
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations bring into force specified provisions of the Offensive Weapons Act 2019 (c. 17) (“the Act”).

Regulation 2 sets out the provisions which will come into force on 14th July 2021, so far as not already in force.

Regulation 2(a) brings into force, in England and Wales and Scotland, section 43(1) of the Act, which amends the definition of a “flick knife” in section 1 of the Restriction of Offensive Weapons Act 1959 (c. 37) (“the 1959 Act”). Regulation 2(b) brings into force, in England and Wales, section 44(2) to (4) of the Act (and section 44(1) so far as it relates to that provision). Section 44(2) to (4) amends section 1 of the 1959 Act by inserting provisions which prohibit the possession of flick and gravity knives, subject to various defences. Regulation 2(c) brings into force, in Scotland, section 44(4) (and section 44(1) so far as it relates to section 44(4)) so far as it introduces defences to offences of importation of such knives.

Regulation 2(d) and (e) brings into force, in England and Wales, section 46(2) to (11) and (15) (and section 46(1) so far as it relates to that provision) and section 47(3) to (10) (and section 47(1) so far as it relates to that provision) of the Act. Those sections prohibit the possession of offensive weapons (meaning weapons to which section 141 of the Criminal Justice Act 1988 (c. 33) applies) in private, subject to defences. The provisions also add knives known as “cyclone knives” to the list of offensive weapons in the Schedule to the Criminal Justice Act 1988 (Offensive Weapons) Order 1988 (S.I. 1988/2019).

Regulation 2(f) brings into force, in England, Wales and Scotland section 54 of the Act (so far as it is not already in force), which prohibits the possession of certain rapid firing rifles and bump stock. Regulation 2(g) brings into force section 55 of the Act (so far as it is not already in force), which makes equivalent prohibition in Northern Ireland. Regulation 2(h) and (i) bring into force section 56 and Schedule 2 to the Act which make consequential amendments to other Acts relating to sections 54 and 55 of the Act.