



Chemical Weapons Act 1996

1996 CHAPTER 6

Chemical weapons

6 Power to destroy removed objects.

- (1) This section applies if an object is removed from premises under section 5, and for the purposes of this section—
 - (a) the first six-month period is the period of six months beginning with the day after the removal;
 - (b) the second six-month period is the period of six months beginning with the day after the first six-month period ends.
- (2) If at any time in the second six-month period the Secretary of State decides that the object should be destroyed he may authorise a person to destroy it; but this is subject to subsections (3) to (5).
- (3) If at any time in the first six-month period—
 - (a) any person appears to the Secretary of State to have had the object in his possession immediately before its removal, or
 - (b) any person not falling within paragraph (a) appears to the Secretary of State to have an interest which the Secretary of State believes would be materially affected by the object's destruction,the Secretary of State must serve on such a person a copy of a notice falling within subsection (4).
- (4) A notice falling within this subsection is a notice which—
 - (a) describes the object and states its location;
 - (b) states that the Secretary of State proposes to secure its destruction and gives the reasons for his proposal;
 - (c) states that the person on whom the copy of the notice is served may object to the Secretary of State's proposal;
 - (d) states that an objection (if made) must be made in writing to the Secretary of State before such date as is specified in the notice and must state why the object should not be destroyed.

Changes to legislation: There are currently no known outstanding effects for the Chemical Weapons Act 1996, Section 6. (See end of Document for details)

- (5) Before he reaches a decision under subsection (2) the Secretary of State must—
- (a) allow any person on whom a copy of a notice has been served under subsection (3) time to respond, and
 - (b) take into account any objections to the object's proposed destruction (whether made in response to a notice or otherwise).
- (6) If an object is removed from premises under section 5 and destroyed under this section the Secretary of State may recover from a responsible person any costs reasonably incurred by the Secretary of State in connection with the removal and destruction; and a responsible person is any person who had possession of the object immediately before its removal.
- (7) If—
- (a) an object is removed from premises under section 5,
 - (b) at the end of the second six-month period the Secretary of State has not authorised the destruction of the object, and
 - (c) a person had possession of the object immediately before its removal,
- the Secretary of State must return the object to the person mentioned in paragraph (c) or, if there is more than one, to such of them as the Secretary of State thinks appropriate.

Modifications etc. (not altering text)

C1 S. 6 extended (with modifications) (Jersey) (21.12.1998) by S.I. 1998/2565, art. 4, Sch.

Changes to legislation:

There are currently no known outstanding effects for the Chemical Weapons Act 1996, Section 6.