



# Offensive Weapons Act 2019

## 2019 CHAPTER 17

### PART 1

#### CORROSIVE PRODUCTS AND SUBSTANCES

##### *Consequential amendments relating to corrosive products and substances*

#### **13 Consequential amendments relating to corrosive products and substances**

- (1) In section 1ZA(1)(a) of the Prevention of Crime Act 1953 (offence under section 1: previous relevant convictions)—
  - (a) omit the “or” at the end of sub-paragraph (i), and
  - (b) at the end of sub-paragraph (ii) insert “or  
(iii) section 6 of the Offensive Weapons Act 2019,”.
- (2) In section 37(1A) of the Mental Health Act 1983 (powers of courts to order hospital admission or guardianship: effect of provisions requiring imposition of appropriate custodial sentence)—
  - (a) omit the “or” at the end of paragraph (c), and
  - (b) at the end of paragraph (d) insert “or  
(e) under section 8(2) of the Offensive Weapons Act 2019 (minimum sentences in certain cases of possession of a corrosive substance),”.
- (3) In section 36(2)(b) of the Criminal Justice Act 1988 (review of sentencing in case of failure to impose appropriate custodial sentence)—
  - (a) omit the “or” at the end of sub-paragraph (iii), and
  - (b) at the end of sub-paragraph (iv) insert “; or  
(v) section 8(2) of the Offensive Weapons Act 2019.”
- (4) In section 139AZA(1)(a) of the Criminal Justice Act 1988 (offences under sections 139 and 139A: previous relevant convictions)—
  - (a) omit the “or” at the end of sub-paragraph (i), and

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*Status: This is the original version (as it was originally enacted).*

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- (b) at the end of sub-paragraph (ii) insert “or  
 (iii) section 6 of the Offensive Weapons Act 2019,”.

- (5) In Schedule 9 to the Criminal Procedure (Scotland) Act 1995 (certificates as to proof of certain routine matters) at the end insert—

<p>“The Offensive Weapons Act 2019</p> <p>Sections 1(1), 3(2) and (3) and 4(4) (offences relating to sale and delivery of corrosive products)</p> <p>Section 6(1) (offence of having corrosive substance in a public place)</p>	<p>A person authorised to do so by the Scottish Ministers</p> <p>A person authorised to do so by the Scottish Ministers</p>	<p>In relation to any particular product which is identified in the certificate—          (a) the name and Chemical Abstracts Registry number of that product, or          (b) the name and Chemical Abstracts Registry number of a substance contained in that product and the concentration of that substance in that product.</p> <p>That the particular substance identified in the certificate is a corrosive substance within the meaning of section 6(9) of the Offensive Weapons Act 2019.”</p>
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- (6) In section 12(1A) of the Powers of Criminal Courts (Sentencing) Act 2000 (provisions preventing the making of an order for absolute or conditional discharge), after paragraph (f) insert—

“(g) section 8(2) of the Offensive Weapons Act 2019.”

- (7) In section 144 of the Criminal Justice Act 2003 (reduction in sentences for guilty pleas)—

- (a) in subsection (3), at the end insert—  
     “section 8(2) of the Offensive Weapons Act 2019.”, and
- (b) in subsection (5), at the end insert—  
     “section 8(2) of the Offensive Weapons Act 2019.”