



# House of Commons

## NOTICES OF AMENDMENTS

given up to and including

**Tuesday 9 October 2018**

*New Amendments handed in are marked thus ★*

☆ *Amendments which will comply with the required notice period at their next appearance*

*Amendments tabled since the last publication: 8 to 21 and NC7 to NC14*

### CONSIDERATION OF BILL (REPORT STAGE)

### OFFENSIVE WEAPONS BILL, AS AMENDED

#### NOTE

**This document includes all amendments tabled to date and includes any withdrawn amendments at the end. The amendments have been arranged in the order in which they relate to the Bill.**

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

Ian Murray  
Mr George Howarth

Gareth Thomas  
Louise Haigh

Ann Coffey  
Ms Diane Abbott

**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.

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**Offensive Weapons Bill, *continued***

- (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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Karin Smyth  
David Hanson

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;
  - (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.”

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Louise Haigh  
Ms Diane Abbott  
Vicky Foxcroft

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)”.

***Member’s explanatory statement***

*This new clause would amend the Firearms Act 1968 to remove the exemption on miniature rifle ranges, preventing individuals without a firearms certificate from being able to acquire and possess semi-automatic rifles without a check by the police.*

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Louise Haigh  
Ms Diane Abbott  
Vicky Foxcroft

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—

**Offensive Weapons Bill, *continued***

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

***Member’s explanatory statement***

*This new clause would create a specific offence for the possession of component parts of ammunition with the intent to manufacture, for all persons other than those registered as firearms dealer or holders of a firearms certificate authorising the type of ammunition being manufactured.*

Louise Haigh  
Ms Diane Abbott  
Vicky Foxcroft

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.

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**Offensive Weapons Bill, *continued***

- (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

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,
    - (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”.

***Member’s explanatory statement***

*This new clause would require the Secretary of State to review the causes behind youth violence with offensive weapons.*

Philip Davies

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 weapons 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”.

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**Offensive Weapons Bill, *continued***

- (c) In subsection 3, after “section” leave out ““public place” and “offensive weapon” have” and insert “has”.”

***Member’s explanatory statement***

*This new clause would mean that threatening with an offensive weapon anywhere would be an offence, not merely in a public place.*

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Sir Geoffrey Clifton-Brown  
 Sir Henry Bellingham  
 Chris Davies  
 Mr Jonathan Djanogly  
 Daniel Kawczynski  
 Sir Edward Leigh

Sir Robert Syms  
 Craig Mackinlay  
 Adam Holloway

Sir William Cash  
 Sir Nicholas Soames

Gordon Henderson  
 Mr Philip Hollobone

NC8

★ To move the following Clause—

**“Special security provisions for firearms: England and Wales and Scotland**

- (1) The Firearms Act 1968 is amended as follows.
- (2) In section 27 (special provisions about firearms certificates), after paragraph 1A insert—

“1B A chief officer shall only grant a certificate for a high energy rifle where the applicant has installed security measures equivalent to Level 3 of the Home Office Security Handbook.

1C For the purposes of subsection 1B above, , “high energy rifle” means any rifle from which a shot, bullet or other missile with kinetic energy of more than 13,600 joules at the muzzle of the weapon can be discharged”.

***Member’s explanatory statement***

*This new clause would introduce a requirement for a person to install higher security measures, i.e. the Level 3 security standard from the Home Office’s guidance, before a firearms certificate can be issued to them to possess a firearm of more than 13,600 joules.*

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**Offensive Weapons Bill, *continued***

Sir Geoffrey Clifton-Brown  
 Sir Henry Bellingham  
 Chris Davies  
 Mr Jonathan Djanogly  
 Daniel Kawczynski  
 Sir Edward Leigh

Sir Robert Syms  
 Craig Mackinlay  
 Adam Holloway

Sir William Cash  
 Sir Nicholas Soames

Gordon Henderson  
 Mr Philip Hollobone

NC9

★ To move the following Clause—

**“Special security provisions for firearms: England and Wales and Scotland**

- (1) The Firearms (Northern Ireland) Order 2004 (SI 2004/702 (NI 3)) is amended as follows.
- (2) In section 5 (grant of firearm certificate), after paragraph 6 insert—

“7 The Chief Constable shall only grant a certificate for a high energy rifle where the applicant has installed security measures equivalent to Level 3 of the UK Home Office Security Handbook.

8 For the purposes of paragraph 7 above, “high energy rifle” means any rifle from which a shot, bullet or other missile with kinetic energy of more than 13,600 joules at the muzzle of the weapon can be discharged”.

***Member’s explanatory statement***

*This new clause would introduce a requirement for a person in Northern Ireland to install higher security measures, i.e. the Level 3 security standard from the Home Office’s guidance, before a firearms certificate can be issued to them to possess a firearm of more than 13,600 joules.*

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Philip Davies

NC10

★ To move the following Clause—

**“Threatening with a bladed article or offensive weapon in a dwelling No.1**

- (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”.

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**Offensive Weapons Bill, *continued***

Philip Davies

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”.

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Philip Davies

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”.

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Philip Davies

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.

