



Notification Number: 2010/12/UK

The Criminal Justice Act 1988 (Offensive Weapons: Manufacture, Sale or Hire) Order 2010

Date received : 07/01/2010

End of Standstill : 08/04/2010

Message

Message 001

Communication from the Commission - SG(2010) D/557

Directive 98/34/EC

Notificación - Oznámení - Notifikation - Notifizierung - Teavitamine - Γνωστοποίηση - Notification - Notifikation - Notifica - Pieteikums - Pranešimas - Bejelentés - Notifika - Kennisgeving - Zawiadomienie - Notificação - Hlásenie-Obvestilo - Ilmoitus - Anmälan - Нотификация : 2010/0012/UK - Notificare.

No abre el plazo - Nezahajuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perjodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - Не се предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 20100057.EN)

1. Structured Information Line

MSG 001 IND 2010 0012 UK EN 07-01-2010 UK NOTIF

2. Member State

UK

3. Department Responsible

Department for Business, Innovation and Skills
Innovation & Enterprise Group
1 Victoria Street, London, SW1H 0ET.
Email: 9834@bis.gsi.gov.uk

3. Originating Department

Home Office
Legal Adviser's Branch



Seacole Building, 2 Marsham Street, London, SW1P 4DF

4. Notification Number

2010/0012/UK - X00M

5. Title

The Criminal Justice Act 1988 (Offensive Weapons: Manufacture, Sale or Hire) Order 2010

6. Products Concerned

Items designed and manufactured for use as weapons such as knives, swords and batons, of particular descriptions listed in the draft Order.

7. Notification Under Another Act

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8. Main Content

Section 141(1) of the Criminal Justice Act 1988 makes it a criminal offence to manufacture, sell or hire or offer for sale or hire, expose or possess for the purpose of sale or hire, or lend or give to any other person, a weapon to which section 141 applies. This draft Order specifies the descriptions of weapons to which section 141 applies. The draft Order excludes antique weapons (those manufactured more than 100 years before the importation). It also provides for particular defences to the criminal offence of manufacture, sale, hire etc. where the weapon is a sword with a curved blade 50 centimetres or more in length (typically a "Samurai" sword), and the weapon was made before 1954 or hand-made by traditional methods at any time, or is being imported solely for the purposes of certain historical re-enactments and sporting or religious activities.

9. Brief Statement of Grounds

The draft Order is necessary in order to control the manufacture and supply of weapons that can be used in violent crime. The items specified in the draft Order are designed solely for use as weapons. They are capable of causing serious injury and death. Some are also designed for concealment. The draft Order provides for defences to the criminal offence where the weapon is manufactured, sold, hired etc. for various legitimate purposes. Other such defences exist in the Criminal Justice Act 1988, including use of the weapon for ceremonial purpose by Armed Forces, display in museums or galleries, and use in theatrical performances, films and television programmes. The importation of the same types of weapons into the UK is also to be prohibited by a separate Order, subject to the same exceptions.

10. Reference Documents - Basic Texts

No Basic Text exists

11. Invocation of the Emergency Procedure

No



12. Grounds for the Emergency

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13. Confidentiality

No

14. Fiscal measures

No

15. Impact assessment

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16. TBT and SPS aspects

TBT aspect

No - The draft has no significant impact on international trade

SPS aspect

No - The draft is not a sanitary or phytosanitary measure

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