



# Offensive Weapons Act 2019

## 2019 CHAPTER 17

### PART 1

#### CORROSIVE PRODUCTS AND SUBSTANCES

##### *Consequential amendments relating to corrosive products and substances*

#### **13 Consequential amendments relating to corrosive products and substances**

<sup>F1</sup>(1) .....

(2) In section 37(1A) of the Mental Health Act 1983 (powers of courts to order hospital admission or guardianship: effect of provisions requiring imposition of appropriate custodial sentence)—

- (a) omit the “or” at the end of paragraph (c), and
- (b) at the end of paragraph (d) insert “or
- (e) under section 8(2) of the Offensive Weapons Act 2019 (minimum sentences in certain cases of possession of a corrosive substance),”.

(3) In section 36(2)(b) of the Criminal Justice Act 1988 (review of sentencing in case of failure to impose appropriate custodial sentence)—

- (a) omit the “or” at the end of sub-paragraph (iii), and
- (b) at the end of sub-paragraph (iv) insert “; or
- (v) section 8(2) of the Offensive Weapons Act 2019.”

<sup>F2</sup>(4) .....

(5) In Schedule 9 to the Criminal Procedure (Scotland) Act 1995 (certificates as to proof of certain routine matters) at the end insert—

*Changes to legislation: There are currently no known outstanding effects for the Offensive Weapons Act 2019, Section 13. (See end of Document for details)*

<p>Sections 1(1), 3(2) and 4(4) (offences relating to sale and delivery of corrosive products)</p>	<p>A person authorised to do so by the Scottish Ministers</p>	<p>In relation to any particular product which is identified in the certificate—</p> <p>(a) the name and Chemical Abstracts Registry number of that product, or</p> <p>(b) the name and Chemical Abstracts Registry number of a substance contained in that product and the concentration of that substance in that product.</p>
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<p>Section 6(1) (offence of having substance in a public place)</p>	<p>A person authorised to do so by the Scottish Ministers</p>	<p>That the particular substance identified in the certificate is a corrosive substance within the meaning of section 6(9) of the Offensive Weapons Act 2019.”</p>
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<sup>F3</sup>(6) .....

<sup>F3</sup>(7) .....

**Textual Amendments**

**F1** S. 13(1) repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

**F2** S. 13(4) repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

**F3** S. 13(6)(7) repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

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**Commencement Information**

**I1** S. 13(5) in force at 1.1.2021 by S.S.I. 2020/410, **reg. 2(d)**

**Changes to legislation:**

There are currently no known outstanding effects for the Offensive Weapons Act 2019, Section 13.