



# Offensive Weapons Act 2019

## 2019 CHAPTER 17

### PART 1

#### CORROSIVE PRODUCTS AND SUBSTANCES

##### *Sale and delivery of corrosive products*

#### **1 Sale of corrosive products to persons under 18**

- (1) A person commits an offence if they sell a corrosive product to a person who is under the age of 18.
- (2) Subject to section 2, it is a defence for a person charged in England and Wales or Northern Ireland with an offence under subsection (1) to prove that they took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.
- (3) Except where section 2 applies, it is a defence for a person (“the accused”) charged in Scotland with an offence under subsection (1) to show that—
  - (a) the accused believed the person to whom the corrosive product was sold (“the purchaser”) to be aged 18 or over, and
  - (b) either the accused had taken reasonable steps to establish the purchaser's age or no reasonable person could have suspected from the purchaser's appearance that the purchaser was under the age of 18.
- (4) For the purposes of subsection (3)(b), the accused is to be treated as having taken reasonable steps to establish the purchaser's age if and only if—
  - (a) the accused was shown any of the documents mentioned in subsection (5), and
  - (b) the document would have convinced a reasonable person.
- (5) Those documents are any document bearing to be—
  - (a) a passport,
  - (b) a European Union photocard driving licence, or

---

*Status: Point in time view as at 28/06/2022. This version of this part contains provisions that are prospective.*

*Changes to legislation: There are currently no known outstanding effects for the Offensive Weapons Act 2019, PART 1. (See end of Document for details)*

---

- (c) such other document, or a document of such other description, as the Scottish Ministers may prescribe by order.
- (6) The accused is to be taken to have shown a matter mentioned in subsection (3) if—
  - (a) sufficient evidence of the matter is adduced to raise an issue with respect to it, and
  - (b) the contrary is not proved beyond reasonable doubt.
- (7) A person guilty of an offence under subsection (1) is liable—
  - (a) on summary conviction in England and Wales, to imprisonment for a term not exceeding 51 weeks, to a fine or to both;
  - (b) on summary conviction in Scotland or Northern Ireland, to imprisonment for a term not exceeding 6 months, to a fine not exceeding level 5 on the standard scale or to both.
- (8) In relation to an offence committed before the coming into force of section 281(5) of the Criminal Justice Act 2003, the reference in subsection (7)(a) to 51 weeks is to be read as a reference to 6 months.
- (9) In Scotland, proceedings for an offence under subsection (1) may be commenced within the period of 12 months beginning with the commission of the offence.
- (10) Section 136(3) of the Criminal Procedure (Scotland) Act 1995 (date when proceedings deemed to be commenced) applies for the purposes of subsection (9) as it applies for the purposes of that section.
- (11) Subject to subsection (15), in this section and sections 2 to 4 “corrosive product” means—
  - (a) a substance listed in the first column of Schedule 1, or
  - (b) a product which contains a substance listed in the first column of that Schedule in a concentration higher than the limit set out for that substance in the second column of that Schedule.
- (12) The appropriate national authority may by regulations amend Schedule 1 by adding, modifying or removing a reference to a substance or a concentration limit.
- (13) Before making regulations under subsection (12) the appropriate national authority must consult such persons likely to be affected by the regulations as the authority considers appropriate.
- (14) In this section “the appropriate national authority” means—
  - (a) in relation to England and Wales and Scotland, the Secretary of State, and
  - (b) in relation to Northern Ireland, the Department of Justice in Northern Ireland.
- (15) References to a corrosive product in this section and sections 2 to 4 do not include a substance or product which is contained in a battery.
- (16) See section 5 for provisions about presumptions as to the content of containers in proceedings in Scotland.

