



SUPPLEMENT TO THE VOTES AND PROCEEDINGS

Wednesday 28 November 2018 REPORT STAGE PROCEEDINGS

OFFENSIVE WEAPONS BILL, AS AMENDED

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Withdrawn after debate: moved and debated but then withdrawn, so not put to a decision.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

NEW CLAUSES, NEW SCHEDULES AND AMENDMENTS, RELATING TO AIR WEAPONS, FIREARMS OR AMMUNITION

Karin Smyth
David Hanson
Louise Haigh
Ms Diane Abbott

Negatived NC2

To move the following Clause—

“Report on the use of air weapons

- (1) The Secretary of State must, within 6 months of this Act receiving Royal Assent, lay a report before Parliament on the safe use of air weapons.
- (2) The report under subsection 1 must consider, but is not limited to—
 - (a) whether existing legislation on the use of air weapons is sufficient;

Offensive Weapons Bill, *continued*

- (b) whether current guidelines on the safe storage of air weapons needs revising; and
- (c) whether the current age restrictions surrounding the possession and use of air weapons are sufficient.”

Louise Haigh
Ms Diane Abbott
Vicky Foxcroft

Not called NC3

To move the following Clause—

“Controls on miniature rifles and ammunition

- (1) The Firearms Act 1968 is amended as follows.
- (2) Omit subsection (4) of section 11 (Sports, athletics and other approved activities).”

Louise Haigh
Ms Diane Abbott
Vicky Foxcroft

Not called NC4

To move the following Clause—

“Possession of component parts of ammunition with intent to manufacture

- (1) Section 1 of the Firearms Act 1988 is amended as follows—
- (2) After subsection 4A insert—
 - (4B) A person other than a person permitted to manufacture ammunition by virtue of being a registered firearms dealer or holder of a firearm certificate authorising the type of ammunition being manufactured commits an offence if—
 - (a) The person has in his or her possession or under his or her control the component parts of ammunition and,
 - (b) The person intends to use such articles to manufacture the component parts into ammunition.
 - (4C) A person guilty of an offence under subsection 4b is liable—
 - (a) On summary conviction—
 - (i) In England and Wales to imprisonment for a term not exceeding 12 months (or in relation to offences committed before Section 154(1) of the Criminal Justice Act 2003 comes into force 6 months) or to a fine or both.
 - (ii) In Scotland to imprisonment for a term not exceeding 12 months, or to a fine not exceeding the statutory maximum, or to both.”

Offensive Weapons Bill, *continued*

- (b) On conviction on indictment, to imprisonment for a term not exceeding five years to a fine, or to both.”
-

David Hanson
Karin Smyth

Not called NC18

To move the following Clause—

“Offence of failure to store an air weapon in a locked cabinet

- (1) A person commits an offence if they fail to store an air weapon in their possession in a locked cabinet.
 - (2) The offence in subsection (1) has not been committed if the person has the firearm with them for the purpose of cleaning, repairing or testing it or for some other purpose connected with its use, transfer or sale, or the air weapon is in transit to or from a place in connection with its use or any such purpose.
 - (3) For the purposes of this section, “air weapon” has the same meaning as in section 1(3)(b) of the Firearms Act 1968.
 - (4) A person guilty of an offence under this section shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.”
-

David Hanson
Karin Smyth

Not called NC19

To move the following Clause—

“Sale of an air weapon without a trigger guard

- (1) A person commits an offence if, by way of trade or business, they sell an air weapon that is not fitted with a trigger guard.
 - (2) For the purposes of this section, “air weapon” has the same meaning as in section 1(3)(b) of the Firearms Act 1968.
 - (3) The Secretary of State may by regulations define “trigger guard” for the purposes of this section.
 - (4) A person guilty of an offence under this section shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.”
-

Secretary Sajid Javid

Agreed to on division 26

Clause 30, page 30, leave out lines 6 to 8

Offensive Weapons Bill, *continued*

Mr Steve Baker
Mr Philip Hollobone

Not called 23

Clause 30, page 30, line 9, leave out from “rifle” to end of paragraph and insert “, other than a rifle which is chambered for rim fire cartridges, which ejects an empty cartridge case using energy which comes (directly or indirectly) from propellant gas and subsequently chambers a cartridge by mechanical means through the operation of the firing trigger mechanism alone.”

Secretary Sajid Javid

Agreed to on division 27

Clause 30, page 30, line 30, leave out “, (ag)”

Secretary Sajid Javid

Agreed to on division 28

Clause 30, page 30, line 34, leave out “, (ag)”

Secretary Sajid Javid

Agreed to on division 29

Clause 30, page 30, line 36, leave out “(ag),”

Secretary Sajid Javid

Agreed to on division 30

Clause 30, page 30, line 38, leave out “(ag),”

Secretary Sajid Javid

Agreed to on division 31

Clause 30, page 30, line 40, leave out “(ag),”

Secretary Sajid Javid

Agreed to on division 32

Clause 30, page 30, line 43, leave out “(ag),”

Secretary Sajid Javid

Agreed to on division 33

Clause 31, page 31, leave out lines 6 to 8

Mr Steve Baker
Mr Philip Hollobone

Not called 24

Clause 31, page 31, line 9, leave out from “rifle” to end of paragraph and insert “, other than a rifle which is chambered for rim fire cartridges, which ejects an empty cartridge case using energy which comes (directly or indirectly) from propellant gas and subsequently chambers a cartridge by mechanical means through the operation of the firing trigger mechanism alone.”

