



House of Commons

Tuesday 4 September 2018

PUBLIC BILL COMMITTEE PROCEEDINGS

OFFENSIVE WEAPONS BILL

[FIFTH AND SIXTH SITTINGS]

GLOSSARY

This document shows the fate of each clause, schedule, amendment and new clause.

The following terms are used:

Agreed to: agreed without a vote.

Agreed to on division: agreed following a vote.

Negatived: rejected without a vote.

Negatived on division: rejected following a vote.

Not called: debated in a group of amendments, but not put to a decision.

Not moved: not debated or put to a decision.

Question proposed: debate underway but not concluded.

Withdrawn after debate: moved and debated but then withdrawn, so not put to a decision.

Not selected: not chosen for debate by the Chair.

Stuart C. McDonald

Clause 1, page 1, line 3, after “sell” insert “or supply” *Withdrawn after debate* 42

Stephen Timms
Louise Haigh
Vicky Foxcroft

Clause 1, page 1, line 4, leave out “18” and insert “21” *Negatived on division* 1

Stephen Timms
Louise Haigh
Vicky Foxcroft

Clause 1, page 1, line 12, leave out “18” and insert “21” *Not called* 2

Offensive Weapons Bill, *continued*

Stephen Timms
Louise Haigh
Vicky Foxcroft

Not called **3**

Clause 1, page 1, line 15, leave out “18” and insert “21”

Victoria Atkins

Agreed to **13**

Clause 1, page 2, line 16, at end insert—

“(8A) In Scotland, proceedings for an offence under subsection (1) may be commenced within the period of 12 months beginning with the commission of the offence.

(8B) Section 136(3) of the Criminal Procedure (Scotland) Act 1995 (date when proceedings deemed to be commenced) applies for the purposes of subsection (8A) as it applies for the purposes of that section.”

Louise Haigh
Vicky Foxcroft

Not selected **50**

Clause 1, page 2, line 16, at end insert—

“(8A) Section 281 (5) of the Criminal Justice Act 2003 must be enacted within six months of this Act receiving Royal Assent.”

Stephen Timms
Louise Haigh
Vicky Foxcroft

Withdrawn after debate **10**

Clause 1, page 2, leave out lines 18 to 21 and insert “a product which is capable of burning human skin by corrosion.”

Louise Haigh
Vicky Foxcroft

Withdrawn after debate **49**

Clause 1, page 2, line 21, at end insert—

“(c) all substances listed under Schedule 1A of the Poisons Act 1972”.

Louise Haigh
Vicky Foxcroft

Withdrawn after debate **51**

Clause 1, page 2, line 24, at end insert—

“(10A) The appropriate national authority may only modify or remove a reference to a substance under Schedule 1 following the publication of evidence pertaining to that decision by the appropriate authority and subject to approval from both Houses of Parliament.

(10B) In subsection (10A) the “evidence pertaining to that decision” must include—

(a) a report by the National Police Chiefs’ Council on the use of the substance in attacks; and

(b) a report by relevant clinicians on the effect of the substance.”

Offensive Weapons Bill, continued

Victoria Atkins

Agreed to 14

Clause 1, page 2, line 29, at end insert—

“() See section (*Presumptions in proceedings in Scotland for offence under section 1, 3 or 4*) for provisions about presumptions as to the content of containers in proceedings in Scotland.”

Clause, as amended, agreed to.

Stephen Timms
Louise Haigh
Vicky Foxcroft*Not called* 11

Schedule 1, page 36, leave out line 11

Schedule agreed to.

Stephen Timms
Louise Haigh
Vicky Foxcroft*Not called* 4

Clause 2, page 2, line 33, leave out “18” and insert “21”

Stephen Timms
Louise Haigh
Vicky Foxcroft*Not called* 5

Clause 2, page 3, line 18, leave out “18” and insert “21”

Stephen Timms
Louise Haigh
Vicky Foxcroft*Not called* 6

Clause 2, page 3, line 21, leave out “18” and insert “21”

Clause agreed to.

Victoria Atkins

Agreed to 15

Clause 3, page 4, line 35, at end insert—

“(13) In Scotland, proceedings for an offence under this section may be commenced within the period of 12 months beginning with the commission of the offence.”

Offensive Weapons Bill, *continued*

- (14) Section 136(3) of the Criminal Procedure (Scotland) Act 1995 (date when proceedings deemed to be commenced) applies for the purposes of subsection (13) as it applies for the purposes of that section.”

