
STATUTORY INSTRUMENTS

1988 No. 2019

**CRIMINAL LAW, ENGLAND AND
WALES
CRIMINAL LAW, NORTHERN
IRELAND
CRIMINAL LAW, SCOTLAND**

The Criminal Justice Act 1988 (Offensive Weapons) Order 1988

Made - - - - *17th November 1988*

Coming into force - - *18th January 1989*

In exercise of the powers conferred upon me by section 141(2) of the Criminal Justice Act 1988⁽¹⁾, a draft of this instrument having been laid before Parliament and having been approved by each House of Parliament, I hereby make the following Order:

1. This Order may be cited as the Criminal Justice Act 1988 (Offensive Weapons) Order 1988 and shall come into force two months after the day on which it is made.
2. The Schedule to this Order shall have effect.

Home Office
17th November 1988

Douglas Hurd
One of Her Majesty's Principal Secretaries of
State

SCHEDULE

Article 2

1. Section 141 of the Criminal Justice Act 1988 (offensive weapons) shall apply to the following descriptions of weapons, other than weapons of those descriptions which are antiques for the purposes of this Schedule:

- (a) a knuckleduster, that is, a band of metal or other hard material worn on one or more fingers, and designed to cause injury, and any weapon incorporating a knuckleduster;
- (b) a swordstick, that is, a hollow walking-stick or cane containing a blade which may be used as a sword;
- (c) the weapon sometimes known as a “handclaw”, being a band of metal or other hard material from which a number of sharp spikes protrude, and worn around the hand;
- (d) the weapon sometimes known as a “belt buckle knife”, being a buckle which incorporates or conceals a knife;
- (e) the weapon sometimes known as a “push dagger”, being a knife the handle of which fits within a clenched fist and the blade of which protrudes from between two fingers;
- (f) the weapon sometimes known as a “hollow kubotan”, being a cylindrical container containing a number of sharp spikes;
- (g) the weapon sometimes known as a “footclaw”, being a bar of metal or other hard material from which a number of sharp spikes protrude, and worn strapped to the foot;
- (h) the weapon sometimes known as a “shuriken”, “shaken” or “death star”, being a hard non-flexible plate having three or more sharp radiating points and designed to be thrown;
- (i) the weapon sometimes known as a “balisong” or “butterfly knife”, being a blade enclosed by its handle, which is designed to split down the middle, without the operation of a spring or other mechanical means, to reveal the blade;
- (j) the weapon sometimes known as a “telescopic truncheon”, being a truncheon which extends automatically by hand pressure applied to a button, spring or other device in or attached to its handle;
- (k) the weapon sometimes known as a “blowpipe” or “blow gun”, being a hollow tube out of which hard pellets or darts are shot by the use of breath;
- (l) the weapon sometimes known as a “kusari gama”, being a length of rope, cord, wire or chain fastened at one end to a sickle;
- (m) the weapon sometimes known as a “kyoketsu shoge”, being a length of rope, cord, wire or chain fastened at one end to a hooked knife;
- (n) the weapon sometimes known as a “manrikigusari” or “kusari”, being a length of rope, cord, wire or chain fastened at each end to a hard weight or hand grip;

2. For the purposes of this Schedule, a weapon is an antique if it was manufactured more than 100 years before the date of any offence alleged to have been committed in respect of that weapon under subsection (1) of the said section 141 or section 50(2) or (3) of the Customs and Excise Management Act 1979(2)(improper importation).

(2) 1979 c. 2.

EXPLANATORY NOTE

(This note is not part of the Order)

Section 141 of the Criminal Justice Act 1988 provides that any person who manufactures, sells or hires or offers for sale or hire, exposes or has in his possession for the purpose of sale or hire, or lends or gives to any other person, a weapon to which that section applies shall be guilty of an offence and liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding level 5 on the standard scale or both. The importation of any such weapon is prohibited.

There are defences under the section in respect of weapons which are made available to a museum or gallery or used for cultural, artistic or educational purposes if lent or hired from a museum or gallery, and in respect of weapons used for the purposes of the Crown or of a visiting force as defined in subsection (6) of that section.

This Order specifies descriptions of weapons to which section 141 of the Criminal Justice Act 1988 applies. Antique weapons, which are defined as weapons over 100 years old at the time of an alleged offence, are excluded.

By virtue of article 1 the Order comes into force two months after it is made.