Secretary Sajid Javid

Agreed to on division 34

Clause 31, page 31, line 28, leave out “, (ea)”

Offensive Weapons Bill, *continued*

Secretary Sajid Javid	<i>Agreed to on division</i>	35
Clause 31, page 31, line 31, leave out “, (ea)”		
Secretary Sajid Javid	<i>Agreed to on division</i>	36
Clause 31, page 31, line 33, leave out “(ea),”		
Secretary Sajid Javid	<i>Agreed to on division</i>	37
Clause 31, page 31, line 35, leave out “(ea),”		
Secretary Sajid Javid	<i>Agreed to on division</i>	38
Clause 31, page 31, line 37, leave out “(ea),”		
Secretary Sajid Javid	<i>Agreed to on division</i>	39
Clause 31, page 31, line 41, leave out “(ea),”		
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Secretary Sajid Javid	<i>Agreed to on division</i>	40
Clause 34, page 32, line 20, leave out “other than firearms”		
Secretary Sajid Javid	<i>Agreed to on division</i>	41
Clause 34, page 32, line 22, leave out “30(3)” and insert “30(2)”		
Secretary Sajid Javid	<i>Agreed to on division</i>	42
Clause 34, page 32, line 24, leave out “31(3)” and insert “31(2)”		
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Secretary Sajid Javid	<i>Agreed to on division</i>	43
Schedule 2, page 40, line 23, leave out “, (ag)”		
Secretary Sajid Javid	<i>Agreed to on division</i>	44
Schedule 2, page 40, line 24, leave out “, (ea)”		
Secretary Sajid Javid	<i>Agreed to on division</i>	45
Schedule 2, page 40, line 27, leave out “, (ag)”		

Offensive Weapons Bill, *continued*

Secretary Sajid Javid	<i>Agreed to on division</i>	46
Schedule 2, page 41, line 1, leave out “, (ea)”		
Secretary Sajid Javid	<i>Agreed to on division</i>	47
Schedule 2, page 41, line 4, leave out “, (ag)”		
Secretary Sajid Javid	<i>Agreed to on division</i>	48
Schedule 2, page 41, line 5, leave out “, (ea)”		
Secretary Sajid Javid	<i>Agreed to on division</i>	49
Schedule 2, page 41, line 8, leave out “(ag),”		
Secretary Sajid Javid	<i>Agreed to on division</i>	50
Schedule 2, page 41, line 12, leave out “(ea),”		
Secretary Sajid Javid	<i>Agreed to on division</i>	51
Schedule 2, page 41, line 19, leave out “, (ag)”		
Secretary Sajid Javid	<i>Agreed to on division</i>	52
Schedule 2, page 41, line 20, leave out “, (ag)”		
Secretary Sajid Javid	<i>Agreed to on division</i>	53
Schedule 2, page 41, line 22, leave out “(ag),”		
Secretary Sajid Javid	<i>Agreed to on division</i>	54
Schedule 2, page 41, line 26, leave out “(ag),”		
Secretary Sajid Javid	<i>Agreed to on division</i>	55
Schedule 2, page 41, line 38, leave out “(ea),”		

REMAINING PROCEEDINGS ON CONSIDERATION

Secretary Sajid Javid	<i>Agreed to</i>	NC16
To move the following Clause—		

“Offence of threatening with an offensive weapon etc in a private place

- (1) A person (“A”) commits an offence if—

Offensive Weapons Bill, *continued*

- (a) while A is in a private place, A unlawfully and intentionally threatens another person (“B”) with an article or substance to which this subsection applies, and
 - (b) A does so in such a way that there is an immediate risk of serious physical harm to B.
- (2) Subsection (1) applies to an article or substance if it is—
- (a) an offensive weapon within the meaning of section 1 of the Prevention of Crime Act 1953,
 - (b) an article to which section 139 of the Criminal Justice Act 1988 (offence of having article with blade or point in public place) applies, or
 - (c) a corrosive substance.
- (3) In the application of subsection (1) to an article within subsection (2)(a) or (b), “private place” means a place other than—
- (a) a public place,
 - (b) a place which is part of school premises, or
 - (c) a place which is part of further education premises.
- (4) In the application of subsection (1) to a corrosive substance, “private place” means a place other than a public place.
- (5) For the purposes of subsection (1) physical harm is serious if it amounts to grievous bodily harm for the purposes of the Offences against the Person Act 1861.
- (6) A person guilty of an offence under subsection (1) is liable—
- (a) on summary conviction, to imprisonment for a term not exceeding 12 months, to a fine or to both;
 - (b) on conviction on indictment, to imprisonment for a term not exceeding 4 years, to a fine or to both.
- (7) In relation to an offence committed before the coming into force of section 154(1) of the Criminal Justice Act 2003 (maximum sentence that may be imposed on summary conviction of offence triable either way), the reference in subsection (6)(a) to 12 months is to be read as a reference to 6 months.
- (8) In this section and section [*Search for corrosive substance on school or further education premises*]—
- “corrosive substance” means a substance that is capable of burning human skin by corrosion;
 - “further education premises” means land used solely for the purposes of—
 - (a) an institution within the further education sector (within the meaning of section 91 of the Further and Higher Education Act 1992), or
 - (b) a 16 to 19 Academy (within the meaning of section 1B of the Academies Act 2010),
 excluding any land occupied solely as a dwelling by a person employed at the institution or the 16 to 19 Academy;
 - “public place” includes any place to which, at the time in question, the public have or are permitted to have access, whether on payment or otherwise;
 - “school premises” means land used for the purposes of a school, excluding any land occupied solely as a dwelling by a person employed at the school; and “school” has the meaning given by section 4 of the Education Act 1996.”
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Offensive Weapons Bill, *continued*

Secretary Sajid Javid

Agreed to NC17

To move the following Clause—

“Search for corrosive substance on school or further education premises

- (1) This section applies if a constable has reasonable grounds for suspecting that an offence under section [*Offence of threatening with an offensive weapon etc in a private place*], as that section applies to corrosive substances, is being or has been committed on school premises or further education premises.
- (2) The constable may enter and search the premises and any person on them for a corrosive substance.
- (3) If in the course of a search under this section a constable discovers a substance which the constable has reasonable grounds for suspecting to be a corrosive substance, the constable may seize and retain it.
- (4) The constable may use reasonable force, if necessary, in the exercise of the power of entry conferred by this section.”