#### **Commencement Information**

**II** S. 1 in force at 6.4.2022 for E.W.S. by [S.I. 2022/418](#), [regs. 1\(2\)\(4\)](#), [2\(a\)](#) (with [reg. 3](#))

---

*Status: Point in time view as at 28/06/2022. This version of this part contains provisions that are prospective.*

*Changes to legislation: There are currently no known outstanding effects for the Offensive Weapons Act 2019, PART 1. (See end of Document for details)*

---

## **2 Defence to remote sale of corrosive products to persons under 18**

- (1) This section applies if—
  - (a) a person (“the seller”) is charged with an offence under section 1 (sale of corrosive products to persons under 18), and
  - (b) the seller was not in the presence of the person (“the buyer”) to whom the product to which the charge relates was sold at the time of the sale.
- (2) For the purposes of subsection (1)(b) the seller was not in the presence of the buyer at the time of the sale if—
  - (a) where the seller is an individual, the seller or a person acting on the seller's behalf was not in the presence of the buyer at that time;
  - (b) where the seller is not an individual, a person acting on the seller's behalf was not in the presence of the buyer at that time.
- (3) If the seller is charged with the offence in England and Wales or Northern Ireland, the seller is not to be regarded as having proved that they took all reasonable precautions and exercised all due diligence to avoid the commission of the offence unless, as a minimum, they prove that the conditions in subsections (6) to (9) are met.
- (4) If the seller is charged with the offence in Scotland, it is a defence for the seller to show that the conditions in subsections (6) to (9) are met.
- (5) For the purposes of subsection (4) the seller is to be taken to have shown a matter mentioned in subsections (6) to (9) if—
  - (a) sufficient evidence of the matter is adduced to raise an issue with respect to it, and
  - (b) the contrary is not proved beyond reasonable doubt.
- (6) Condition A is that, at the time the offence is alleged to have been committed—
  - (a) the seller operated a system for checking that persons who bought corrosive products by the same or a similar method of purchase to that used by the buyer were not under the age of 18, and
  - (b) that system was likely to prevent persons under the age of 18 from buying corrosive products by that method.
- (7) Condition B is that when the package containing the corrosive product was dispatched by the seller, it was clearly marked to indicate—
  - (a) that it contained a corrosive product, and
  - (b) that, when finally delivered, it should only be delivered into the hands of a person aged 18 or over.
- (8) Condition C is that the seller took all reasonable precautions and exercised all due diligence to ensure that, when finally delivered, the package would be delivered into the hands of a person aged 18 or over.
- (9) Condition D is that the seller did not deliver the package, or arrange for its delivery, to a locker.
- (10) Where the corrosive product was dispatched by the seller to a place from which it was to be collected by the buyer or a person acting on behalf of the buyer, references in subsections (7) and (8) to the final delivery of the product are to be read as its supply to the buyer or a person acting on behalf of the buyer from that place.

---

*Status: Point in time view as at 28/06/2022. This version of this part contains provisions that are prospective.*

*Changes to legislation: There are currently no known outstanding effects for the Offensive Weapons Act 2019, PART 1. (See end of Document for details)*

---

- (11) In subsection (9) “locker” means a lockable container to which the package was delivered with a view to its collection by the buyer, or a person acting on behalf of the buyer, in accordance with arrangements made between the seller and the buyer.

