



Offensive Weapons Act 2019

2019 CHAPTER 17

PART 2

KNIFE CRIME PREVENTION ORDERS

Provisions of knife crime prevention order

23 Duration of knife crime prevention order etc

- (1) A knife crime prevention order or an interim knife crime prevention order under section 18 takes effect on the day on which it is made, subject to subsections (6) and (7).
- (2) An interim knife crime prevention order under section 17 takes effect when it is served on the defendant, subject to subsections (6) and (7).
- (3) A knife crime prevention order must specify the period for which it has effect, which must be a fixed period of at least 6 months, and not more than 2 years, beginning with the day on which it takes effect.
- (4) An interim knife crime prevention order under section 17 has effect until the determination of the application mentioned in subsection (1) of that section, subject to section 27 (variation, renewal or discharge).
- (5) An interim knife crime prevention order under section 18 has effect until the determination of the application mentioned in subsection (1) of that section, subject to section 27.
- (6) Subsection (7) applies if a knife crime prevention order or an interim knife crime prevention order is made in respect of—
 - (a) a defendant who has been remanded in or committed to custody by an order of a court,
 - (b) a defendant on whom a custodial sentence has been imposed or who is serving or otherwise subject to such a sentence, or
 - (c) a defendant who is on licence for part of the term of a custodial sentence.

Status: Point in time view as at 16/07/2022.

Changes to legislation: There are currently no known outstanding effects for the Offensive Weapons Act 2019, Section 23. (See end of Document for details)

- (7) The order may provide that it does not take effect until—
- (a) the defendant is released from custody,
 - (b) the defendant ceases to be subject to a custodial sentence, or
 - (c) the defendant ceases to be on licence.
- (8) A knife crime prevention order or an interim knife crime prevention order may specify periods for which particular prohibitions or requirements have effect.
- (9) Where a court makes a knife crime prevention order or an interim knife crime prevention order in respect of a defendant who is already subject to such an order, the earlier order ceases to have effect.
- (10) In this section “custodial sentence” means—
- (a) a sentence of imprisonment or any other sentence or order mentioned in section 76(1) of the Powers of Criminal Courts (Sentencing) Act [F12000 or section 222 of the Sentencing Code], or
 - (b) a sentence or order which corresponds to a sentence or order within paragraph (a) and which was imposed or made under an earlier enactment.

Textual Amendments

- F1** Words in s. 23(10) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 300](#) (with [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

Commencement Information

- II** S. 23 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. 4](#)) (as amended (16.7.2022) by [The Offensive Weapons Act 2019 \(Commencement No. 2\) \(England and Wales\) \(Amendment\) Regulations 2022 \(S.I. 2022/828\)](#), regs. 1(1), [2](#))

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