David Hanson
Ruth George
Vernon Coaker
Kate Green
Luciana Berger
Mr Ben Bradshaw

Ian Murray
Mr George Howarth
Stephen Timms
Stephen Doughty

Gareth Thomas
Louise Haigh
John Mann
Caroline Flint

Ann Coffey
Ms Diane Abbott
Caroline Lucas
Paul Farrelly

Not called NC1

To move the following Clause—

“Protection for retail staff

- (1) A person (“the purchaser”) commits an offence if they intentionally obstruct a person (“the seller”) in the exercise of their duties under section 1 of this Act.
 - (2) In this section, “intentionally obstruct” includes, but is not limited to, a person acting in a threatening manner.
 - (3) A person guilty of an offence under subsection (1) is liable on summary conviction to a fine not exceeding level 4 on the standard scale.”
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Offensive Weapons Bill, continued

Louise Haigh
 Ms Diane Abbott
 Vicky Foxcroft
 Stephen Timms

Not called NC5

To move the following Clause—

“Prohibition of bladed product displays

- (1) A person who in the course of a business displays a bladed product in a place in England and Wales or Northern Ireland is guilty of an offence.
- (2) The appropriate Minister may by regulations provide for the meaning of “place” in this section.
- (3) The appropriate Minister may by regulations make provision for a display in a place which also amounts to an advertisement to be treated for the purposes of offences in England and Wales or Northern Ireland under this Act—
 - (a) as an advertisement and not as a display, or
 - (b) as a display and not as an advertisement.
- (4) No offence is committed under this section if—
 - (a) the bladed products are displayed in the course of a business which is part of the bladed product trade,
 - (b) they are displays for the purpose of that trade, and
 - (c) the display is accessible only to persons who are engaged in, or employed by, a business which is also part of that trade.
- (5) No offence is committed under this section if the display is a requested display to an individual age 18 or over.
- (6) The appropriate Minister may provide in regulations that no offence is committed under section 1 of the display complies with requirements specified in regulations.”

Louise Haigh
 Ms Diane Abbott
 Vicky Foxcroft
 Stephen Timms
 Sarah Jones

Negated on division NC6

To move the following Clause—

“Report on the causes behind youth violence with offensive weapons

- (1) The Secretary of State must, within 6 months of this Act receiving Royal Assent, lay a report before Parliament on the causes behind youth violence with offensive weapons.
- (2) The report under subsection 1 must consider, but is not limited to,
 - (a) The effect of the reduction in police numbers on the levels of youth violence with offensive weapons;
 - (b) The effect of the reduction in public spending on—
 - (i) children’s services,
 - (ii) Sure Start,
 - (iii) state-maintained schools,

Offensive Weapons Bill, *continued*

- (iv) local authorities,
 - (v) youth offending teams,
 - (vi) Border Force, and
 - (vii) drug treatment programmes.
- (3) The report under subsection 1 and the considerations under subsection 2 must consider the benefits of the public health approach to violence reduction.
- (4) The report must contain all departmental evidence held relating to subsection 2 and 3.”

Philip Davies
Mr Jacob Rees-Mogg
Mrs Anne Main
Daniel Kawczynski
Mrs Sheryll Murray
Andrew Bridgen

Mr Mark Francois
Mr William Wragg
Charlie Elphicke

Heidi Allen
Priti Patel
Sir Christopher Chope

Mr Marcus Fysh
Mr Philip Hollobone

Not called NC7

To move the following Clause—

“Offence of threatening with an offensive weapon

- (1) Section 1A of the Prevention of Crime Act 1953 (offence of threatening with offensive weapon in public) is amended as follows.
- (a) After “Offence of threatening with offensive weapon” leave out “in public”.
 - (b) In subsection 1(a), after “weapon” leave out “with him or her in a public place”.
 - (c) In subsection 3, after “section” leave out ““public place” and “offensive weapon” have” and insert “offensive weapon” has”

Offensive Weapons Bill, *continued*

Philip Davies
Mr Jacob Rees-Mogg
Mrs Anne Main
Daniel Kawczynski
Mrs Sheryll Murray
Mr William Wragg

Priti Patel
Sir Christopher Chope

Mr Philip Hollobone

Charlie Elphicke

Not called **NC10**

To move the following Clause—

“Threatening with a bladed article or offensive weapon in a dwelling

(1) Section 139AA of the Criminal Justice Act 1988 (offence of threatening with article with blade or point or offensive weapon) is amended as follows.

(2) After subsection 12 insert—

“13 Where the threatening offence takes place in a dwelling, a person charged with this offence may rely on the defence available in a “householder case” set out in section 76 of the Criminal Justice and Immigration Act 2008.

14 In subsection 13 above, “dwelling” has the meaning given in section 76 of the Criminal Justice and Immigration Act 2008.”

Philip Davies
Mr Jacob Rees-Mogg
Mrs Anne Main
Daniel Kawczynski
Mrs Sheryll Murray
Mr William Wragg

Priti Patel
Sir Christopher Chope

Mr Philip Hollobone

Charlie Elphicke

Not called **NC11**

To move the following Clause—

“Threatening with a bladed article or offensive weapon in a dwelling (No.2)

(1) Section 1A of the Prevention of Crime Act 1953 (offence of threatening with offensive weapon in public) is amended as follows.

(2) After subsection 10 insert—

“11 Where the threatening offence takes place in a dwelling, a person charged with this offence may rely on the defence available in a “householder case” set out in section 76 of the Criminal Justice and Immigration Act 2008.

12 In subsection 11 above, “dwelling” has the meaning given in section 76 of the Criminal Justice and Immigration Act 2008.”

Offensive Weapons Bill, *continued*

Philip Davies
Mr Jacob Rees-Mogg
Mrs Anne Main
Daniel Kawczynski
Mrs Sheryll Murray
Mr William Wragg

Mr Philip Hollobone

Sir Christopher Chope

Not called NC12

To move the following Clause—

“Threatening with a bladed article or offensive weapon in a dwelling (No.3)

- (1) Section 1A of the Prevention of Crime Act 1953 (offence of threatening with offensive weapon in public) is amended as follows.
- (2) After subsection 10 insert—

“11 Where an offence under this section takes place in a dwelling it shall be a defence for a person charged with such an offence to prove that he had lawful authority or reasonable excuse for having the article with him.

