



Offensive Weapons Act 2019

2019 CHAPTER 17

PART 1

CORROSIVE PRODUCTS AND SUBSTANCES

Possession of corrosive substances

9 Offence under section 6: relevant convictions

- (1) In section 8 “relevant conviction” means—
- (a) a conviction for an offence under—
 - (i) section 1 or 1A of the Prevention of Crime Act 1953 (offences relating to offensive weapons),
 - (ii) section 139, 139A or 139AA of the Criminal Justice Act 1988 (offences relating to bladed articles and offensive weapons), or
 - (iii) section 6 of this Act,(a “relevant offence”),
 - (b) a conviction in Scotland, Northern Ireland or a member State other than the United Kingdom for a civilian offence which would have constituted a relevant offence if committed in England and Wales at the time of that conviction,
 - (c) a conviction for an offence under section 42 of the Armed Forces Act 2006 in respect of which the corresponding offence under the law of England and Wales (within the meaning of that section) is a relevant offence,
 - (d) a conviction for an offence under section 70 of the Army Act 1955, section 70 of the Air Force Act 1955 or section 42 of the Naval Discipline Act 1957 in respect of which the corresponding civilian offence (within the meaning of the Act in question) is a relevant offence, or
 - (e) a conviction for a member State service offence which would have constituted a relevant offence if committed in England and Wales at the time of conviction.

Status: This is the original version (as it was originally enacted).

- (2) References in subsection (1) to a conviction for an offence are to a conviction for an offence regardless of when it was committed.
- (3) In this section—
- “civilian offence” means an offence other than—
- (a) an offence under an enactment mentioned in subsection (1)(c) or (d), or
- (b) a member State service offence;
- “conviction” includes—
- (a) in relation to an offence under section 42 of the Armed Forces Act 2006, anything which by virtue of section 376(1) and (2) of that Act is to be treated as a conviction, and
- (b) in relation to an offence under section 42 of the Naval Discipline Act 1957 and a member State service offence, a finding of guilt in respect of the person;
- “member State service offence” means an offence which was the subject of proceedings under the law of a member State, other than the United Kingdom, governing all or any of the naval, military or air forces of that State.
- (4) For the purposes of subsection (1)(c) and (d), where the offence was committed by aiding, abetting, counselling or procuring, it must be assumed that the act aided, abetted, counselled or procured was done in England and Wales.
- (5) In this section—
- (a) in subsection (1)—
- (i) in paragraph (b), for “Scotland, Northern Ireland or a member State other than the United Kingdom” substitute “Scotland or Northern Ireland”,
- (ii) at the end of paragraph (c) insert “or”, and
- (iii) omit paragraph (e) and the “or” preceding that paragraph, and
- (b) in subsection (3)—
- (i) for the definition of “civilian offence” substitute—
- ““civilian offence” means an offence other than an offence under an enactment mentioned in subsection (1)(c) or (d);”,
- (ii) in the definition of “conviction”, in paragraph (b) omit “and a member State service offence”, and
- (iii) omit the definition of “member State service offence”.