



Offensive Weapons Act 2019

2019 CHAPTER 17

PART 2

KNIFE CRIME PREVENTION ORDERS

Interim knife crime prevention orders

17 Interim knife crime prevention order: application without notice

- (1) Where an application for a knife crime prevention order in respect of a defendant is made without notice by virtue of section 16, the court may make an interim knife crime prevention order under this section in respect of the defendant if the first and second conditions are met.
- (2) The first condition is that the proceedings on the knife crime prevention order are adjourned (otherwise than at a full hearing within the meaning of section 16).
- (3) The second condition is that the court thinks that it is necessary to make an interim knife crime prevention order under this section.
- (4) An interim knife crime prevention order under this section is an order which imposes on the defendant such of the prohibitions that may be imposed by a knife crime prevention order under section 14 as the court thinks are required in relation to the defendant.
- (5) An interim knife crime prevention order under this section may not impose on the defendant any of the requirements that may be imposed by a knife crime prevention order under section 14.
- (6) See also—
 - (a) section 21 (which makes further provision about the prohibitions which may be imposed by an interim knife crime prevention order under this section), and
 - (b) section 23 (which makes provision about the duration of an interim knife crime prevention order under this section).

Status: Point in time view as at 05/07/2021.

Changes to legislation: There are currently no known outstanding effects for the Offensive Weapons Act 2019, Cross Heading: Interim knife crime prevention orders. (See end of Document for details)

Commencement Information

- I1** S. 17(1)-(3) in force at 5.7.2021 in relation to the metropolitan police district for the specified period by S.I. 2021/762, **regs. 1(2), 2(1)** (with **reg. 3(1)**)
- I2** S. 17(4)-(6) in force at 5.7.2021 for specified purposes in relation to the metropolitan police district for the specified period by S.I. 2021/762, **regs. 1(2), 2(2)** (with **reg. 3(1)**)

18 Interim knife crime prevention order: application not determined

- (1) This section applies if—
 - (a) an application is made to a court for a knife crime prevention order under section 14 in respect of a defendant,
 - (b) the defendant is notified of the application in accordance with rules of court, and
 - (c) the application is adjourned.
- (2) The court may make an interim knife crime prevention order in respect of the defendant if—
 - (a) the first or second condition is met, and
 - (b) the third condition is met.
- (3) The first condition is that, by the complaint by which the application mentioned in subsection (1) is made, the applicant also applies for an interim knife crime prevention order in respect of the defendant.
- (4) The second condition is that, by complaint to the court, the applicant for the order mentioned in subsection (1) subsequently applies for an interim knife crime prevention order in respect of the defendant.
- (5) The third condition is that the court thinks that it is just to make the order.
- (6) An interim knife crime prevention order under this section is an order which—
 - (a) imposes on the defendant such of the requirements that may be imposed by a knife crime prevention order under section 14 as the court thinks appropriate;
 - (b) imposes on the defendant such of the prohibitions that may be imposed by a knife crime prevention order under that section as the court thinks appropriate.
- (7) See also—
 - (a) section 21 (which makes further provision about the requirements and prohibitions that may be imposed by an interim knife crime prevention order under this section),
 - (b) section 22 (which makes further provision about the inclusion of requirements in an interim knife crime prevention order under this section), and
 - (c) section 23 (which makes provision about the duration of an interim knife crime prevention order under this section).
- (8) Section 127 of the Magistrates' Courts Act 1980 (time limits) does not apply to a complaint under this section.

Status: Point in time view as at 05/07/2021.

Changes to legislation: There are currently no known outstanding effects for the Offensive Weapons Act 2019, Cross Heading: Interim knife crime prevention orders. (See end of Document for details)

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Commencement Information

- I3** S. 18(1)-(5), (8) in force at 5.7.2021 in relation to the metropolitan police district for the specified period by S.I. 2021/762, **regs. 1(2), 2(1)** (with **reg. 3(1)**)
- I4** S. 18(6)(7) in force at 5.7.2021 for specified purposes in relation to the metropolitan police district for the specified period by S.I. 2021/762, **regs. 1(2), 2(2)** (with **reg. 3(1)**)

Status:

Point in time view as at 05/07/2021.

Changes to legislation:

There are currently no known outstanding effects for the Offensive Weapons Act 2019, Cross
Heading: Interim knife crime prevention orders.