



Prevention of Crime Act 1953

1953 CHAPTER 14 1 and 2 Eliz 2

[^{F1}1 Prohibition of the carrying of offensive weapons without lawful authority or reasonable excuse.

- (1) Any person who without lawful authority or reasonable excuse, the proof whereof shall lie on him, has with him in any public place any offensive weapon shall be guilty of an offence, and shall be liable—
 - (a) on summary conviction, to imprisonment for a term not exceeding [^{F2}six months] or a fine not exceeding [^{F3}£200], or both;
 - (b) on conviction on indictment, to imprisonment for a term not exceeding [^{F4}four] years or a fine not exceeding one hundred pounds, or both.
- (2) Where any person is convicted of an offence under subsection (1) of this section the court may make an order for the forfeiture or disposal of any weapon in respect of which the offence was committed.

[See section 315 of the Sentencing Code for provision about the sentence which the ^{F5}(2ZA) court may be required to impose where a person aged 16 or over who has a previous relevant conviction (within the meaning of that section) is convicted of an offence under this section.]

- ^{F6}(2A)
- ^{F6}(2B)
- ^{F6}(2C)
- ^{F6}(2D)
- ^{F6}(2E)
- ^{F6}(2F)
- ^{F6}(2G)

[A constable may arrest without warrant any person whom he has reasonable cause ^{F7}(3) to believe to be committing an offence under subsection (1) of this section, if the constable is not satisfied as to that person's identity or place of residence, or has

Status: Point in time view as at 28/04/2022.

Changes to legislation: Prevention of Crime Act 1953, Section 1 is up to date with all changes known to be in force on or before 14 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

reasonable cause to believe that it is necessary to arrest him in order to prevent the commission by him of any other offence in the course of committing which an offensive weapon might be used.]

- (4) In this section “ public place ” includes any highway [^{F8}, or in Scotland any road within the meaning of the Roads (Scotland) Act 1984] and any other premises or place to which at the material time the public have or are permitted to have access, whether on payment or otherwise; and “ offensive weapon ” means any article made or adapted for use for causing injury to the person, or intended by the person having it with him for such use by him [^{F9} or by some other person].]

Textual Amendments

- F1** S. 1 repealed (S.) (1.4.1996) by 1995 c. 40, ss. 6, 7(2) Sch. 5 (with s Sch. 3 para. 1, 3, 6)
- F2** Words substituted by Criminal Justice Act 1988 (c. 33, SIF 39:1), s. 46(1)(3), **Sch. 8 para. 16**
- F3** Words substituted by Criminal Justice Act 1967 (c. 80), s. 92, **Sch. 3 Pt. I**
- F4** Word in s. 1(1)(b) substituted (4.7.1996) by 1996 c. 26, s. 2(1) (with s. 2(4))
- F5** S. 1(2ZA) inserted (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 24 para. 6** (with Sch. 24 para. 447, Sch. 27); S.I. 2020/1236, reg. 2
- F6** S. 1(2A)-(2G) 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
- F7** S. 1(3) repealed (E.W.) by Police and Criminal Evidence Act 1984 (c. 60, SIF 95), s. 119(2), **Sch. 7 Pt. I**
- F8** Words inserted (S.) by Roads (Scotland) Act 1984 (c. 54, SIF 108), ss. 128(1), 156(1), **Sch. 9 para. 42**
- F9** Words added (E.W.) by Public Order Act 1986 (c. 64, SIF 39:2), s. 40(2), **Sch. 2 para. 2**

Modifications etc. (not altering text)

- C1** S. 1(1)(b) amended by Criminal Justice Act 1967 (c. 80), s. 92(8)

Status:

Point in time view as at 28/04/2022.

Changes to legislation:

Prevention of Crime Act 1953, Section 1 is up to date with all changes known to be in force on or before 14 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.