



Notification Number: 2018/290/UK

Offensive Weapons Bill.

Date received : 25/06/2018

End of Standstill : 26/09/2018

Message

Message 001

Communication from the Commission - TRIS/(2018) 01663

Directive (EU) 2015/1535

Notificación - Oznámení - Notifikation - Notifizierung - Teavitamine - Γνωστοποίηση - Notification - Notification - Notifica - Pieteikums - Pranešimas - Bejelentés - Notifika - Kennisgeving - Zawiadomienie - Notificação - Hlásenie-Obvestilo - Ilmoitus - Anmälan - Нотификация : 2018/0290/UK - Notificare.

No abre el plazo - Nezahtuje 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 - Não 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: 201801663.EN)

1. Structured Information Line

MSG 001 IND 2018 0290 UK EN 25-06-2018 UK NOTIF

2. Member State

UK

3. Department Responsible

Department for Business, Energy and Industrial Strategy
Europe Directorate
1 Victoria Street
London, SW1H 0ET

Email: technicalregulations@beis.gov.uk

3. Originating Department

Home Office
Crime Directorate
Tackling Crime Unit



2 Marsham Street
London, SW1P 4DF
Email: mike.box@homeoffice.gsi.gov.uk

4. Notification Number

2018/0290/UK - X00M

5. Title

Offensive Weapons Bill.

6. Products Concerned

The measures in the Offensive Weapons Bill will help reduce violent crime. Specifically, the Bill will prohibit the possession of certain corrosives substances in a public place and the sale of corrosive products to those aged under 18; strengthen the arrangements for the online sale of bladed articles and corrosive products; prohibit the possession of certain offensive weapons and prohibit the possession of certain firearms.

7. Notification Under Another Act

- The Offensive Weapons Bill engages the EU Technical Standards Directive (Directive 2015/1535/EU (formerly Directive 98/34/EC)).

8. Main Content

The Offensive Weapons Bill creates a new criminal offence of selling (both online and offline) a corrosive product to a person under the age of 18. The substances and concentration levels of what constitutes a corrosive product are set out in a Schedule to the Bill. Other measures in the Bill create a new criminal offence of possessing a corrosive substance in a public place. There is a defence of possessing the corrosive substance for good reason. There is a minimum custodial sentence in England and Wales where a person is convicted for a relevant offence a second time. Where a corrosive product or bladed article is sold online, the defence of having taken reasonable precautions can only be relied on where the seller meets certain conditions in terms of age verification and packaging and delivery of the items.

The Bill also creates new criminal offences prohibiting the dispatch of bladed products and corrosive products sold online to a residential address. The offence for bladed products is limited to those that can cause serious injury and includes defences for made to order items and those for sporting and re-enactment purposes. In connection with these measures, the Bill also creates new criminal offences on delivery companies of delivering a bladed article or a corrosive product on behalf of a seller outside Great Britain to a person under 18.

The Bill updates the definition of a flick knife and prohibits the possession of flick knives and gravity knives, the sale, importation and manufacture of which is already prohibited. In respect of other offensive weapons, the Bill amends section 141 of the Criminal Justice Act 1988 to make it a criminal offence to possess certain weapons (such as knuckledusters and death stars) – the sale and importation of these is already prohibited and provides for compensation of owners who have to surrender these weapons. Other measures in the Bill extend the existing offences of possessing a bladed article or offensive weapon on school premises to cover further education premises in England and Wales and amends the legal test for threatening with an offensive weapon in England and Wales to aid prosecution.

In respect of firearms, the Bill prohibits high energy and rapid firing rifles and a device known as a “bump stock” which increases the rate of fire of rifles. Provision is also made for compensation for owners who have to



surrender these weapons.

9. Brief Statement of Grounds

The measures in the Offensive Weapons Bill, introduced to Parliament on 20 June, will strengthen the powers available to the police and others to deal with acid attacks and knife crime – including making it more difficult for young people to use acid as a weapon and tackling the sale of knives online – where it is already illegal to sell knives to under 18s. The measures on firearms deal with the risk that particularly damaging firearms will get into the hands of criminals or terrorists.

10. Reference Documents - Basic Texts

References of the Basic Texts: Offensive Weapons Bill Explanatory Notes

Public Consultation on the Legislative Measures Proposed:

<https://www.gov.uk/government/consultations/offensive-and-dangerous-weapons-new-legislation>

11. Invocation of the Emergency Procedure

No

12. Grounds for the Emergency

-

13. Confidentiality

No

14. Fiscal measures

No

15. Impact assessment

Yes

16. TBT and SPS aspects

TBT aspect

No - The draft is not a technical regulation nor a conformity assessment

SPS aspect

No - The draft is not a sanitary or phytosanitary measure

European Commission



EUROPEAN COMMISSION
GROWTH DIRECTORATE-GENERAL

Single Market for goods
Prevention of Technical Barriers

Contact point Directive (EU) 2015/1535
Fax: +32 229 98043
email: grow-dir2015-1535-central@ec.europa.eu