

2002 No. 323

CRIMINAL LAW

**The Criminal Justice Act 1988 (Offensive Weapons)
Amendment (Scotland) Order 2002**

Made

21st June 2002

Coming into force

22nd June 2002

The Scottish Ministers, in exercise of the powers conferred by section 141(2) of the Criminal Justice Act 1988(a) and of all other powers enabling them in that behalf, hereby make the following Order a draft of which has, in accordance with section 141(3) of that Act, been laid before and approved by resolution of the Scottish Parliament:

1.—(1) This Order may be cited as the Criminal Justice Act 1988 (Offensive Weapons) Amendment (Scotland) Order 2002 and shall come into force on the day after the day on which it is made.

(2) This Order extends to Scotland and, in so far as it extends beyond Scotland, it does so only as a matter of Scots law.

2. After paragraph 1(n) of the Schedule to the Criminal Justice Act 1988 (Offensive Weapons) Order 1988(b) insert—

“(o) a disguised knife, that is any knife which has a concealed blade or concealed sharp point and is designed to appear to be an everyday object of a kind commonly carried on the person or in a handbag, briefcase, or other hand luggage (such as a comb, brush, writing instrument, cigarette lighter, key, lipstick or telephone).”.

JAMES WALLACE

A member of the Scottish Executive

St Andrew's House,
Edinburgh
21st June 2002

(a) 1988 c.33. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

(b) S.I. 1988/2019.

EXPLANATORY NOTE

(This note is not part of the Order)

Section 141(1) of the Criminal Justice Act 1988 (“the 1988 Act”) provides that any person who manufactures, sells or hires, or offers for sale or hire, exposes or has in his or her possession for the purpose of sale or hire, or lends or gives to any other person, a weapon to which that section applies shall be guilty of an offence and liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding level 5 on the standard scale or both. The import of any such weapon is prohibited by section 141(4) of the 1988 Act.

The Schedule to the Criminal Justice Act 1988 (Offensive Weapons) Order 1988 (S.I. 1988/2019) specifies the descriptions of weapons to which section 141 of the 1988 Act applies. This Order adds a new description of weapon, the disguised knife, to the list of weapons specified in the 1988 Order.

This Order comes into force on the day after the day on which it is made.

£1.50

© Crown Copyright 2002

Printed in the UK by The Stationery Office Limited
under the authority and superintendence of Carol Tullo, the Queen’s Printer for Scotland
400 07/02 19593

