



House of Commons
NOTICES OF AMENDMENTS
 given up to and including
Wednesday 14 November 2018

New Amendments handed in are marked thus ★

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

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This document includes all amendments tabled to date and includes any withdrawn amendments at the end.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 accordance with the Order to be proposed by Secretary Sajid Javid.

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

Karin Smyth
 David Hanson
 Louise Haigh
 Ms Diane Abbott

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

Offensive Weapons Bill, *continued*

- (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.

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—
(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.”

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.

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

Sir Robert Syms
 Craig Mackinlay
 Adam Holloway
 Martin Vickers
 Sir Paul Beresford
 Mark Garnier
 Simon Hart
 Jeremy Lefroy
 Ross Thomson
 Kate Hoey
 Derek Thomas
 Mr Edward Vaizey
 Mr David Davis
 Mr John Whittingdale
 Mr Peter Bone
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 Andrew Lewer
 David Simpson
 Fiona Bruce
 Chris Green
 George Freeman
 Dr Julian Lewis
 Mr Charles Walker

Sir William Cash
 Sir Nicholas Soames
 Mr Steve Baker
 Heidi Allen
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 Bill Wiggin [R]
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 Neil Parish
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 Mr Gregory Campbell
 Ms Nadine Dorries
 Dr Dan Poulter
 Emma Little Pngelly
 Stephen Crabb
 Steve Double
 Robert Courts
 Mr Iain Duncan Smith

Gordon Henderson
 Mr Philip Hollobone
 Mr Philip Dunne
 Sir David Amess
 Richard Drax
 Bill Grant
 Sir Bernard Jenkin
 Mr Ian Liddell-Grainger
 Sammy Wilson
 Richard Benyon
 Sir Desmond Swayne
 Mr John Baron
 Jim Shannon
 Sir Greg Knight
 Nigel Dodds
 Paul Girvan
 Gavin Robinson
 John Howell
 Mrs Anne Main
 Mr David Jones
 Andrew Bridgen
 Mr Laurence Robertson

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

Offensive Weapons Bill, continued

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.

Sir Geoffrey Clifton-Brown [R]
 Sir Henry Bellingham
 Chris Davies
 Mr Jonathan Djanogly [R]
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Sir Robert Syms
 Craig Mackinlay
 Adam Holloway
 Martin Vickers
 Sir Paul Beresford
 Mark Garnier
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 Sir Jeffrey M. Donaldson
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 Richard Benyon
 Sir Desmond Swayne
 Mr John Baron
 Jim Shannon
 Sir Greg Knight
 Nigel Dodds
 Paul Girvan
 Gavin Robinson
 John Howell
 Stephen Crabb
 Steve Double
 Robert Courts
 Mr Iain Duncan Smith

NC9

To move the following Clause—

“Special security provisions for firearms: Northern Ireland

- (1) The Firearms (Northern Ireland) Order
- (2)
- (3) 04 (SI
- (4) 04/702 (NI 3) is amended as follows.
- (5) 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

Offensive Weapons Bill, *continued*

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.

David Hanson
Karin Smyth

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

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.”
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Offensive Weapons Bill, *continued*

Sir Geoffrey Clifton-Brown [R]
Mr Jonathan Djanogly [R]
Mr Philip Hollobone
Adam Holloway
Mr Steve Baker
Martin Vickers

Sir David Amess
Sir Peter Bottomley
Richard Drax
Bill Grant
Gordon Henderson
Jeremy Lefroy
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Charlie Elphicke
Neil Parish
Mr Jacob Rees-Mogg
Mr Gregory Campbell
Ms Nadine Dorries
Dr Dan Poulter
Emma Little Pengelly
Mrs Anne Main
Robert Courts
Mr Iain Duncan Smith

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 in England and Wales and Scotland.

Mr Steve Baker
Mr Philip Hollobone

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.”

Offensive Weapons Bill, continued

Sir Geoffrey Clifton-Brown [R]
 Mr Jonathan Djanogly [R]
 Mr Philip Hollobone
 Adam Holloway
 Mr Steve Baker
 Martin Vickers

Sir David Amess	Sir Henry Bellingham	Sir Paul Beresford
Sir Peter Bottomley	Sir William Cash	Chris Davies
Richard Drax	Mark Garnier	Richard Graham
Bill Grant	Simon Hart	Sir Oliver Heald
Gordon Henderson	Sir Bernard Jenkin	Daniel Kawczynski
Jeremy Lefroy	Sir Edward Leigh	Sir Oliver Letwin
Mr Ian Liddell-Grainger	Craig Mackinlay	Sir Nicholas Soames
Sir Robert Syms	Ross Thomson	Bill Wiggin [R]
Sammy Wilson	Kate Hoey	Douglas Ross
Richard Benyon	Derek Thomas	Tim Loughton
Sir Desmond Swayne	Mr Edward Vaizey	Charlie Elphicke
Mr John Baron	Mr David Davis	Neil Parish
Jim Shannon	Mr John Whittingdale	Mr Jacob Rees-Mogg
Sir Greg Knight	Mr Peter Bone	Mr Gregory Campbell
Nigel Dodds	Sir Jeffrey M. Donaldson	Ms Nadine Dorries
Paul Girvan	Andrew Lewer	Dr Dan Poulter
Gavin Robinson	David Simpson	Emma Little Pengelly
John Howell	Sir Christopher Chope	Mrs Anne Main
Chris Green	George Freeman	Robert Courts
Andrew Bridgen	Dr Julian Lewis	Mr Iain Duncan Smith
Mr Laurence Robertson	Mr Charles Walker	

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 in Northern Ireland.

