



Offensive Weapons Act 2019

2019 CHAPTER 17

PART 8

SUPPLEMENTARY

66 Guidance on offences relating to offensive weapons etc

- (1) The Secretary of State may from time to time issue guidance about—
- (a) section 1 of the Prevention of Crime Act 1953 (prohibition of the carrying of offensive weapons without lawful authority or reasonable excuse),
 - (b) section 1 of the Restriction of Offensive Weapons Act 1959 (penalties for offences in connection with dangerous weapons) as it has effect in relation to—
 - (i) England and Wales, or
 - (ii) the importation of a knife to which that section applies into any other part of the United Kingdom,
 - (c) section 139 of the Criminal Justice Act 1988 (offence of having article with blade or point in public place) as it has effect in relation to England and Wales,
 - (d) section 139A of that Act (offence of having article with blade or point (or offensive weapon) on educational premises) as it has effect in relation to England and Wales,
 - (e) section 141 of that Act (offensive weapons) as it has effect in relation to England and Wales,
 - (f) section 141A of that Act (sale of bladed articles to persons under 18) as it has effect in relation to England and Wales,
 - (g) section 141B of that Act (limitations on defence to offence under section 141A: England and Wales),
 - (h) any of sections 1 to 4 of this Act (sale and delivery of corrosive products) as they have effect in relation to England and Wales or Scotland,
 - (i) section 6 of this Act (offence of having a corrosive substance in a public place) as it has effect in relation to England and Wales, or

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- (j) any of sections 38 to 42 of this Act (sale and delivery of knives etc) as they have effect in relation to England and Wales.
- (2) The Scottish Ministers may from time to time issue guidance about—
 - (a) section 1 of the Restriction of Offensive Weapons Act 1959 as it has effect in relation to Scotland and other than in relation to the importation of a knife to which that section applies,
 - (b) section 141 of the Criminal Justice Act 1988 as it has effect in relation to Scotland,
 - (c) section 141A of that Act as it has effect in relation to Scotland,
 - (d) section 141C of that Act (defence to offence under section 141A where remote sale or letting on hire: Scotland),
 - (e) section 6 of this Act as it has effect in relation to Scotland, or
 - (f) any of sections 38 to 42 of this Act as they have effect in relation to Scotland.
- (3) The Department of Justice in Northern Ireland may from time to time issue guidance about—
 - (a) Article 22 of the Public Order (Northern Ireland) Order 1987 (SI 1987/463 (NI 7)) (carrying of offensive weapon in public place),
 - (b) section 139 of the Criminal Justice Act 1988 as it has effect in relation to Northern Ireland,
 - (c) section 139A of that Act as it has effect in relation to Northern Ireland,
 - (d) section 141 of that Act as it has effect in relation to Northern Ireland,
 - (e) Article 53 of the Criminal Justice (Northern Ireland) Order 1996 (SI 1996/3160 (NI 24)) (manufacture or sale of certain knives),
 - (f) Article 54 or 54A of that Order (sale of bladed articles to persons under 18),
 - (g) any of sections 1 to 4 of this Act as they have effect in relation to Northern Ireland,
 - (h) section 6 of this Act as it has effect in relation to Northern Ireland, or
 - (i) any of sections 38 to 42 of this Act as they have effect in relation to Northern Ireland.
- (4) A national authority who issues guidance under this section may from time to time revise it.
- (5) Subsection (6) applies if a national authority proposes to issue guidance under this section—
 - (a) on a matter on which the authority has not previously issued such guidance, or
 - (b) which the authority considers to be substantially different from guidance previously issued under this section.
- (6) Before the national authority issues the guidance, the authority must consult such persons likely to be affected by it as the authority considers appropriate.
- (7) A national authority must arrange for any guidance issued by the authority under this section to be published in such manner as the authority thinks appropriate.
- (8) This section does not permit a national authority to give guidance to a court or tribunal.
- (9) In this section “national authority” means—
 - (a) the Secretary of State,
 - (b) the Scottish Ministers, or

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- (c) the Department of Justice in Northern Ireland.
- (10) Until the coming into force of the repeal of section 141(4) of the Criminal Justice Act 1988 (ban on importation of weapons) by paragraph 119(2) of Schedule 7 to the Policing and Crime Act 2009, this section has effect as if—
- (a) subsection (1)(e) referred to section 141 of the Criminal Justice Act 1988 as it has effect in relation to—
 - (i) England and Wales, or
 - (ii) the importation of a weapon to which that section applies into any other part of the United Kingdom;
 - (b) subsection (2)(b) referred to that section as it has effect in relation to Scotland and other than in relation to the importation of a weapon to which that section applies, and
 - (c) subsection (3)(d) referred to that section as it has effect in relation to Northern Ireland and other than in relation to the importation of a weapon to which that section applies.

Commencement Information

- I1** [S. 66](#) in force at 1.1.2021 for S. by [S.S.I. 2020/410](#), **reg. 2(h)**
- I2** [S. 66\(1\)\(4\)-\(10\)](#) in force at 6.4.2022 except so far as it confers functions on the Scottish Ministers or the Department of Justice in N.I. by [S.I. 2022/418](#), **regs. 1(2)(6), 2(d)**

Changes to legislation:

There are currently no known outstanding effects for the Offensive Weapons Act 2019, Section 66.