

Draft Order laid before Parliament under section 141(3) of the Criminal Justice Act 1988, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2004 No.

**CRIMINAL LAW, ENGLAND AND WALES
CRIMINAL LAW, NORTHERN IRELAND**

**The Criminal Justice Act 1988 (Offensive
Weapons) (Amendment) Order 2004**

Made - - - - 2004
Coming into force - - 2004

Whereas a draft of this Order has been laid before Parliament and has been approved by each House of Parliament:

Now, therefore, the Secretary of State, in exercise of the powers conferred upon him by section 141(2) of the Criminal Justice Act 1988(1), hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Criminal Justice Act 1988 (Offensive Weapons) (Amendment) Order 2004 and shall come into force on the expiry of one month beginning with the day on which it is made.

Extent

2. This Order extends to England, Wales and Northern Ireland only.

Amendment of the Criminal Justice Act 1988 (Offensive Weapons) Order 1988

3.—(1) The Schedule to the Criminal Justice Act 1988 (Offensive Weapons) Order 1988(2), (which specifies offensive weapons for the purposes of section 141 of the Criminal Justice Act 1988), shall be amended by the insertion into paragraph 1 of that Schedule after sub-paragraph (o) the following:

“(p) a stealth knife, that is a knife or spike, which has a blade, or sharp point, made from a material that is not readily detectable by apparatus used for detecting metal and which

(1) 1988 c. 33.

(2) S.I.1988/2019, as amended by S.I. 2002/1668.

is not designed for domestic use or for use in the processing, preparation or consumption of food or as a toy;

(q) a straight, side-handled or friction-lock truncheon (sometimes known as a baton).”

Home Office
2004

Minister of State

EXPLANATORY NOTE

(This note is not part of the Order)

Section 141 of the Criminal Justice Act 1988 provides that any person who manufactures, sells or hires or offers for sale or hire, exposes or has in his 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 importation of any such weapon is prohibited.

The Criminal Justice Act 1988 (Offensive Weapons) Order 1988 specified descriptions of weapons to which section 141 of the Criminal Justice Act 1988 applies. This Order adds the weapons the stealth knife and straight, side-handled or friction-lock truncheons, to the list of specified weapons contained in the 1988 Order.

This Order does not extend to Scotland. It comes into force one month after it is made.