12 In subsection 11 above, “dwelling” has the meaning given in section 76 of the Criminal Justice and Immigration Act 2008.”

Philip Davies
Mr Jacob Rees-Mogg
Mrs Anne Main
Daniel Kawczynski
Mrs Sheryll Murray
Mr William Wragg

Priti Patel
Sir Christopher Chope

Mr Philip Hollobone

Charlie Elphicke

Not called NC13

To move the following Clause—

“Threatening with a bladed article or offensive weapon in a dwelling (No.4)

- (1) Section 139AA of the Criminal Justice Act 1988 (offence of threatening with article with blade or point or offensive weapon) is amended as follows.
- (2) After subsection 12 insert—

“13 Where an offence under this section takes place in a dwelling it shall be a defence for a person charged with such an offence to prove that he had lawful authority or reasonable excuse for having the article with him.

14 In subsection 13 above, “dwelling” has the meaning given in section 76 of the Criminal Justice and Immigration Act 2008.”

Offensive Weapons Bill, continuedDavid Hanson
Stephen Timms*Not called* **NC14**

To move the following Clause—

“Protection for retail staff: bladed articles

- (1) A person (“the purchaser”) commits an offence if they intentionally obstruct a person (“the seller”) in the exercise of their duties under section 141A of the Criminal Justice Act 1988.
- (2) In this section, “intentionally obstruct” includes, but is not limited to, a person acting in a threatening manner.
- (3) A person guilty of an offence under subsection (1) is liable on summary conviction to a fine not exceeding level 4 on the standard scale.”

Philip Davies
Andrew Bridgen
Mr Mark Francois
Heidi Allen
Mr Jacob Rees-Mogg
Mrs Anne Main
Daniel Kawczynski
Mr William Wragg
Sir Christopher ChopeMrs Sheryll Murray
Mr Philip HolloboneMr Marcus Fysh
Charlie Elphicke*Not called* **NC15**

To move the following Clause—

Offence of threatening with blade or offensive weapon (No.2)

- (1) Section 139AA of the Criminal Justice Act 1988 (offence of threatening with article with blade or point or offensive weapon) is amended as follows.
- (2) In subsection 1(a), after “applies” leave out “with him or her in a public place or on school premises”.
- (3) Omit subsection 2.
- (4) Omit subsection 3.
- (5) Omit subsection 5.”

Stephen Timms
Louise Haigh
Ms Diane Abbott
Not called **NC20**

To move the following Clause—

“Offence of threatening with a non-corrosive substance

- (1) A person commits an offence if they threaten a person with a substance they claim or imply is corrosive.

Offensive Weapons Bill, *continued*

- (2) It is not a defence for a person to prove that the substance used to threaten a person was not corrosive or listed under schedule 1 of this act.
- (3) In this section, “threaten a person” means—
 - (a) that the person unlawfully and intentionally threatens another person (“A”) with the substance, and
 - (b) does so in such a way that a reasonable person (“B”) who was exposed to the same threat as A would think that there was an immediate risk of physical harm to B.
- (4) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 4 on the standard scale.”

Stephen Timms
 Louise Haigh
 Ms Diane Abbott

Not called NC21

To move the following Clause—

“Prohibition on the possession of a corrosive substance on educational premises

- (1) A person commits an offence if that person has a corrosive substance with them on school premises, further education premises or higher education premises.
- (2) It shall be a defence for a person charged with an offence under subsection (1) to prove that they had good reason or lawful authority for having the corrosive substance on school premises, further education premises or higher education premises.
- (3) Without prejudice to the generality of subsection (2), it is a defence for a person charged in England and Wales or Northern Ireland with an offence under subsection (1) to prove that they had the corrosive substance with them for use at work.
- (4) Without prejudice to the generality of subsection (3), it is a defence for a person charged with an offence under subsection (1) to show that they had the corrosive substance with them for use at work.
- (5) A person is to be taken to have shown a matter mentioned in subsection (4) or (5) if—
 - (a) sufficient evidence of the matter is adduced to raise an issue with respect to it, and
 - (b) the contrary is not proved beyond reasonable doubt.
- (6) A person guilty of an offence under subsection (1) is liable—
 - (a) on summary conviction in England and Wales, to an imprisonment for a term not exceeding 12 months, to a fine or to both;
 - (b) on summary conviction in Northern Ireland, to imprisonment for a term not exceeding 6 months, to a fine not exceeding the statutory maximum or to both;
 - (c) on conviction on indictment, to imprisonment for a term not exceeding 4 years, to a fine or both.
- (7) In relation to an offence committed before the coming into force of section 154(1) of the Criminal Justice Act 2003 (maximum sentence that may be imposed on summary conviction of offence triable either way) the reference in subsection (7)(a) to 12 months is to be read as a reference to 6 months.

