



AN BILLE CHUN TROMROBÁIL A PHIONÓSÚ, 1997
PUNISHMENT OF AGGRAVATED ROBBERY BILL, 1997

Mar a tionscnaíodh
As initiated

ARRANGEMENT OF SECTIONS

- 1. Short title.
- 2. Definitions.
- 3. Aggravated robbery.
- 4. Possession of weapons of offence at place of abode.
- 5. Possession of weapons of offence other than at place of abode.

Acts Referred to

Criminal Law (Jurisdiction) Act, 1976
Larceny Act, 1916

1976, No. 14.
6 & 7 Geo. 5, c. 50



AN BILLE CHUN TROMROBÁIL A PHIONÓSÚ, 1997
PUNISHMENT OF AGGRAVATED ROBBERY BILL, 1997

BILL

entitled

5 AN ACT TO ESTABLISH THE OFFENCE OF AGGRAVATED
ROBBERY AND TO MAKE PROVISION FOR THE
REGULATION AND PROHIBITION OF CERTAIN ITEMS
AND TO PROVIDE FOR THE PUNISHMENT OF POS-
10 SESSION AND USE OF CERTAIN ITEMS IN SPECIFIED
CIRCUMSTANCES AND TO PROVIDE FOR RELATED
MATTERS.

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

1.—This Act may be cited as the Punishment of Aggravated Robbery Act, 1997. Short title.

15 2.—In this Act— Definitions.
“robbery” has the meaning assigned to it by section 23 of the
Larceny Act, 1916 (inserted by section 5 of the Criminal Law
(Jurisdiction) Act, 1976);

“weapon of offence” has the meaning assigned to it by *section 3 (3)*.

20 3.—(1) A person shall be guilty of aggravated robbery if he com- Aggravated robbery.
mits any robbery and at that time has with him any weapon of
offence.

(2) An attempt to commit an offence under *subsection (1)* shall
be an offence.

25 (3) For the purposes of this Act a weapon of offence means any
syringe or needle made or adapted for use and intended by the per-
son in possession of the syringe or needle to intimidate or cause
injury to or incapacitate any person.

30 (4) Where a person is convicted on indictment of an offence under
subsection (1) or of an attempt to commit that offence and the con-
viction is his first conviction under this section he shall be liable to a
term of imprisonment of not less than five years and not greater than
life imprisonment.

35 (5) Where a person is convicted on indictment of an offence under
subsection (1) or of an attempt to commit that offence and the con-
viction is the second conviction of the accused for an offence under
this section and the offence is committed subsequent to the date of

his first conviction for an offence under *subsection (1)* or an attempt to commit that offence he shall be liable to a term of imprisonment of not less than seven years and not greater than life imprisonment.

(6) Where a person is convicted on indictment of an offence under *subsection (1)* or of an attempt to commit that offence and the conviction is the third or subsequent conviction of the accused for an offence under this section and the offence is committed subsequent to the date of his second conviction for an offence under *subsection (1)* or of an attempt to commit that offence he shall be sentenced to a term of life imprisonment.

(7) A prosecution for the offence of aggravated robbery shall not be brought without the consent of the Director of Public Prosecutions.

Possession of weapons of offence at place of abode.

4.—(1) A person who, when not at his place of abode, has in his possession or under his control any weapon of offence without lawful authority or reasonable excuse shall be guilty of an offence.

(2) A person guilty of an offence under *subsection (1)* shall be liable on conviction on indictment to a term of imprisonment not greater than two years.

Possession of weapons of offence other than at place of abode.

5.—(1) A person who, when not at his place of abode, has in his possession or under his control any weapon of offence in circumstances likely to give rise to a reasonable inference that he had it in his possession or under his control with intent to commit an offence under *section 3 (1)* shall be guilty of an offence.

(2) A person guilty of an offence under *section 3 (1)* shall be guilty of an offence and shall be liable on conviction to a term of imprisonment not exceeding three years.