**Commencement Information**

**I2** S. 2 in force at 6.4.2022 for E.W.S. by S.I. 2022/418, regs. 1(2)(4), 2(a) (with reg. 3)

**3 Delivery of corrosive products to residential premises etc**

- (1) This section applies if—
- (a) a person (“the seller”) sells a corrosive product to another person (“the buyer”), and
  - (b) the seller and the buyer are not in each other's presence at the time of the sale.
- (2) The seller commits an offence if, for the purposes of supplying the corrosive product to the buyer, the seller delivers the product, or arranges for its delivery, to residential premises.
- (3) The seller commits an offence if, for the purposes of supplying the corrosive product to the buyer, the seller delivers the product, or arranges for its delivery, to a locker.
- (4) For the purposes of subsection (1)(b) a person (“A”) is not in the presence of another person (“B”) at any time if—
- (a) where A is an individual, A or a person acting on behalf of A is not in the presence of B at that time;
  - (b) where A is not an individual, a person acting on behalf of A is not in the presence of B at that time.
- (5) In subsection (2) “residential premises” means premises used solely for residential purposes.
- (6) The circumstances where premises are not residential premises for the purposes of that subsection include, in particular, where a person carries on a business from the premises.
- (7) In subsection (3) “locker” means a lockable container to which the corrosive product is delivered with a view to its collection by the buyer, or a person acting on behalf of the buyer, in accordance with arrangements made between the seller and the buyer.
- (8) It is a defence for a person charged in England and Wales or Northern Ireland with an offence under this section to prove that they took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.
- (9) It is a defence for a person charged in Scotland with an offence under this section to show that they took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.
- (10) A person is to be taken to have shown a matter mentioned in subsection (9) if—
- (a) sufficient evidence of the matter is adduced to raise an issue with respect to it, and
  - (b) the contrary is not proved beyond reasonable doubt.

*Status: Point in time view as at 28/06/2022. This version of this part contains provisions that are prospective.*

*Changes to legislation: There are currently no known outstanding effects for the Offensive Weapons Act 2019, PART 1. (See end of Document for details)*

- (11) A person guilty of an offence under this section is liable—
  - (a) on summary conviction in England and Wales, to imprisonment for a term not exceeding 51 weeks, to a fine or to both;
  - (b) on summary conviction in Scotland or Northern Ireland, to imprisonment for a term not exceeding 6 months, to a fine not exceeding level 5 on the standard scale or to both.
- (12) In relation to an offence committed before the coming into force of section 281(5) of the Criminal Justice Act 2003, the reference in subsection (11)(a) to 51 weeks is to be read as a reference to 6 months.
- (13) In Scotland, proceedings for an offence under this section may be commenced within the period of 12 months beginning with the commission of the offence.
- (14) Section 136(3) of the Criminal Procedure (Scotland) Act 1995 (date when proceedings deemed to be commenced) applies for the purposes of subsection (13) as it applies for the purposes of that section.
- (15) See section 5 for provisions about presumptions as to the content of containers in proceedings in Scotland.

#### **Commencement Information**

**I3** S. 3 in force at 6.4.2022 for E.W.S. by [S.I. 2022/418](#), [regs. 1\(2\)\(4\)](#), [2\(a\)](#) (with [reg. 3](#))

## **4 Delivery of corrosive products to persons under 18**

- (1) This section applies if—
  - (a) a person (“the seller”) sells a corrosive product to another person (“the buyer”),
  - (b) the seller and the buyer are not in each other’s presence at the time of the sale and the seller is outside the United Kingdom at that time,
  - (c) before the sale, the seller entered into an arrangement with a person who is a body corporate by which the person agreed to deliver corrosive products for the seller,
  - (d) that person was aware when they entered into the arrangement that it covered the delivery of corrosive products, and
  - (e) that person delivers the corrosive product pursuant to that arrangement.
- (2) For the purposes of subsection (1)(b) a person (“A”) is not in the presence of another person (“B”) at any time if—
  - (a) where A is an individual, A or a person acting on behalf of A is not in the presence of B at that time;
  - (b) where A is not an individual, a person acting on behalf of A is not in the presence of B at that time.
- (3) For the purposes of subsection (1)(b) a person other than an individual is outside the United Kingdom at any time if the person does not carry on a business of selling articles of any kind from premises in any part of the United Kingdom at that time.
- (4) The person mentioned in subsection (1)(e) commits an offence if, when they deliver the corrosive product, they do not deliver it into the hands of a person aged 18 or over.

