashing images).]

#### Textual Amendments

- F2** Sch. 9 Pt. 2 para. 52A and cross-heading inserted (31.1.2024) by Online Safety Act 2023 (c. 50), s. 240(1), [Sch. 14 para. 5](#); S.I. 2024/31, [reg. 2](#)

### PART 3

#### INCHOATE OFFENCES

- 53 (1) An inchoate offence in relation to an offence listed in Part 1 or 2 of this Schedule.  
(2) In sub-paragraph (1), inchoate offence, in relation to an offence, means—  
(a) an attempt to commit the offence,  
(b) conspiracy to commit the offence,  
(c) an offence under Part 2 of the Serious Crime Act 2007 related to the offence,  
or  
(d) incitement to commit the offence.  
(3) For the purposes of sub-paragraph (2)(c), an offence committed by a person under Part 2 of the Serious Crime Act 2007 (encouraging or assisting crime) is related to another offence if that other offence is the offence (or one of the offences) which the person intended or believed would be committed.

#### Commencement Information

- I105** Sch. 9 para. 53 not in force at Royal Assent, see [s. 67\(1\)](#)

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**I106** [Sch. 9 para. 53](#) in force at 1.11.2023 by S.I. 2023/1145, [reg. 3\(j\)](#)

**Changes to legislation:**

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

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

- Sch. 8 para. 12(4)(da) inserted by [2023 c. 55 Sch. 4 para. 230](#)
- Sch. 9 para. 35(ea) inserted by [2023 c. 47 s. 3\(3\)](#)