

2022 No. 148

CRIMINAL LAW

**The Offensive Weapons Act 2019 (Prescribed Documents)
(Scotland) Order 2022**

| | | |
|--|---------|------------------------|
| <i>Made</i> | - - - - | <i>27th April 2022</i> |
| <i>Laid before the Scottish Parliament</i> | | <i>29th April 2022</i> |
| <i>Coming into force</i> | - - | <i>28th June 2022</i> |

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 1(5)(c) and 4(8)(c) of the Offensive Weapons Act 2019(a) and all other powers enabling them to do so.

Citation and commencement

1. This Order may be cited as the Offensive Weapons Act 2019 (Prescribed Documents) (Scotland) Order 2022 and comes into force on 28 June 2022.

Prescribed documents

2. A United Kingdom photocard driving licence is prescribed for the purposes of sections 1(5)(c) and 4(8)(c) of the Offensive Weapons Act 2019.

KEITH BROWN
A member of the Scottish Government

St Andrew's House,
Edinburgh
27th April 2022

EXPLANATORY NOTE

(This note is not part of the Order)

Section 1(1) of the Offensive Weapons Act 2019 (“the Act”) makes it an offence to sell a corrosive product to a person who is under the age of 18. Section 4(4) makes it an offence for a body corporate to deliver a corrosive product if, when they deliver it, they do not deliver it into the hands of a person aged 18 or over. A defence is available for both offences where the seller or delivery corporate body believed the sale or delivery was to a person aged 18 or over and that they had taken reasonable steps to establish that person’s age. The reasonable steps which can be taken to establish a person’s age are listed as being shown a passport, a European Union photocard driving licence or such other document as the Scottish Ministers may prescribe.

This Order prescribes a United Kingdom photocard driving licence as a document which can be shown to a seller or delivery body corporate as part of the reasonable steps they may take to establish a person’s age.

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