---

*Status: Point in time view as at 28/06/2022. This version of this part contains provisions that are prospective.*

*Changes to legislation: There are currently no known outstanding effects for the Offensive Weapons Act 2019, PART 1. (See end of Document for details)*

---

- (5) It is a defence for a person charged in England and Wales or Northern Ireland with an offence under subsection (4) to prove that they took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.
- (6) It is a defence for a person (“the accused”) charged in Scotland with an offence under subsection (4) to show that—
  - (a) the accused believed the person into whose hands the corrosive product was delivered to be aged 18 or over, and
  - (b) either the accused had taken reasonable steps to establish the person's age or no reasonable person could have suspected from the person's appearance that the person was under the age of 18.
- (7) For the purposes of subsection (6)(b), the accused is to be treated as having taken reasonable steps to establish the person's age if and only if—
  - (a) the accused was shown any of the documents mentioned in subsection (8), and
  - (b) the document would have convinced a reasonable person.
- (8) Those documents are any document bearing to be—
  - (a) a passport,
  - (b) a European Union photocard driving licence, or
  - (c) such other document, or a document of such other description, as the Scottish Ministers may prescribe by order.
- (9) The accused is to be taken to have shown a matter mentioned in subsection (6) if—
  - (a) sufficient evidence of the matter is adduced to raise an issue with respect to it, and
  - (b) the contrary is not proved beyond reasonable doubt.
- (10) A person guilty of an offence under subsection (4) is liable—
  - (a) on summary conviction in England and Wales, to a fine;
  - (b) on summary conviction in Scotland or Northern Ireland, to a fine not exceeding level 5 on the standard scale.
- (11) In Scotland, proceedings for an offence under this section may be commenced within the period of 12 months beginning with the commission of the offence.
- (12) Section 136(3) of the Criminal Procedure (Scotland) Act 1995 (date when proceedings deemed to be commenced) applies for the purposes of subsection (11) as it applies for the purposes of that section.
- (13) See section 5 for provisions about presumptions as to the content of containers in proceedings in Scotland.

---

**Commencement Information**

**I4** S. 4 in force at 6.4.2022 for E.W.S. by [S.I. 2022/418](#), regs. 1(2)(4), 2(a) (with reg. 3)

**5 Presumptions in proceedings in Scotland for offence under section 1, 3 or 4**

- (1) This section applies for the purposes of any trial in proceedings for an alleged offence under section 1(1), 3(2) or (3) or 4(4).

*Status: Point in time view as at 28/06/2022. This version of this part contains provisions that are prospective.*

*Changes to legislation: There are currently no known outstanding effects for the Offensive Weapons Act 2019, PART 1. (See end of Document for details)*

- (2) Where—
  - (a) a substance is found in a container (whether open or sealed), and
  - (b) there is on the container a description of the contents of the container,  
the substance found is to be presumed to be a substance of that description.
- (3) Where an open container is found which—
  - (a) is empty or contains an amount of a substance which is insufficient to allow analysis of it,
  - (b) was sealed at the time it was sold or delivered, and
  - (c) has on it a description of the contents of the container,  
the container is to be presumed to have contained, at the time it was sold or delivered, a substance of that description.
- (4) At the trial, any party to the proceedings may rebut the presumption mentioned in subsection (2) or (3) by proving that, at the time of its sale or delivery, the substance in the container was not of the description on the container.
- (5) A party may lead evidence for the purpose of rebutting the presumption only if the party has, not less than 7 days before the date of the trial, given notice of the intention to do so to the other parties.

