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SCOTTISH STATUTORY INSTRUMENTS

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**2020 No. 410 (C. 36)**

**CRIMINAL LAW**

**The Offensive Weapons Act 2019 (Commencement  
No. 1) (Scotland) Regulations 2020**

<i>Made</i>	- - - -	<i>1st December 2020</i>
<i>Laid before the Scottish Parliament</i>	- - - - -	<i>3rd December 2020</i>
<i>Coming into force</i>	- -	<i>1st January 2021</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred on them by section 70(2) and (7) of the Offensive Weapons Act 2019<sup>(1)</sup>.

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Offensive Weapons Act 2019 (Commencement No. 1) (Scotland) Regulations 2020 and come into force on 1 January 2021.

(2) In these Regulations “the 2019 Act” means the Offensive Weapons Act 2019.

**Appointed day**

2. 1 January 2021 is the appointed day for the coming into force of the following provisions of the 2019 Act—

- (a) section 5 (presumptions in proceedings in Scotland for offence under section 1, 3 or 4),
- (b) section 7 (presumptions in proceedings in Scotland for offence under section 6),
- (c) section 11 (search for corrosive substances: Scotland),
- (d) section 13(5) (certificates as to proof of certain routine matters),
- (e) section 34(1) (sale etc of bladed articles to persons under 18),
- (f) section 36 (defence to sale etc of bladed articles to persons under 18; Scotland),
- (g) section 46(15) (prohibition on the possession of offensive weapons: order making power for surrender of weapons), and
- (h) section 66 (guidance on offences relating to offensive weapons etc), so far as it confers functions on the Scottish Ministers (guidance on offences relating to offensive weapons etc).

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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St Andrew's House,  
Edinburgh  
1st December 2020

*HUMZA YOUSAF*  
A member of the Scottish Government

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations bring into force, on 1 January 2021, the following provisions of the Offensive Weapons Act 2019 (the Act): sections 5, 7, 11, 13(5), 34(1), 36, 46(15), 66 (so far as it confers functions on the Scottish Ministers).

The Bill for the Act received Royal Assent on 16 May 2019. The following provisions, as regards Scotland, came into force on the day the Act was passed: sections 48(2) and (4), section 49(3), (4) and (7) to (12), section 54(1), section 54(2) (partially), section 54(3) (partially), section 54(3) (partially) section 54(5) and (7)(a), sections 57 to 61, section 63(1), section 68, section 69, section 70, section 71. The Act makes provision for and in connection with offences relating to offensive weapons.