Victoria Atkins

Agreed to 16

Clause 3, page 4, line 35, at end insert—

- “() See section (*Presumptions in proceedings in Scotland for offence under section 1, 3 or 4*) for provisions about presumptions as to the content of containers in proceedings in Scotland.”

Clause, as amended, agreed to.

Stuart C. McDonald

Withdrawn after debate 43

Clause 4, page 4, line 41, leave out “and the seller is outside the United Kingdom at that time”

Stuart C. McDonald

Not called 44

Clause 4, page 4, line 45, after “was” insert “or ought to have been aware”

Victoria Atkins

Agreed to 17

Clause 4, page 5, line 13, leave out “is guilty of” and insert “commits”

Stephen Timms

Not called 7

Clause 4, page 5, line 15, leave out “18” and insert “21”

Stephen Timms

Not called 8

Clause 4, page 5, line 23, leave out “18” and insert “21”

Stephen Timms

Not called 9

Clause 4, page 5, line 26, leave out “18” and insert “21”

Victoria Atkins

Agreed to 18

Clause 4, page 5, line 45, at end insert—

- “(11) In Scotland, proceedings for an offence under this section may be commenced within the period of 12 months beginning with the commission of the offence.

- (12) Section 136(3) of the Criminal Procedure (Scotland) Act 1995 (date when proceedings deemed to be commenced) applies for the purposes of subsection (11) as it applies for the purposes of that section.”

Offensive Weapons Bill, continued

Victoria Atkins

Agreed to 19

Clause 4, page 5, line 45, at end insert—

- “() See section (*Presumptions in proceedings in Scotland for offence under section 1, 3 or 4*) for provisions about presumptions as to the content of containers in proceedings in Scotland.”

Clause, as amended, agreed to.

Stephen Timms

Not called 12

Clause 5, page 6, leave out lines 40 to 41 and insert—

- ““corrosive substance” means any of the substances listed in Schedule 1.”

Louise Haigh
Vicky Foxcroft*Withdrawn after debate* 52

Clause 5, page 6, line 44, after “otherwise” insert “, and any place other than premises occupied as a private dwelling (including any stair, passage, garden, yard, garage, outhouse or other appurtenance of such premises which is used in common by the occupants of more than one such dwelling).”

Victoria Atkins

Agreed to 20

Clause 5, page 7, line 4, after “See” insert “—

- (a) section (*Presumptions in proceedings in Scotland for offence under section 5*) for provisions about presumptions as to the content of containers in proceedings in Scotland;
- (b) ”

Clause, as amended, agreed to.

Clauses 6 to 10 agreed to.

Victoria Atkins

Agreed to 21

Clause 11, page 10, line 25, at end insert—

- “(1A) In section 37(1A) of the Mental Health Act 1983 (powers of courts to order hospital admission or guardianship: effect of provisions requiring imposition of appropriate custodial sentence)—
- (a) omit the “or” at the end of paragraph (c), and
- (b) at the end of paragraph (d) insert “, or
- (e) under section 6(2) of the Offensive Weapons Act 2018 (minimum sentences in certain cases of possession of a corrosive substance),”.

Offensive Weapons Bill, *continued*

- (1B) In section 36(2)(b) of the Criminal Justice Act 1988 (review of sentencing in case of failure to impose appropriate custodial sentence)—
- (a) omit the “or” at the end of sub-paragraph (iii), and
 - (b) at the end of sub-paragraph (iv) insert “; or
 - (v) section 6(2) of the Offensive Weapons Act 2018.””

Victoria Atkins

Agreed to **22**

Clause **11**, page **10**, line **30**, at end insert—

- “(3) In section 12(1A) of the Powers of Criminal Courts (Sentencing) Act 2000 (provisions preventing the making of an order for absolute or conditional discharge), after paragraph (f) insert—
- “(g) section 6(2) of the Offensive Weapons Act 2018.”
- (4) In section 144 of the Criminal Justice Act 2003 (reduction in sentences for guilty pleas)—
- (a) in subsection (3), at the end insert—

“section 6(2) of the Offensive Weapons Act 2018.”, and
 - (b) in subsection (5), at the end insert—

“section 6(2) of the Offensive Weapons Act 2018.””

Clause, as amended, agreed to.

[Adjourned until Thursday at 11.30am