



Notification Number: 2010/11/UK

## The Criminal Justice Act 1988 (Offensive Weapons: Prohibition on Importation) Order 2010

Date received : 07/01/2010  
End of Standstill : 08/04/2010 ( 08/07/2010)  
Issue of detailed opinion by : Czech Republic

### Message

Message 001

Communication from the Commission - SG(2010) D/555

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 : 2010/0011/UK - Notificare.

No abre el plazo - Nezažahuje 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-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Nao inizia 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: 20100055.EN)

#### 1. Structured Information Line

MSG 001 IND 2010 0011 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**

2010/0011/UK - X00M

**5. Title**

The Criminal Justice Act 1988 (Offensive Weapons: Prohibition on Importation) 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 50 and 170 of the Customs and Excise Management Act make it a criminal offence to import a prohibited item into the UK, or to fraudulently evade a prohibition on importation. Section 141ZB of the Criminal Justice Act 1988 prohibits the importation of weapons of a description specified in an Order made under the section. This draft Order specifies the descriptions of weapons to which the prohibition under section 141ZB applies. The draft Order excludes antique weapons (those manufactured more than 100 years before the importation). It also provides for particular exceptions to the prohibition on importation 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 importation 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 exceptions to the prohibition on importation where the weapon is being imported for various legitimate purposes. Other such exceptions 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 manufacture, sale, hire etc. of the same types of weapons in 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

Catherine Day  
General Secretary  
European Commission

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