#### **Commencement Information**

**I5** S. 5 in force at 1.1.2021 by S.S.I. 2020/410, reg. 2(a)

### *Possession of corrosive substances*

## **6 Offence of having a corrosive substance in a public place**

- (1) A person commits an offence if they have a corrosive substance with them in a public place.
- (2) It is a defence for a person charged in England and Wales or Northern Ireland with an offence under subsection (1) to prove that they had good reason or lawful authority for having the corrosive substance with them in a public place.
- (3) Without prejudice to the generality of subsection (2), it is a defence for a person charged in England and Wales or Northern Ireland with an offence under subsection (1) to prove that they had the corrosive substance with them for use at work.
- (4) It is a defence for a person charged in Scotland with an offence under subsection (1) to show that they had a reasonable excuse or lawful authority for having the corrosive substance with them in a public place.
- (5) Without prejudice to the generality of subsection (4), it is a defence for a person charged in Scotland with an offence under subsection (1) to show that they had the corrosive substance with them for use at work.
- (6) A person is to be taken to have shown a matter mentioned in subsection (4) or (5) if—
  - (a) sufficient evidence of the matter is adduced to raise an issue with respect to it, and
  - (b) the contrary is not proved beyond reasonable doubt.

---

*Status: Point in time view as at 28/06/2022. This version of this part contains provisions that are prospective.*

*Changes to legislation: There are currently no known outstanding effects for the Offensive Weapons Act 2019, PART 1. (See end of Document for details)*

---

- (7) A person guilty of an offence under subsection (1) is liable—
- (a) on summary conviction in England and Wales, to imprisonment for a term not exceeding 12 months, to a fine or to both;
  - (b) on summary conviction in Scotland, to imprisonment for a term not exceeding 12 months, to a fine not exceeding the statutory maximum or to both;
  - (c) on summary conviction in Northern Ireland, to imprisonment for a term not exceeding 6 months, to a fine not exceeding the statutory maximum or to both;
  - (d) on conviction on indictment, to imprisonment for a term not exceeding 4 years, to a fine or to both.
- (8) In relation to an offence committed before [F12 May 2022] the reference in subsection (7)(a) to 12 months is to be read as a reference to 6 months.
- (9) In this section—
- “corrosive substance” means a substance which is capable of burning human skin by corrosion;
- “public place”, in relation to England and Wales or Northern Ireland, includes any place to which, at the time in question, the public have or are permitted access, whether on payment or otherwise;
- “public place”, in relation to Scotland, means any place other than premises occupied as a private dwelling (including any stair, passage, garden, yard, garage, outhouse or other appurtenance of such premises which is not used in common by the occupants of more than one such dwelling).
- (10) See—
- (a) section 7 for provisions about presumptions as to the content of containers in proceedings in Scotland;
  - (b) sections 8 and 9 for provisions requiring a court in England and Wales to impose an appropriate custodial sentence in certain cases.

#### Textual Amendments

- F1** Words in s. 6(8) substituted (28.4.2022) by [The Criminal Justice Act 2003 \(Commencement No. 33\) and Sentencing Act 2020 \(Commencement No. 2\) Regulations 2022 \(S.I. 2022/500\)](#), regs. 1(2), 5(1), [Sch. Pt. 1](#)

#### Commencement Information

- I6** S. 6 in force at 6.4.2022 for E.W. by [S.I. 2022/418](#), regs. 1(2)(5), **2(b)** (with [reg. 3](#))
- I7** S. 6 in force at 28.6.2022 for S. by [S.S.I. 2022/150](#), **reg. 2(a)**

## 7 Presumptions in proceedings in Scotland for offence under section 6

- (1) This section applies for the purposes of any trial in proceedings for an alleged offence under section 6(1).
- (2) Where—
- (a) a substance is found in a container (whether open or sealed), and
  - (b) there is on the container a description of the contents of the container,
- the substance found is to be presumed to be a substance of that description.
- (3) Subsection (4) applies where—



*Status: Point in time view as at 28/06/2022. This version of this part contains provisions that are prospective.*

*Changes to legislation: There are currently no known outstanding effects for the Offensive Weapons Act 2019, PART 1. (See end of Document for details)*