Offensive Weapons Bill, *continued*

- (8) A constable may enter any school, further education premises or higher education premises and search those premises and any person on those premises, if they have reasonable grounds for suspecting that an offence under this section is, or has been, committed.
- (9) If, in the course of a search under this section, a constable discovers a corrosive substance they may seize and retain it.
- (10) The constable may use reasonable force, if necessary, in the exercise of entry conferred by this section.
- (11) In this section—
- “corrosive substance” means a substance which is capable of burning human skin by corrosion;
 - “school premises” means land used for the purpose of a school, excluding any land occupied solely as a dwelling by a person employed at a school;
 - “school” has the meaning given by—
 - (a) in relation to land in England and Wales, section 4 of the Education Act 1996;
 - (b) in relation to land in Northern Ireland, Article 2(2) of the Education and Libraries (Northern Ireland) Order 1986 (SI 1986/594 (NI 3)).
 - “further educational premises” means—
 - (a) in relation to England and Wales, land used solely for the purposes of—
 - (i) an institution within the further education sector or the higher education sector (within the meaning of section 91 of the Further and Higher Education Act 1992), or
 - (ii) a 16 to 19 Academy (within the meaning of section 1B of the Academies Act 2010), excluding any land occupied solely as a dwelling by a person employed at the institution or 16 to 19 Academy.
 - (b) in relation to Northern Ireland, land used solely for the purposes of an institution of further education within the meaning of Article 2 of the Further Education (Northern Ireland) Order 1997 (SI 1997/1772 (NI 15) excluding any land occupied solely as a dwelling by a person employed at the institution”.
 - “higher education premises” means an institution which provides higher education;
 - “institution” includes any training provider (whether or not the training provider would otherwise be regarded as an institution);
 - “higher education” means education provided by means of a higher education course;
 - “higher education course” means a course of any description mentioned in Schedule 6 to the Education Reform Act 1988.”
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Offensive Weapons Bill, continued

Stephen Timms
 Louise Haigh
 Ms Diane Abbott

Not called NC22

To move the following Clause—

“Offence of threatening with corrosive substance on educational premises

- (1) A person commits an offence if that person threatens a person with a corrosive substance on school premises, further education premises or higher education premises.

- (2) In this section—

“corrosive substance” means a substance which is capable of burning human skin by corrosion;

“threatens a person” means—

- (a) unlawfully and intentionally threatens another person (“A”) with a corrosive substance, and
 (b) does so in such a way that a reasonable person (“B”) who was exposed to the same threat as A would think that there was an immediate risk of physical harm to B.

“school premises” means land used for the purpose of a school, excluding any land occupied solely as a dwelling by a person employed at a school;

“school” has the meaning given by—

- (a) in relation to land in England and Wales, section 4 of the Education Act 1996;
 (b) in relation to land in Northern Ireland, Article 2(2) of the Education and Libraries (Northern Ireland) Order 1986 (SI 1986/594 (NI 3)).

“further educational premises” means—

- (a) in relation to England and Wales, land used solely for the purposes of—
 (i) an institution within the further education sector or the higher education sector (within the meaning of section 91 of the Further and Higher Education Act 1992), or
 (ii) a 16 to 19 Academy (within the meaning of section 1B of the Academies Act 2010), excluding any land occupied solely as a dwelling by a person employed at the institution or 16 to 19 Academy.
 (b) in relation to Northern Ireland, land used solely for the purposes of an institution of further education within the meaning of Article 2 of the Further Education (Northern Ireland) Order 1997 (SI 1997/1772 (NI 15) excluding any land occupied solely as a dwelling by a person employed at the institution”.

“higher education premises” means an institution which provides higher education;

“institution” includes any training provider (whether or not the training provider would otherwise be regarded as an institution);

“higher education” means education provided by means of a higher education course;

“higher education course” means a course of any description mentioned in Schedule 6 to the Education Reform Act 1988”.

- (3) A person guilty of an offence under subsection (1) is liable—

Offensive Weapons Bill, *continued*

- (a) on summary conviction in England and Wales, to an imprisonment for a term not exceeding 12 months, to a fine or to both;
 - (b) on summary conviction in Northern Ireland, to imprisonment for a term not exceeding 6 months, to a fine not exceeding the statutory maximum or to both;
 - (c) on conviction on indictment, to imprisonment for a term not exceeding 4 years, to a fine or both.
- (4) In relation to an offence committed before the coming into force of section 154(1) of the Criminal Justice Act 2003 (maximum sentence that may be imposed on summary conviction of offence triable either way) the reference in subsection (7)(a) to 12 months is to be read as a reference to 6 months.”

Stephen Timms
 Louise Haigh
 Ms Diane Abbott

Not called **NC23**

To move the following Clause—

“Advertising offensive weapons online

- (1) A person or company commits an offence when a website registered in their name is used to advertise, list or otherwise facilitate the sale of any weapon listed in Schedule 1 of the Criminal Justice Act 1988 (Offensive Weapons) Order (SI 1988/2019) or any offensive weapon capable of being disguised as something else.
- (2) No offence is committed under this section if—
 - (a) the website removes the advertisement or list within 24 hours of the registered owner of the website being informed that the advertisement or list includes a weapon listed in Schedule 1 of the Criminal Justice Act 1988 (Offensive Weapons) Order (SI 1988/2019) or any offensive weapon capable of being disguised as something else.
- (3) The registered owner of a website that is guilty of an offence under subsection (1) is liable—
 - (a) on summary conviction in England and Wales, to imprisonment for a term not exceeding 51 weeks, to a fine or to both;
 - (b) on summary conviction in Scotland or Northern Ireland, to imprisonment for a term not exceeding six months, to a fine not exceeding level 5 on the standard scale.”

Stephen Timms

Not called **NC24**

To move the following Clause—

“Enforcement

- (1) It shall be the duty of every authority to which subsection (4) applies to enforce within its area the provisions of Clauses 1, 3, 4, 17 and 20 of this Bill.

Offensive Weapons Bill, *continued*

- (2) An authority in England or Wales to which subsection (4) applies shall have the power to investigate and prosecute for an alleged contravention of any provision imposed by or under this section which was committed outside its area in any part of England and Wales.
 - (3) A district council in Northern Ireland shall have the power to investigate and prosecute for an alleged contravention of any provision imposed by or under this section which was committed outside its area in any part of Northern Ireland.
 - (4) The authorities to which this section applies are—
 - (a) in England, a county council, district council, London Borough Council, the Common Council of the City of London in its capacity as a local authority and the Council of the Isles of Scilly;
 - (b) in Wales, a county council or a county borough council;
 - (c) in Scotland, a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994(1);
 - (d) in Northern Ireland, any district council.
 - (5) In enforcing this section, an enforcement authority must act in a manner proportionate to the seriousness of the risk and shall take due account of the precautionary principle, and shall encourage and promote voluntary action by producers and distributors.
 - (6) Notwithstanding subsection (5), an enforcement authority may take any action under this section urgently and without first encouraging and promoting voluntary action if a product poses a serious risk.”
-

