

EXPLANATORY NOTES

CLUSTER MUNITIONS (PROHIBITIONS) ACT 2010

INTRODUCTION

SUMMARY AND BACKGROUND

OVERVIEW OF STRUCTURE

TERRITORIAL EXTENT AND APPLICATION

COMMENTARY ON SECTIONS

Section 1: Munitions to which Act applies

Section 2: Offences

Section 3: Meaning of acquisition and transfer

Section 4: Application of section 2

Section 5: Enabling destruction

Section 6: Other purposes permitted by Convention

Section 7: Defences relating to state of mind of defendant etc

Section 8: Visiting forces

Section 9: International military operations and activities

Section 10: Supplementary provision: evidential burden and authorisations

Section 11: Suspicious objects

Section 12: Power to enter premises and search for prohibited munitions

Section 13: Removal or immobilisation of prohibited munitions

Section 14: Power to destroy removed prohibited munitions

Section 15: Destruction of immobilised prohibited munitions

Section 16: Power to enter premises and destroy immobilised prohibited munitions

Section 17: Compensation for destruction

Section 18: Offences relating to destruction etc

These notes refer to the Cluster Munitions (Prohibitions) Act 2010 (c.11)

Section 19: Securing destruction of prohibited munitions: supplementary

Section 20: Information and records for Convention purposes

Section 21: Power to search and obtain evidence: issue of warrant

Section 22: Power to search and obtain evidence: supplementary

Section 23: Disclosure of information

Section 24: Consent to prosecution

Section 25: Forfeiture in case of conviction

Section 26: Offences by bodies corporate etc.

Section 27: Safeguards etc. in connection with exercise of powers of entry

Section 28: Service of notices

Section 29: Power to modify Act

Section 30: Interpretation

Section 31: Amendments of other Acts

Section 32: Crown application

Section 33: Extent

Section 34: Commencement and short title

SCHEDULES

Schedule 1: Definitions of cluster munition, explosive bomblet etc

Schedule 2: Offences to which section 9 applies

Schedule 3: Amendments of other Acts

COMMENCEMENT DATE