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**Offensive Weapons Bill, *continued***

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

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.”
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Sir Edward Davey

12

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

***Member’s explanatory statement***

*This amendment, along with Amendment 13, would replace the custodial sentences for the new offence in Clause 1 (sale of corrosive products to persons under 18) with community sentences.*

Sir Edward Davey

13

- ★ Clause 1, page 2, line 14, leave out “imprisonment for a term not exceeding 51 weeks” and insert “a community sentence”

***Member’s explanatory statement***

*This amendment, along with Amendment 12, would replace the custodial sentences for the new offence in Clause 1 (sale of corrosive products to persons under 18) with community sentences.*

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Sir Edward Davey

14

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

***Member’s explanatory statement***

*This amendment would make it an offence to have a corrosive substance in a public place only with the intent to cause injury to someone.*



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Offensive Weapons Bill, *continued*

Louise Haigh  
Ms Diane Abbott  
Vicky Foxcroft

- 3
- ☆ Clause 6, page 8, line 3, after “otherwise” insert “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).”
- Member’s explanatory statement***  
*This amendment would extend the definition of public places in relation to England and Wales and Northern Ireland to include communal spaces within residential blocks.*
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Sir Edward Davey

- 15
- ★ Page 8, line 39, leave out Clause 8
- Member’s explanatory statement***  
*This amendment, along with Amendment 16, would remove mandatory custodial sentences for people convicted under the new offence in Clause 6 who have at least one previous relevant conviction.*
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Sir Edward Davey

- 16
- ★ Page 9, line 37, leave out Clause 9
- Member’s explanatory statement***  
*This amendment, along with Amendment 15, would remove mandatory custodial sentences for people convicted under the new offence in Clause 6 who have at least one previous relevant conviction.*
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Paul Blomfield

- 8
- ★ Clause 17, page 16, line 41, at end insert—  
“(ab) the seller is not a trusted trader of bladed products, and”

Paul Blomfield

- 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).”

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**Offensive Weapons Bill, *continued***

- (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)."
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Anna Turley

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

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.”
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Louise Haigh  
Ms Diane Abbott  
Vicky Foxcroft

4

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

Louise Haigh  
Ms Diane Abbott  
Vicky Foxcroft

5

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

Louise Haigh  
Ms Diane Abbott  
Vicky Foxcroft

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”.

Offensive Weapons Bill, *continued*

Louise Haigh  
Ms Diane Abbott  
Vicky Foxcroft

- ☆ Clause 23, page 24, line 11, after “further education premises” insert “and higher education provider premises” 6

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Sir Edward Davey

- ★ Page 28, line 28, leave out Clause 28 17  
*Member’s explanatory statement*  
*This amendment, along with Amendments 18 and 19 would retain the current definition of risk for the existing offences in Section 1A of the Prevention of Crime Act 1953 and Section 139AA of the Criminal Justice Act 1988, and for the new offence in Clause 29.*

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Sir Edward Davey

- ★ Clause 29, page 29, line 14, leave out “(“A”)” 18  
*Member’s explanatory statement*  
*This amendment, along with Amendments 17 and 19, would retain the current definition of risk for the existing offences in Section 1A of the Prevention of Crime Act 1953 and Section 139AA of the Criminal Justice Act 1988, and for the new offence in Clause 29.*

Sir Edward Davey

- ★ 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” 19  
*Member’s explanatory statement*  
*This amendment, along with Amendments 17 and 18, would retain the current definition of risk for the existing offences in Section 1A of the Prevention of Crime Act 1953 and Section 139AA of the Criminal Justice Act 1988, and for the new offence in Clause 29.*

Philip Davies

- ★ Page 29, line 6, leave out Clause 29 and insert— 11

**“29 Offence of threatening with blade or offensive weapon**

- (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.

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**Offensive Weapons Bill, *continued***

(5) Omit subsection 5.”

***Member’s explanatory statement***

*This amendment would mean that threatening with a knife anywhere would be an offence, not merely in a public place or school/further education premises.*

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Sir Geoffrey Clifton-Brown  
Mr Jonathan Djanogly  
Mr Philip Hollobone  
Adam Holloway

20

★ Clause 30, page 30, line 6, leave out paragraph (ag)

***Member’s explanatory statement***

*This amendment would prevent a ban on rifles over 13,600 joules at the muzzle from being banned in England and Wales and Scotland.*

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Sir Geoffrey Clifton-Brown  
Mr Jonathan Djanogly  
Mr Philip Hollobone  
Adam Holloway

21

★ Clause 31, page 31, line 6, leave out paragraph (ea)

***Member’s explanatory statement***

*This amendment would prevent a ban on rifles over 13,600 joules at the muzzle from being banned in Northern Ireland.*

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Paul Blomfield

10

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

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ORDER OF THE HOUSE [27 JUNE 2018]

That the following provisions shall apply to the Offensive Weapons Bill:

*Committal*

1. The Bill shall be committed to a Public Bill Committee.

*Proceedings in Public Bill Committee*

2. Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Thursday 13 September 2018.
3. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

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**Offensive Weapons Bill, *continued***

*Proceedings on Consideration and up to and including Third Reading*

4. Proceedings on Consideration and any proceedings in legislative grand committee shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which proceedings on Consideration are commenced.
5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.
6. Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and up to and including Third Reading.

*Other proceedings*

7. Any other proceedings on the Bill may be programmed.
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