Stephen Timms

Not called NC25

To move the following Clause—

“Investigatory powers for trading standards

- (1) Schedule 5 of the Consumer Rights Act 2015 is amended in accordance with subsection (2).
 - (2) In Part 2, paragraph 10, at end insert—

“section (Enforcement)”.”
-

Offensive Weapons Bill, continued

Tulip Siddiq
 Meg Hillier
 Teresa Pearce
 Catherine West
 Jess Phillips
 Darren Jones

Mr Virendra Sharma
 Stella Creasy

Ruth Smeeth

Ruth Cadbury

Negatived on division **NC26**

To move the following Clause—

“Aggravated offence of possessing a corrosive substance or dangerous knife

- (1) A person is guilty of an aggravated offence of possessing a corrosive substance in a public place if—
 - (a) they commit an offence under section 6 of this Act, and
 - (b) at the time of committing the offence, the offender was—
 - (i) the driver of a moped or motor bicycle, or
 - (ii) a passenger of a moped or motor bicycle.
- (2) A person is guilty of an aggravated offence of possessing certain dangerous knives if—
 - (a) they commit an offence under section 1A of the Restrictions of Offensive Weapons Act 1959, as amended, and
 - (b) at the time of committing the offence, the offender was—
 - (i) the driver of a moped or motor bicycle, or
 - (ii) a passenger of a moped or motor bicycle.
- (3) A person guilty of an aggravated offence under this section is liable—
 - (a) on summary conviction in England and Wales, to imprisonment for a term not exceeding two years, to a fine or both;
 - (b) on summary conviction in Scotland, to imprisonment for a term not exceeding two years, to a fine or both.
- (4) For the purposes of this section, “moped” and “motor bicycle” have the same meanings as in section 108 of the Road Traffic Act 1988.”

Louise Haigh

Not selected **NC27**

To move the following Clause—

“Amendments to the Police Act 1996

- (1) Section 46 of the Police Act 1996 (police grant) is amended as follows.
- (2) After subsection (1), insert—

“(1A) In making grants under subsection (1), the Secretary of State has a duty to ensure that grant recipients have sufficient resources to prevent and reduce crime involving offensive weapons.
- (3) After subsection (2), insert—

“(2A) The Secretary of State must include, in his considerations for the determination under subsection (2)—

Offensive Weapons Bill, *continued*

- (a) the latest police and crime plans prepared by police and crime commissioners for all police forces;
- (b) the latest force management statement produced by police forces;
- (c) any report produced by the Association of Police and Crime Commissioners and the National Police Chiefs Council on the adequacy of police funding;
- (d) any report from Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services on the adequacy of funding for all police forces;
- (e) the need for contingency funding for police forces dealing with increases in incidents involving offensive weapons."

Louise Haigh

Not selected **NC28**

To move the following Clause—

“Annual report on the adequacy of police grants in reducing crime involving offensive weapons

- (1) Within the period of six months, beginning with the day on which this Act is passed, the National Police Chiefs Council and the Association of Police and Crime Commissioners must produce a report on the adequacy of the police grant made by the Secretary of State under Section 46 of the Police Act 1996 (police grant) in preventing and reducing crime involving offensive weapons.
- (2) The annual report undertaken by the National Police Chiefs Council and the Association of Police and Crime Commissioners must detail the resources they believe are necessary to prevent and reduce crime involving offensive weapons.”

Louise Haigh

Not selected **NC29**

To move the following Clause—

“Annual report on the adequacy of police grants in reducing crime involving offensive weapons (No. 2)

Within the period of six months, beginning with the day on which this Act is passed, the Secretary of State must appoint an independent body to review annually and report on the adequacy of the police grant made by the Secretary of State under section 46 of the Police Act 1996 (police grant) in preventing and reducing crime involving offensive weapons.

Offensive Weapons Bill, *continued*

Louise Haigh

Not called NC30

To move the following Clause—

“Review of the Act

- (1) The Secretary of State must, within one year of this Act receiving Royal Assent, appoint an independent person to conduct an annual review of the provisions contained in this Act and the effect those provisions have had on crimes involving offensive weapons.
- (2) The review under section 1 must consider, but is not limited to—
 - (a) the impact the provisions on corrosive substances have had on crimes involving these substances, and whether these provisions are still adequate;
 - (b) the impact the provisions on firearms have had on crimes involving these weapons, and whether the provisions are still adequate;
 - (c) whether existing police funding is sufficient to ensure the adequate enforcement of the provisions of this Act and offences relating to offensive weapons; and
 - (d) anything else the Secretary of State, or independent person appointed to conduct the review, thinks appropriate.
- (3) The annual review under section 1 must be laid before both Houses of Parliament.”

Louise Haigh
Wes Streeting
Vicky Foxcroft

Not called NC31

To move the following Clause—

“Amendments to the Crossbow Act 1987

- (1) The Crossbow Act 1987 is amended as follows.
- (2) After section 1 insert—

“1A Requirement of crossbow certificate

- (1) Subject to any exemption under this Act, it is an offence for a person to have in their possession, or to purchase or acquire, a crossbow to which this section applies without holding a crossbow certificate in force at the time, or otherwise than as authorised by such a certificate.
- (2) It is an offence for a person to fail to comply with a condition subject to which a crossbow certificate is held by them.
- (3) This section applies to crossbows with a draw weight of which is to be determined in regulations designated by the Home Secretary, following consultation with—
 - (a) the National Police Chiefs’ Council;
 - (b) any other person or body the Home Secretary may deem necessary.”

