

POLICY NOTE

THE OFFENSIVE WEAPONS ACT 2019 (COMMENCEMENT NO. 2) (SCOTLAND) REGULATIONS 2022

SSI 2022/150 (C. 9)

The above instrument was made by the Scottish Ministers in exercise of the powers conferred by section 70(2) of the Offensive Weapons Act 2019. The instrument is laid with no procedure.

Purpose of instrument:

To bring into force various provisions of Parts 1, 3 and 4 of the Offensive Weapons Act 2019.

Policy Objectives

1. In May 2019, the UK Government's Offensive Weapons Act 2019 ("the 2019 Act") received Royal Assent following its passage at Westminster.
2. The content of the 2019 Act can be summarised as providing for new restrictions in these four areas relating to the sale and supply of:
 - Corrosives such as acids;
 - Bladed articles such as knives;
 - Other offensive weapons; and
 - Firearms.
3. For Scotland, the 2019 Act covers both devolved and reserved areas. This legislation is extensive and provides a number of new restrictions in a wide set of linked but different policy areas. Much of the 2019 Act is for the UK Government to implement, but there are some areas that fall to the Scottish Government to implement where areas fall in devolved areas.
4. These Regulations bring into force sections 6, 38 to 42, 46(1) in so far as it relates to section 46(15) and 47(11), (12) and (14) in so far as it relates to section 46(12) of the Offensive Weapons Act 2019 on 28 June 2022.

Impact Assessments

5. None for this instrument. The UK Government prepared an impact assessment, an equality statement and an ECHR memorandum for the introduction of the 2019 Act to the UK Parliament which cover the details which we would have provided in any impact assessments concerned with this instrument.

Financial Effects

6. The financial effects of this policy are set out under the financial memorandum which accompanied the Bill for the 2019 Act.

Scottish Government
Justice Directorate
April 2022