- (a) an open container is found,
  - (b) a substance has been poured out of, or otherwise removed from, the container,
  - (c) the container is empty or contains an amount of the substance mentioned in paragraph (b) which is insufficient to allow analysis of it, and
  - (d) the container has on it a description of its contents.
- (4) The container is to be presumed to have contained, immediately before the action mentioned in paragraph (b) of subsection (3) was taken, a substance of the description mentioned in paragraph (d) of that subsection.
- (5) At the trial, any party to the proceedings may rebut the presumption mentioned in subsection (2) or (4) by proving that, at the time the offence is alleged to have been committed, the substance in the container was not of the description on the container.
- (6) A party may lead evidence for the purpose of rebutting the presumption only if the party has, not less than 7 days before the date of the trial, given notice of the intention to do so to the other parties.

**Commencement Information**

**I8** S. 7 in force at 1.1.2021 by S.S.I. 2020/410, reg. 2(b)

PROSPECTIVE

**F<sup>2</sup>8** **Appropriate custodial sentence for conviction under section 6**

.....

**Textual Amendments**

**F2** S. 8 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), Sch. 28 (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

PROSPECTIVE

**F<sup>3</sup>9** **Offence under section 6: relevant convictions**

.....

**Textual Amendments**

**F3** S. 9 repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), Sch. 28 (with ss. 413(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

---

*Status: Point in time view as at 28/06/2022. This version of this part contains provisions that are prospective.*

*Changes to legislation: There are currently no known outstanding effects for the Offensive Weapons Act 2019, PART 1. (See end of Document for details)*

---

## 10 Search for corrosive substances: England and Wales

- (1) Section 1 of the Police and Criminal Evidence Act 1984 (power of constable to stop and search persons, vehicles etc) is amended as follows.
- (2) In subsection (2), after “any article to which subsection (8A) below applies” insert “, any substance to which subsection (8AA) below applies”.
- (3) In subsection (3), after “any article to which subsection (8A) below applies” insert “, any substance to which subsection (8AA) below applies”.
- (4) In subsection (6), after “an article to which subsection (8A) below applies” insert “, a substance to which subsection (8AA) below applies”.
- (5) After subsection (8A) insert—
  - “(8AA) This subsection applies to any substance in relation to which a person has committed, or is committing or is going to commit an offence under section 6 of the Offensive Weapons Act 2019 (offence of having a corrosive substance in a public place).
  - (8AB) In this section references to such a substance include an article which contains such a substance.”

### Commencement Information

**I9** S. 10 in force at 6.4.2022 by [S.I. 2022/418](#), regs. 1(2)(5), 2(b) (with [reg. 3](#))

## 11 Search for corrosive substances: Scotland

- (1) This section applies if a constable has reasonable grounds for suspecting that a person—
  - (a) is carrying a corrosive substance, and
  - (b) has committed or is committing an offence under section 6.
- (2) The constable may search the person without warrant, and detain the person for such time as is reasonably required to permit the search to be carried out.
- (3) If in the course of the search the constable finds a substance which the constable reasonably suspects to be a corrosive substance, the constable may seize and retain the substance and any article in which it is contained.
- (4) If a constable detains a person under this section the constable must inform the person of the reason for doing so.
- (5) A person commits an offence if the person—
  - (a) intentionally obstructs a constable in the exercise of the constable's powers under this section, or
  - (b) conceals a corrosive substance from a constable acting in the exercise of those powers.
- (6) A person guilty of an offence under subsection (5) is liable on summary conviction to a fine not exceeding level 4 on the standard scale.
- (7) In this section “corrosive substance” has the same meaning as in section 6.