Mr Steve Baker
 Mr Philip Hollobone

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.”

REMAINING PROCEEDINGS ON CONSIDERATION

Secretary Sajid Javid

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.”

Member’s explanatory statement

This new clause and NC17 and Amendment 25 make provision for and in connection with a new

Offensive Weapons Bill, continued

offence of threatening another person with an offensive weapon, bladed article or corrosive substance in a private place.

Secretary Sajid Javid

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.”

Member’s explanatory statement

See the explanatory statement for NC16.

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

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.”

Offensive Weapons Bill, *continued*

Louise Haigh
Ms Diane Abbott
Vicky Foxcroft
Stephen Timms

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

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.”

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
 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

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”

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.

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

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

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

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

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, *continued*

David Hanson
Stephen Timms

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 Chope

Mrs Sheryll Murray
Mr Philip Hollobone

Mr Marcus Fysh
Charlie Elphicke

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.”

Member’s explanatory statement

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

Offensive Weapons Bill, *continued*

Stephen Timms
 Louise Haigh
 Ms Diane Abbott

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.
- (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

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;

Offensive Weapons Bill, *continued*

- (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.
- (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;

Offensive Weapons Bill, *continued*

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

Stephen Timms
Louise Haigh
Ms Diane Abbott

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);

Offensive Weapons Bill, *continued*

“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—
- (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

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.”

Offensive Weapons Bill, *continued*

Stephen Timms

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.
- (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

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)”.”

Member’s explanatory statement

This new clause is consequential on NC24

Offensive Weapons Bill, *continued*

Tulip Siddiq

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.”

Sir Edward Davey
Wera Hobhouse
Tom Brake
Jo Swinson

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.

12

Offensive Weapons Bill, *continued*

Sir Edward Davey
 Wera Hobhouse
 Tom Brake
 Jo Swinson

13

Clause 1, page 2, line 14, leave out “imprisonment for a term not exceeding 6 months” 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.

Sir Edward Davey
 Wera Hobhouse
 Tom Brake
 Jo Swinson

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.

Louise Haigh
 Ms Diane Abbott
 Vicky Foxcroft
 Stephen Timms

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).”

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.

Sir Edward Davey
 Wera Hobhouse
 Tom Brake
 Jo Swinson

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.

Offensive Weapons Bill, *continued*

Sir Edward Davey
Wera Hobhouse
Tom Brake
Jo Swinson

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.

Paul Blomfield
Tim Farron

8

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

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

Paul Blomfield
Tim Farron

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

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.”

Offensive Weapons Bill, *continued*

Louise Haigh
Ms Diane Abbott
Vicky Foxcroft
Stephen Timms

Clause 23, page 23, line 8, after “further education premises” insert “and higher education provider premises” 4

Louise Haigh
Ms Diane Abbott
Vicky Foxcroft
Stephen Timms

Clause 23, page 23, line 10, after “further education premises” insert “and higher education provider premises” 5

Louise Haigh
Ms Diane Abbott
Vicky Foxcroft
Stephen Timms

Clause 23, page 24, line 8, at end insert— 7
“(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

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

Offensive Weapons Bill, *continued*

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

22

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

Member’s explanatory statement

This amendment extends the defence to cover the possession of a ceremonial Sikh Kirpan for religious reasons on occasions other than religious ceremonies.

Sir Edward Davey
Wera Hobhouse
Tom Brake
Jo Swinson

17

Page 28, line 28, leave out Clause 28

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.

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

11

Page 29, line 6, leave out Clause 29

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.

Offensive Weapons Bill, continued

Sir Edward Davey
Wera Hobhouse
Tom Brake
Jo Swinson

18

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

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
Wera Hobhouse
Tom Brake
Jo Swinson

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”

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.

Paul Blomfield
Tim Farron

10

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

Secretary Sajid Javid

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*]”

Member’s explanatory statement

See the explanatory statement for NC16.

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.

Offensive Weapons Bill, *continued*

3. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

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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OFFENSIVE WEAPONS BILL (PROGRAMME) (NO. 2)

Secretary Sajid Javid

That the Order of 27 June 2018 (Offensive Weapons Bill (Programme)) be varied as follows:

1. Paragraphs (4) and (5) of the Order shall be omitted.
2. Proceedings on Consideration and up to and including Third Reading shall be taken in one day in accordance with the following provisions of this Order.
3. Proceedings on Consideration—
 - (a) shall be taken in the order shown in the first column of the following Table, and
 - (b) shall (so far as not previously concluded) be brought to a conclusion at the times specified in the second column of the Table.

TABLE

<i>Proceedings</i>	<i>Time for conclusion of proceedings</i>
New Clauses, new Schedules and amendments, relating to air weapons, firearms or ammunition	8.00 pm
Remaining proceedings on Consideration	10.00 pm

4. Proceedings in legislative grand committee shall (so far as not previously concluded) be brought to a conclusion at 10.00 pm.
 5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at 11.00 pm.
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