



Criminal Justice Act 1988

1988 CHAPTER 33

PART XI

MISCELLANEOUS

Articles with blades or points and offensive weapons

141 Offensive weapons.

- (1) Any person who manufactures, sells or hires or offers for sale or hire, exposes or has in his possession for the purpose of sale or hire, or lends or gives to any other person, a weapon to which this section applies shall be guilty of an offence and liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding level 5 on the standard scale or both.
- (2) The Secretary of State may by order made by statutory instrument direct that this section shall apply to any description of weapon specified in the order except—
 - (a) any weapon subject to the ^{M1}Firearms Act 1968; and
 - (b) crossbows.
- (3) A statutory instrument containing an order under this section shall not be made unless a draft of the instrument has been laid before Parliament and has been approved by a resolution of each House of Parliament.
- (4) The importation of a weapon to which this section applies is hereby prohibited.
- (5) It shall be a defence for any person charged in respect of any conduct of his relating to a weapon to which this section applies—
 - (a) with an offence under subsection (1) above; or
 - (b) with an offence under section 50(2) or (3) of the ^{M2}Customs and Excise Management Act 1979 (improper importation),to prove that his conduct was only for the purposes of functions carried out on behalf of the Crown or of a visiting force.

Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.

Changes to legislation: Criminal Justice Act 1988, Section 141 is up to date with all changes known to be in force on or before 29 February 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (6) In this section the reference to the Crown includes the Crown in right of Her Majesty's Government in Northern Ireland; and
- “visiting force” means any body, contingent or detachment of the forces of a country—
- (a) mentioned in subsection (1)(a) of section 1 of the ^{M3}Visiting Forces Act 1952; or
 - (b) designated for the purposes of any provision of that Act by Order in Council under subsection (2) of that section,
- which is present in the United Kingdom (including United Kingdom territorial waters) or in any place to which subsection (7) below applies on the invitation of Her Majesty's Government in the United Kingdom.
- (7) This subsection applies to any place on, under or above an installation in a designated area within the meaning of section 1(7) of the ^{M4}Continental Shelf Act 1964 or any waters within 500 metres of such an installation.
- (8) It shall be a defence for any person charged in respect of any conduct of his relating to a weapon to which this section applies—
- (a) with an offence under subsection (1) above; or
 - (b) with an offence under section 50(2) or (3) of the Customs and Excise Management Act 1979,
- to prove that the conduct in question was only for the purposes of making the weapon available to a museum or gallery to which this subsection applies.
- (9) If a person acting on behalf of a museum or gallery to which subsection (8) above applies is charged with hiring or lending a weapon to which this section applies, it shall be a defence for him to prove that he had reasonable grounds for believing that the person to whom he lent or hired it would use it only for cultural, artistic or educational purposes.
- (10) Subsection (8) above applies to a museum or gallery only if it does not distribute profits.
- (11) In this section “museum or gallery” includes any institution which has as its purpose, or one of its purposes, the preservation, display and interpretation of material of historical, artistic or scientific interest and gives the public access to it.
- (12) This section shall not have effect in relation to anything done before it comes into force.
- (13) In the application of this section to Northern Ireland the reference in subsection (2) above to the ^{M5}Firearms Act 1968 shall be construed as a reference to the ^{M6}Firearms (Northern Ireland) Order 1981.

Marginal Citations

- M1** 1968 c. 27.
M2 1979 c. 2.
M3 1952 c. 67.
M4 1964 c. 29.
M5 1968 c. 27.
M6 S.I. 1981/155 (N.I. 2).

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