

Offensive Weapons Bill

AMENDMENTS
TO BE MOVED
IN GRAND COMMITTEE

Clause 1

LORD PADDICK
BARONESS HAMWEE

Page 2, line 9, leave out “imprisonment for a term not exceeding 51 weeks” and insert “a community sentence”

Member’s explanatory statement

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

Page 2, line 12, leave out “imprisonment for a term not exceeding 6 months” and insert “a community sentence”

Member’s explanatory statement

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

Clause 6

LORD PADDICK
BARONESS HAMWEE

Page 7, line 4, at end 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.

Clause 8

LORD PADDICK
BARONESS HAMWEE

The above-named Lords give notice of their intention to oppose the Question that Clause 8 stand part of the Bill.

Member's explanatory statement

This, along with a similar notice in respect of Clause 9, would remove mandatory custodial sentences for people convicted under the new offence in Clause 6 who have at least one previous relevant conviction.

Clause 9

LORD PADDICK
BARONESS HAMWEE

The above-named Lords give notice of their intention to oppose the Question that Clause 9 stand part of the Bill.

Member's explanatory statement

This, along with a similar notice in respect of Clause 8, would remove mandatory custodial sentences for people convicted under the new offence in Clause 6 who have at least one previous relevant conviction.

Clause 28

LORD PADDICK
BARONESS HAMWEE

The above-named Lords give notice of their intention to oppose the Question that Clause 28 stand part of the Bill.

Member's explanatory statement

This, along with other amendments to Clause 29, 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.

Clause 29

LORD PADDICK
BARONESS HAMWEE

Page 31, line 9, leave out “(“A”)”

Member's explanatory statement

This amendment, along with other amendments to this Clause, 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.

Page 31, line 11, leave out from “that” to the end of line 13 and insert “there is an immediate risk of serious physical harm to that person.”

Clause 29 - continued***Member's explanatory statement***

This amendment, along with other amendments to this Clause, 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.

Clause 32

LORD KENNEDY OF SOUTHWARK

Leave out Clause 32 and insert the following new Clause –

“Prohibition of certain firearms etc: England and Wales and Scotland

- (1) The Firearms Act 1968 is amended as follows.
- (2) In section 5 (weapons subject to general prohibition), in subsection (1), after paragraph (af) insert –
 - “(ag) 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;
 - (ah) any rifle with a chamber from which empty cartridge cases are extracted using –
 - (i) energy from propellant gas, or
 - (ii) energy imparted to a spring or other energy storage device by propellant gas, other than a rifle which is chambered for .22 rim-fire cartridges;”.
- (3) In section 5(1), for the “and” at the end of paragraph (b) substitute –
 - “(ba) any device (commonly known as a bump stock) which is designed or adapted so that –
 - (i) it is capable of forming part of or being added to a self loading lethal barrelled weapon (as defined in section 57(1B) and (2A)), and
 - (ii) if it forms part of or is added to such a weapon, it increases the rate of fire of the weapon by using the recoil from the weapon to generate repeated pressure on the trigger; and”.
- (4) In section 5(2), after “including,” insert “in the case of weapons, any devices falling within subsection (1)(ba) of this section and,”.
- (5) In section 5(2A)(a), after “weapon” insert “, device”.
- (6) In section 51A(1)(a) (minimum sentences for certain offences under section 5), in each of sub-paragraphs (i) and (iii), after “(af)” insert “, (ag), (ah), (ba)”.
- (7) In Schedule 6 (prosecution and punishment of offences), in Part 1 (table of punishments) –
 - (a) in the entry for section 5(1)(a), (ab), (aba), (ac), (ad), (ae), (af) or (c), in the first column, after “(af)” insert “, (ag), (ah), (ba)”;
 - (b) in the entry for section 19, in the third column, for “or (af)” substitute “, (af), (ag), (ah) or (ba)”, and
 - (c) in the entry for section 20(1), in the third column, for “or (af)” substitute “, (af), (ag), (ah) or (ba)”.

Clause 32 - continued

- (8) The amendments made by subsection (6) apply only in relation to—
- (a) an offence under section 5(1)(ag), (ah) or (ba) of the Firearms Act 1968 which is committed after the coming into force of subsection (6), and
 - (b) an offence under a provision listed in section 51A(1A) of that Act in respect of a firearm specified in section 5(1)(ag), (ah) or (ba) of that Act which is committed after the coming into force of subsection (6).”

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