STATUTORY INSTRUMENTS

1988 No. 1849 (N.I. 18)

The Malicious Communications (Northern Ireland) Order 1988

- - - - - - *26th October 1988*

Title and commencement

1.—(1) This Order may be cited as the Malicious Communications (Northern Ireland) Order 1988.

(2) This Order shall come into operation on the expiration of two months from the day on which it is made.

Interpretation

2. The Interpretation Act (Northern Ireland) 1954[F1] shall apply to Articles 1 and 3 as it applies to a Measure of the Northern Ireland Assembly.

Annotations:
F1 1954 c. 33 (N.I.)

Offence of sending letters etc. with intent to cause distress or anxiety

3.—(1) Any person who sends to another person—

(a) a letter or other article which conveys—

(i) a message which is indecent or grossly offensive;

(ii) a threat; or

(iii) information which is false and known or believed to be false by the sender; or

(b) any other article which is, in whole or part, of an indecent or grossly offensive nature,

is guilty of an offence if his purpose, or one of his purposes, in sending it is that it should, so far as falling within sub#paragraph (*a)* or (*b),* cause distress or anxiety to the recipient or to any other person to whom he intends that it or its contents or nature should be communicated.

(2) A person is not guilty of an offence by virtue of paragraph (1)(*a*)(ii) if he shows—

(a) that the threat was used to reinforce a demand which he believed he had reasonable grounds for making; and

(b) that he believed that the use of the threat was a proper means of reinforcing the demand.

(3) In this Article references to sending include references to delivering and to causing to be sent or delivered.