Offensive Weapons Bill, *continued*

- (3) After section 1A insert—

“1B Application for a crossbow certificate

- (1) An application for the grant of a crossbow certificate must be made in the form prescribed by regulations issued by the Home Secretary to the chief officer of police for the area in which the applicant resides and shall state such particulars as may be required by the form.
- (2) A crossbow certificate shall be granted where the chief officer of police is satisfied that—
 - (a) the applicant is fit to be entrusted with a crossbow to which section 1 of this Act applies and is not a person prohibited by this Act from possessing such a crossbow;
 - (b) that he has a good reason for having in his possession, or for purchasing or acquiring, the crossbow in respect of which the application is made; and
 - (c) in all the circumstances the applicant can be permitted to have the crossbow in his possession without danger to the public safety or to the peace.”
- (3) In section 6 (punishments), in subsection 1, after “section 1” insert – “, or section 1A or section 1B”.

- (4) After section 7 insert—

“7A Regulations

- (1) A power to make regulations under this Act is exercisable by statutory instrument.
 - (2) Regulations under this Act may make provisions for the issuing of a crossbow certificate.
 - (3) A statutory instrument which contains regulations under this Act is subject to annulment in pursuance of a resolution of either House of Parliament.””
-

Sir Edward Davey
 Wera Hobhouse
 Tom Brake
 Jo Swinson
 Stephen Lloyd
 Sir Vince Cable

Norman Lamb

Mr Alistair Carmichael

Christine Jardine

Not called 12

Clause 1, page 2, line 11, leave out “imprisonment for a term not exceeding 51 weeks” and insert “a community sentence”

Offensive Weapons Bill, *continued*

Sir Edward Davey
Wera Hobhouse
Tom Brake
Jo Swinson
Stephen Lloyd
Sir Vince Cable

Norman Lamb

Mr Alistair Carmichael

Christine Jardine

Not called **13**

Clause **1**, page **2**, line **14**, leave out “imprisonment for a term not exceeding 6 months” and insert “a community sentence”

Sir Edward Davey
Wera Hobhouse
Tom Brake
Jo Swinson
Stephen Lloyd
Sir Vince Cable

Norman Lamb

Mr Alistair Carmichael

Christine Jardine

Not called **14**

Clause **6**, page **7**, line **7**, after “place” insert “with intent to cause injury”

Louise Haigh
Ms Diane Abbott
Vicky Foxcroft
Stephen Timms

Not called **3**

Clause **6**, page **8**, line **3**, after “otherwise” insert “and means 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 not used in common by the occupants of more than one such dwelling).”

Sir Edward Davey
Wera Hobhouse
Tom Brake
Jo Swinson
Stephen Lloyd
Sir Vince Cable

Norman Lamb

Mr Alistair Carmichael

Christine Jardine

Not called **15**

Page **8**, line **39**, leave out Clause 8

Offensive Weapons Bill, *continued*

Sir Edward Davey
 Wera Hobhouse
 Tom Brake
 Jo Swinson
 Stephen Lloyd
 Sir Vince Cable

Norman Lamb

Mr Alistair Carmichael

Christine Jardine

Not called 16

Page 9, line 37, leave out Clause 9

Secretary Sajid Javid

Agreed to 56

Clause 13, page 12, line 34, at end insert—

“(4A) In Schedule 9 to the Criminal Procedure (Scotland) Act 1995 (certificates as to proof of certain routine matters) at the end insert—

“The Offensive
 Weapons Act 2018

Sections 1(1), 3(2)
 and (3) and 4(4)
 (offences relating to
 sale and delivery of
 corrosive products)

A person authorised
 to do so by the
 Scottish Ministers

In relation to any particular
 product which is identified in
 the certificate— (a) the name
 and Chemical Abstracts
 Registry number of that
 product, or (b) the name and
 Chemical Abstracts Registry
 number of a substance
 contained in that product and
 the concentration of that
 substance in that product.

Section 6(1)
 (offence of having
 corrosive substance
 in a public place)

A person authorised
 to do so by the
 Scottish Ministers

That the particular substance
 identified in the certificate is a
 corrosive substance within the
 meaning of section 6(9) of the
 Offensive Weapons Act 2018.”

Paul Blomfield
 Tim Farron
 Mr Clive Betts

Not called 8

Clause 17, page 16, line 41, at end insert—

“(ab) the seller is not a trusted trader of bladed products, and”

Offensive Weapons Bill, *continued*

Paul Blomfield
Tim Farron
Mr Clive Betts

Not called 9

Clause 17, page 17, line 3, at end insert—

- “(3A) The Secretary of State may by regulations determine the conditions of being designated a trusted trader of bladed products in England and Wales for the purposes of section 17(1)(ab).
- (3B) Scottish Ministers may by regulations determine the conditions of being designated a trusted trader of bladed products in Scotland for the purposes of section 17(1)(ab).
- (3C) The Department of Justice in Northern Ireland may by regulations determine the conditions of being designated a trusted trader of bladed products in Northern Ireland for the purposes of section 17(1)(ab).”

Anna Turley

Not called 1

Clause 18, page 17, line 44, at end insert—

- “(4A) It is a defence for a person charged with an offence under section 17 to prove that they reasonably believed that the buyer bought the bladed product for use for decorating purposes.”

Anna Turley

Not called 2

Clause 18, page 18, line 24, at end insert—

- “(10) For the purposes of this section a bladed product is used by a person for decorating purposes if and only if the product is only used to make improvements, enhancements or repairs to real property or personal property.”

Louise Haigh
Ms Diane Abbott
Vicky Foxcroft
Stephen Timms

Not called 4

Clause 23, page 23, line 8, after “further education premises” insert “and higher education provider premises”

Louise Haigh
Ms Diane Abbott
Vicky Foxcroft
Stephen Timms

Not called 5

Clause 23, page 23, line 10, after “further education premises” insert “and higher education provider premises”

Offensive Weapons Bill, *continued*

Louise Haigh
 Ms Diane Abbott
 Vicky Foxcroft
 Stephen Timms

Not called 7

Clause 23, page 24, line 8, at end insert—

“(7A) After subsection (6A) insert—

- (6B) In this section “higher education provider” means an institution which provides higher education; “institution” includes any training provider (whether or not the training provider would otherwise be regarded as an institution); “higher education” means education provided by means of a higher education course; “higher education course” means a course of any description mentioned in Schedule 6 to the Education Reform Act 1988”.