*Status: Point in time view as at 28/06/2022. This version of this part contains provisions that are prospective.*

*Changes to legislation: There are currently no known outstanding effects for the Offensive Weapons Act 2019, PART 1. (See end of Document for details)*

### Commencement Information

**110** S. 11 in force at 1.1.2021 by S.I. 2020/410, reg. 2(c)

PROSPECTIVE

## 12 Search for corrosive substances: Northern Ireland

- (1) Article 3 of the Police and Criminal Evidence (Northern Ireland) Order 1989 (SI 1989/1341 (NI 12)) (power of constable to stop and search persons, vehicles etc) is amended in accordance with subsections (2) to (5).
- (2) In paragraph (2)(a), after “any article to which paragraph (9) applies” insert “, any substance to which paragraph (9ZA) applies”.
- (3) In paragraph (3), after “any article to which paragraph (9) applies” insert “, any substance to which paragraph (9ZA) applies”.
- (4) In paragraph (6), after “an article to which paragraph (9) applies” insert “, a substance to which paragraph (9ZA) applies”.
- (5) After paragraph (9) insert—
  - “(9ZA) This paragraph applies to any substance in relation to which a person has committed, or is committing or is going to commit an offence under section 6 of the Offensive Weapons Act 2019 (offence of having a corrosive substance in a public place).
  - (9ZB) In this Article references to such a substance include an article which contains such a substance.”
- (6) In Schedule 2A to the Police (Northern Ireland) Act 2003 (powers and duties of community support officer), after paragraph 17 insert—

### “Powers in relation to corrosive substances

17A A CSO shall have the powers of a constable under Article 3 of the 1989 Order in relation to any substance to which paragraph (9ZA) of that Article applies.”

*Consequential amendments relating to corrosive products and substances*

## 13 Consequential amendments relating to corrosive products and substances

<sup>F4</sup>(1) .....

- (2) In section 37(1A) of the Mental Health Act 1983 (powers of courts to order hospital admission or guardianship: effect of provisions requiring imposition of appropriate custodial sentence)—
  - (a) omit the “or” at the end of paragraph (c), and
  - (b) at the end of paragraph (d) insert “or

*Status: Point in time view as at 28/06/2022. This version of this part contains provisions that are prospective.*

*Changes to legislation: There are currently no known outstanding effects for the Offensive Weapons Act 2019, PART 1. (See end of Document for details)*

(e) under section 8(2) of the Offensive Weapons Act 2019 (minimum sentences in certain cases of possession of a corrosive substance),”.

(3) In section 36(2)(b) of the Criminal Justice Act 1988 (review of sentencing in case of failure to impose appropriate custodial sentence)—

(a) omit the “or” at the end of sub-paragraph (iii), and

(b) at the end of sub-paragraph (iv) insert “; or

(v) section 8(2) of the Offensive Weapons Act 2019.”

<sup>F5</sup>(4) .....

(5) In Schedule 9 to the Criminal Procedure (Scotland) Act 1995 (certificates as to proof of certain routine matters) at the end insert—

“The Offensive Weapons Act 2019

Sections 1(1), 3(2) and (3) A person authorised to In relation to any particular product and 4(4) (offences relating do so by the Scottish which is identified in the certificate— to sale and delivery of Ministers (a) the name and Chemical Abstracts corrosive products) Registry number of that product, or (b) the name and Chemical Abstracts Registry number of a substance contained in that product and the concentration of that substance in that product.

Section 6(1) (offence A person authorised to That the particular substance identified of having corrosive do so by the Scottish in the certificate is a corrosive substance in a public Ministers substance within the meaning of place) section 6(9) of the Offensive Weapons Act 2019.”

<sup>F6</sup>(6) .....

<sup>F6</sup>(7) .....

**Textual Amendments**

**F4** S. 13(1) repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), Sch. 28 (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

**F5** S. 13(4) repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), Sch. 28 (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

**F6** S. 13(6)(7) repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), Sch. 28 (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

**Commencement Information**

**I11** S. 13(5) in force at 1.1.2021 by S.S.I. 2020/410, reg. 2(d)

**Status:**

Point in time view as at 28/06/2022. This version of this part contains provisions that are prospective.

**Changes to legislation:**

There are currently no known outstanding effects for the Offensive Weapons Act 2019, PART 1.