STATUTORY RULES OF NORTHERN IRELAND

2006 No. 62

CRIMINAL EVIDENCE

The Criminal Justice (Evidence) (Northern Ireland) Order 2004 (Categories of Offences) Order 2006

Made - - - -	*1st March 2006*
Laid before Parliament	*6th March 2006*
Coming into operation	*3rd April 2006*

The Secretary of State, in exercise of the powers conferred upon him by Article 8(4)(b) of the Criminal Justice (Evidence) (Northern Ireland) Order 2004(**1**), hereby makes the following Order:

Citation and Commencement

1. This Order may be cited as the Criminal Justice (Evidence) (Northern Ireland) Order 2004 (Categories of Offences) Order 2006 and shall come into operation on 3 April 2006.

2.—(1) The categories of offences set out in Parts 1 and 2 of the Schedule to this Order are hereby prescribed for the purposes of Article 8(4)(b) of the 2004 Order.

(2) Two offences are of the same category as each other if they are included in the same Part of the Schedule.

David Hanson
One of Her Majesty's Principle Secretaries of State Northern Ireland Office

1st March 2006

(**1**) S.I 2004/1501 (N.I. 10)

SCHEDULE 1 Article 2

PRESCRIBED CATEGORIES OF OFFENCES

PART I

THEFT CATEGORY

1. An offence under section 7 of the Theft Act (Northern Ireland) 1969(**2**) (theft).

2. An offence under section 8 of that Act (robbery).

3. An offence under section 9 of that Act (burglary).

4. An offence under section 10 of that Act (aggravated burglary).

5. An offence under section 12 of that Act (taking motor vehicle or other conveyance without authority).

6. An offence under section 21 of that Act (handling stolen goods).

7. An offence under section 24 of that Act (going equipped for stealing).

8. An offence under Article 5 of the Theft (Northern Ireland) Order 1978(**3**) (making off without payment).

9. An offence under Article 172 of the Road Traffic (Northern Ireland) Order 1981(**4**) (aggravated vehicle taking).

10. An offence of—

(a) aiding, abetting, counselling, procuring or inciting the commission of an offence specified in this Part of this Schedule; or

(b) attempting to commit an offence so specified.

PART II

SEXUAL OFFENCES (PERSONS UNDER THE AGE OF 17) CATEGORY

1. Rape if committed in relation to a person under the age of 17.

2. An offence under section 52 of the Offences against the Person Act 1861(**5**) (indecent assault upon a female person) if it was committed in relation to a person under the age of 17.

3. An offence under section 53 or 54 of that Act (abduction of a woman) if it was committed in relation to a person under the age of 17.

4. An offence under section 2 of the Criminal Law Amendment Act 1885(**6**) (procuration of a girl under 21) if it was committed in relation to a person under the age of 17.

5. An offence under section 3 of that Act (procuring defilement of a woman using threats, etc.) if it was committed in relation to a person under the age of 17.

6. An offence under section 4 of that Act (unlawful carnal knowledge of a girl under 14).

(**2**) 1969 c. 16 (N.I.)
(**3**) S.I.1978/1407 (N.I. 23)
(**4**) S.I. 1981/154 (N.I. 1)
(**5**) 1861 c. 100
(**6**) 1885 c. 69