



Criminal Justice Act 1988

1988 CHAPTER 33

PART XI

MISCELLANEOUS

Articles with blades or points and offensive weapons

[^{F1}141ZA] Application of section 141 to swords: further provision

- (1) This section applies where the Scottish Ministers make an order under subsection (2) of section 141 directing that the section shall apply to swords.
- (2) The Scottish Ministers may include in the order provision for or in connection with modifying section 141 in its application to swords.
- (3) The Scottish Ministers may in particular—
 - (a) provide for defences (including in particular defences relating to religious, cultural or sporting purposes) to offences;
 - (b) increase the penalties specified in subsection (1) of section 141 (or that subsection as modified) so as to make a person liable—
 - (i) on conviction on indictment to imprisonment for a term not exceeding 2 years or to a fine or both;
 - (ii) on summary conviction to imprisonment for a term not exceeding 12 months or to a fine not exceeding the statutory maximum or both;
 - (c) create an offence (punishable on summary conviction only and subject to a penalty which is no greater than that mentioned in subsection (6)) relating to the provision, without reasonable excuse, of false information by a person acquiring a sword in circumstances specified in the order.
- (4) In making provision under subsection (3)(a) the Scottish Ministers may make provision for or in connection with—
 - (a) the granting, and revocation, by them of authorisations in relation to the acquisition of swords;

Changes to legislation: Criminal Justice Act 1988, Section 141ZA is up to date with all changes known to be in force on or before 23 April 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) [View outstanding changes](#)

- (b) enabling them to specify conditions in such authorisations;
 - (c) requiring persons to whom authorisations are granted to comply with such conditions;
 - (d) making it an offence (punishable on summary conviction only and subject to a penalty which is no greater than that mentioned in subsection (6)) to fail to comply with any such conditions.
- (5) Defences specified under subsection (3)(a) may relate to swords in general or to a class, or classes, of sword specified in the order.
- (6) The penalty is—
- (a) imprisonment for a term not exceeding 12 months; or
 - (b) a fine not exceeding level 5 on the standard scale,
- or both.
- (7) The power conferred by subsection (2) is without prejudice to the generality of the power conferred by section 141(11G).]

Textual Amendments

- F1** S. 141ZA inserted (S.) (1.11.2007) by [Custodial Sentences and Weapons \(Scotland\) Act 2007 \(asp 17\)](#), [ss. 61\(2\), 67](#); [S.S.I. 2007/431](#), [art. 3](#), Sch.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 36(2)(b)(v) and word inserted by [2019 c. 17 s. 13\(3\)\(b\)](#)
- s. 36(3A)(3B) substituted for s. 36(3A) by [2008 c. 4 s. 46\(2\)](#)
- s. 41(4A) inserted by [2004 c. 28 Sch. 10 para. 28](#)
- s. 139AZA(1)(a)(iii) and word inserted by [2019 c. 17 s. 13\(4\)\(b\)](#)