

Status: This version of this provision is prospective.

Changes to legislation: Northern Ireland Troubles (Legacy and Reconciliation) Act 2023, Paragraph 3 is up to date with all changes known to be in force on or before 21 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

PROSPECTIVE

SCHEDULE 12

PRISONER RELEASE

Offences equivalent to qualifying offences: offences committed between 1966 and 1973

3 (1) In Schedule 3 (sentences passed outside Northern Ireland), paragraph 2 (equivalent offences) is amended in accordance with this paragraph.

(2) Before sub-paragraph (1) insert—

“(A1) An offence is equivalent to a qualifying offence if—

(a) sub-paragraph (1) or (1A) applies to the offence, and

(b) the prisoner was convicted of the offence—

(i) before the day on which section 19(1) of the Northern Ireland Troubles (Legacy and Reconciliation) Act 2023 came into force, or

(ii) on or after that day by virtue of a public prosecution begun before that day.

(A2) For the purposes of sub-paragraph (A1)—

(a) “public prosecution” means any prosecution other than a private prosecution;

(b) a public prosecution of a person for an offence is “begun” when a prosecutor makes the decision to prosecute that person for that offence.”

(3) In sub-paragraph (1)—

(a) for “An offence is equivalent to a qualifying offence if it” substitute “This sub-paragraph applies to an offence which”;

(b) in paragraph (a), after “committed” insert “on or after 8 August 1973 and”;

(c) for paragraph (b) substitute—

“(b) arose out of any conduct forming part of the Troubles, and”.

(4) After sub-paragraph (1)—

“(1A) This sub-paragraph applies to an offence which—

(a) was committed on or after 1 January 1966 and before 8 August 1973,

(b) arose out of any conduct forming part of the Troubles, and

(c) is certified by the appropriate Law Officer as an offence which, if it had been committed in Northern Ireland on 8 August 1973,

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would have been a scheduled offence within the meaning of the Northern Ireland (Emergency Provisions) Act 1973.”

(5) In sub-paragraph (2), after “sub-paragraph (1)(c)” insert “or (1A)(c)”.

Commencement Information

II Sch. 12 para. 3 in force at 1.5.2024, see [s. 63\(3\)](#)

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Changes and effects yet to be applied to :

- Sch. 12 para. 3 coming into force by [2023 c. 41 s. 63\(3\)](#)