Louise Haigh
 Ms Diane Abbott
 Vicky Foxcroft
 Stephen Timms

Not called 6

Clause 23, page 24, line 11, after “further education premises” insert “and higher education provider premises”

Secretary Sajid Javid

Agreed to 57

Clause 24, page 24, line 16, after “applies” insert “in private”

Secretary Sajid Javid

Agreed to 58

Clause 24, page 24, line 32, at end insert—

“(1C) For the purposes of subsection (1A) as it has effect in relation to England and Wales, a person possesses a weapon to which this section applies in private if the person possesses the weapon in a place other than—

- (a) a public place,
- (b) school premises,
- (c) further education premises, or
- (d) a prison.

(1D) For the purposes of subsection (1A) as it has effect in relation to Scotland, a person possesses a weapon to which this section applies in private if the person possesses the weapon on domestic premises.

(1E) For the purposes of subsection (1A) as it has effect in relation to Northern Ireland, a person possesses a weapon to which this section applies in private if the person possesses the weapon in a place other than—

- (a) a public place,
- (b) school premises, or
- (c) further education premises.

(1F) In subsections (1C) to (1E)—

“domestic premises” means premises occupied as a private dwelling (including any stair, passage, garden, yard, garage, outhouse or other

Offensive Weapons Bill, *continued*

appurtenance of such premises which is not used in common by the occupants of more than one such dwelling);

“further education premises”, in relation to England and Wales, means land used solely for the purposes of—

- (a) an institution within the further education sector (within the meaning of section 91 of the Further and Higher Education Act 1992), or
- (b) a 16 to 19 Academy (within the meaning of section 1B of the Academies Act 2010),

excluding any land occupied solely as a dwelling by a person employed at the institution or the 16 to 19 Academy;

“further education premises”, in relation to Northern Ireland, means land used solely for the purposes of an institution of further education within the meaning of Article 2 of the Further Education (Northern Ireland) Order 1997 (SI 1997/1772 (NI 15)) excluding any land occupied solely as a dwelling by a person employed at the institution;

“prison” includes—

- (a) a young offender institution,
- (b) a secure training centre, and
- (c) a secure college;

“public place” includes any place to which, at the time in question, the public have or are permitted access, whether on payment or otherwise;

“school premises” means land used for the purposes of a school, excluding any land occupied solely as a dwelling by a person employed at the school; and “school” has the meaning given by—

- (a) in relation to land in England and Wales, section 4 of the Education Act 1996;
- (b) in relation to land in Northern Ireland, Article 2(2) of the Education and Libraries (Northern Ireland) Order 1986 (SI 1986/594 (NI 3)).”

Secretary Sajid Javid

Agreed to **59**

Clause **25**, page **26**, line **34**, at end insert—

“(ii) in the words following paragraph (b) for “in religious ceremonies” substitute “for religious reasons”, and”

Secretary Sajid Javid

Agreed to **60**

Clause **25**, page **26**, line **38**, leave out “any conduct of that person relating to”

Offensive Weapons Bill, *continued*

Secretary Sajid Javid

Agreed to **61**

Clause 25, page 26, line 40, leave out from “that” to end of line 41 and insert “the person possessed the weapon for religious reasons only.”

Preet Kaur Gill
Mr Dominic Grieve
Mr Pat McFadden
Alison Thewliss
Tom Brake
Emma Reynolds

Wes Streeting
John Spellar

Martin Docherty-Hughes
Mr Tanmanjeet Singh Dhesi

Liz McInnes

Not called **22**

Clause 25, page 26, line 41, leave out “the purpose only of participating in religious ceremonies” and insert “religious reasons only”

Sir Edward Davey
Wera Hobhouse
Tom Brake
Jo Swinson
Stephen Lloyd
Sir Vince Cable

Norman Lamb

Mr Alistair Carmichael

Christine Jardine

Not called **17**

Page 28, line 28, leave out Clause 28

Philip Davies
Andrew Bridgen
Mr Mark Francois
Heidi Allen
Mr Jacob Rees-Mogg
Mrs Anne Main

Daniel Kawczynski
Mr William Wragg

Mrs Sheryll Murray
Mr Philip Hollobone

Mr Marcus Fysh
Charlie Elphicke

Not called **11**

Page 29, line 6, leave out Clause 29

Offensive Weapons Bill, *continued*

Sir Edward Davey
 Wera Hobhouse
 Tom Brake
 Jo Swinson
 Stephen Lloyd
 Sir Vince Cable

Norman Lamb

Mr Alistair Carmichael

Christine Jardine

Not called **18**

Clause **29**, page **29**, line **14**, leave out “(“A”)”

Sir Edward Davey
 Wera Hobhouse
 Tom Brake
 Jo Swinson
 Stephen Lloyd
 Sir Vince Cable

Norman Lamb

Mr Alistair Carmichael

Christine Jardine

Not called **19**

Clause **29**, page **29**, line **16**, leave out from “that” to the end of line 18 and insert “there is an immediate risk of serious physical harm to that person”

Paul Blomfield
 Tim Farron
 Mr Clive Betts

Not called **10**

Clause **39**, page **35**, line **34**, after “section” insert “17(3B),”.

Secretary Sajid Javid

Agreed to **25**

Clause **40**, page **37**, line **17**, leave out “and 29” and insert “, 29, [*Offence of threatening with an offensive weapon etc in a private place*] and [*Search for corrosive substance on school or further education premises*]”

Secretary Sajid Javid

Agreed to **62**

Clause **40**, page **37**, line **23**, at end insert—
 “() section 13(4A);”

Offensive Weapons Bill, *continued*

Secretary Sajid Javid

Agreed to **63**

Clause **41**, page **38**, line **12**, at end insert—
“() section 13(4A);”

Bill read the third time, and passed.
