



# Violent Crime Reduction Act 2006

## 2006 CHAPTER 38

### PART 2

#### WEAPONS ETC.

##### *Imitation firearms*

#### **41 Increase of maximum sentence for possessing an imitation firearm**

- (1) In the entry in Schedule 6 to the 1968 Act relating to section 19 of that Act (mode of trial and punishment of possession of firearm or imitation firearm in a public place)—
  - (a) in paragraph (b) of column 3 (offence to be triable either way except in the case of an imitation firearm or air weapon), omit the words “in the case of an imitation firearm or”; and
  - (b) in column 4, for “7 years or a fine; or both” substitute—
    - “(i) if the weapon is an imitation firearm, 12 months or a fine, or both;
    - (ii) in any other case, 7 years or a fine, or both.”
- (2) An offence in England and Wales under section 19 of the 1968 Act in respect of an imitation firearm which is triable either way by virtue of this section is to be treated—
  - (a) as an offence to which section 282(3) of the Criminal Justice Act 2003 (c. 44) (increase of maximum sentence on conviction of an either way offence) applies; and
  - (b) as not being an offence to which section 281(5) of that Act (increase of maximum sentence on conviction of a summary only offence) applies.
- (3) This section—
  - (a) applies only to offences committed after the commencement of this section; and
  - (b) so far as it relates to subsection (3) of section 282 of the Criminal Justice Act 2003 or subsection (5) of section 281 of that Act, does not have effect in relation to offences committed before the commencement of that subsection.