

# Offensive Weapons Bill

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AMENDMENTS  
TO BE MOVED  
IN GRAND COMMITTEE

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**After Clause 20**

LORD TUNNICLIFFE

Insert the following Clause—

**“Enforcement of sections 1, 3, 4, 17 and 20**

- (1) It shall be the duty of every authority to which subsection (4) applies to enforce within its area the provisions of sections 1, 3, 4, 17 and 20 of this Act.
- (2) An authority in England or Wales to which subsection (4) applies shall have the power to investigate and prosecute an alleged contravention of any provision under sections 1, 3, 4, 17 and 20 of this Act 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 an alleged contravention of any provision under sections 1, 3, 4, 17 and 20 of this Act 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, metropolitan borough council, unitary authority, district council or 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;
  - (d) in Northern Ireland, any district council.
- (5) In enforcing any provision under sections 1, 3, 4, 17 and 20 of this Act, an 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 authority may take any action under this section urgently and without first encouraging and promoting voluntary action if a product poses a serious risk.”

***Member's explanatory statement***

*This new Clause, for the relevant authorities, would create (a) a duty for them to enforce the relevant sections of this bill, and (b) a power for them to investigate alleged offences under this bill.*

Insert the following new Clause—

**“Investigatory powers for trading standards**

- (1) Schedule 5 to the Consumer Rights Act 2015 is amended in accordance with subsection (2).
- (2) In Part 2, paragraph 10, at end insert—  
“section (Enforcement of sections 1, 3, 4, 17 and 20) of the Offensive Weapons Act 2019”.

***Member's explanatory statement***

*This new Clause would complement the other new Clause after Clause 20 which creates a statutory duty for local authorities to investigate alleged offences under this bill.*

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*18 January 2019*

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