



Offensive Weapons Act 2019

2019 CHAPTER 17

PART 4

POSSESSION ETC OF CERTAIN OFFENSIVE WEAPONS

49 Payments in respect of surrendered offensive weapons

- (1) Subsection (2) applies if the Secretary of State makes arrangements for the surrender of weapons under section 48(1).
- (2) The Secretary of State must by regulations provide for payments to be made in respect of weapons which are surrendered in accordance with the arrangements.
- (3) Subsection (4) applies if the Scottish Ministers make arrangements for the surrender of weapons under section 48(2).
- (4) The Scottish Ministers must by regulations provide for payments to be made in respect of weapons which are surrendered in accordance with the arrangements.
- (5) Subsection (6) applies if the Department of Justice in Northern Ireland makes arrangements for the surrender of weapons under section 48(3).
- (6) The Department of Justice in Northern Ireland must by regulations provide for payments to be made in respect of weapons which are surrendered in accordance with the arrangements.
- (7) Regulations under subsection (2), (4) or (6) must provide that a payment may only be made to a person making a claim which meets—
 - (a) condition A, and
 - (b) condition B or C.
- (8) Condition A is that possession of the weapon to which the claim relates will become unlawful by virtue of section 44 (by itself or in combination with section 43) or section 46 (by itself or in combination with section 47).

Changes to legislation: There are currently no known outstanding effects for the Offensive Weapons Act 2019, Section 49. (See end of Document for details)

- (9) Condition B is that the person making the claim owned the weapon on the relevant date.
- (10) Condition C is that on or before the relevant date the person making the claim had contracted to acquire the weapon.
- (11) The provision that may be made by regulations under subsection (2), (4) or (6) includes—
 - (a) other provision restricting eligibility for receipt of payments, including provision restricting eligibility to claims made in respect of weapons surrendered within a period specified in the regulations;
 - (b) provision about the procedure to be followed in respect of claims and for the determination of claims (including any time within which claims must be made, any evidence and other information to be provided in support of a claim and the burden of proof in relation to a claim);
 - (c) provision enabling a person to exercise a discretion in determining—
 - (i) whether to make a payment in response to a claim, and
 - (ii) the amount of such a payment.
- (12) In this section “the relevant date”—
 - (a) in relation to a weapon to which section 141 of the Criminal Justice Act 1988 is to apply by virtue of section 47(3) or (12) of this Act, means 22nd January 2019;
 - (b) in any other case, means 20th June 2018.

Commencement Information

II [S. 49](#) in force for specified purposes at Royal Assent, see [s. 70\(5\)\(b\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Offensive Weapons Act 2019, Section 49.