This Statutory Instrument has been made in consequence of a defect in S.I. 2024/583 and is being issued free of charge to all known recipients of that Statutory Instrument.

Draft Order laid before Parliament under section 141(11E) of the Criminal Justice Act 1988 (c. 33), for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2025 No. ****

CRIMINAL LAW, ENGLAND AND WALES

COMPENSATION, ENGLAND AND WALES

The Criminal Justice Act 1988 (Offensive Weapons) (Amendment, Surrender and Compensation) (England and Wales) Order 2025

Made - - - - ***

Coming into force in accordance with article 1(2)

The Secretary of State makes this Order in exercise of the powers conferred by section 141(2), (11D) and (12A) of the Criminal Justice Act 1988(**a**).

In accordance with section 141(11E)(**b**) of that Act, a draft of the instrument was laid before Parliament and approved by a resolution of each House of Parliament.

PART 1

Introductory

Citation, commencement and extent

1.—(1) This Order may be cited as the Criminal Justice Act 1988 (Offensive Weapons) (Amendment, Surrender and Compensation) (England and Wales) Order 2025.

(2) This Order comes into force as follows—

(a) this Part and Part 3 come into force on the day after the day on which this Order is made;

(b) Part 2 comes into force on 1st August 2025;

(c) Part 4 comes into force on 1st July 2025.

(**a**) 1988 c. 33. Section 141(11D) is inserted by section 43(4) of the Violent Crime Reduction Act 2006 (c. 38). Section 141(12A) is inserted by section 46(15) of the Offensive Weapons Act 2019 (c. 17).

(**b**) Inserted by section 43(4) of the Violent Crime Reduction Act 2006.

(3) This Order extends to England and Wales.

PART 2

Amendment of the Criminal Justice Act 1988 (Offensive Weapons) Order 1988

Application of section 141 of the Criminal Justice Act 1988 to ninja swords

2.—(1) The Schedule to the Criminal Justice Act 1988 (Offensive Weapons) Order 1988(**a**) is amended as follows.

(2) In paragraph 1, after sub-paragraph (t) insert—

"(u) the weapon sometimes known as a "ninja sword", being a sword with—

(i) a blade whose length is at least 14 inches, but no more than 24 inches (the length of the blade being the straight-line distance from the top of the handle to the tip of the blade),

(ii) a primary straight cutting edge,

(iii) a secondary straight cutting edge,

(iv) a blunt spine, and

(v) either a tanto style point or a reversed tanto style point.".

(3) After paragraph 1A, insert—

"1B.—(1) For the purposes of paragraph 1(u)(iv), a spine is blunt if it is not adapted to cutting.

(2) For the purposes of paragraph 1(u)(v)—

(a) a sword has a tanto style point if—

(i) the angle between its primary straight cutting edge and its secondary straight cutting edge is greater than 90 degrees, and

(ii) the angle between its secondary straight cutting edge and its spine is less than 90 degrees;

(b) a sword has a reversed tanto style point if—

(i) the angle between its primary straight cutting edge and its secondary straight cutting edge is less than 90 degrees, and

(ii) the angle between its secondary straight cutting edge and its spine is greater than 90 degrees.

(3) For the purposes of paragraph 1(u)(ii) and (iii) and this paragraph—

(a) a primary straight cutting edge is the longest cutting edge of a blade which immediately connects to the handle;

(b) a secondary straight cutting edge is a cutting edge—

(i) which forms an angle with the primary straight cutting edge and the spine, and

(ii) is no more than 5% longer or shorter than the width of the blade immediately after the handle.".

(4) In paragraph 4, after "paragraph 1(r)" in both places where it occurs insert "or (u)".

(**a**) S.I. 1988/2019, amended by S.I. 2002/1668, 2004/1271, 2008/973, 2008/2039, 2016/803, 2024/583 and section 47 of the Offensive Weapons Act 2019. There are other amendments but they are not relevant.

(5) In paragraph 5C, after "paragraph 1(sa)" insert "or (u)".

(6) In paragraph 5D, after "paragraph 1(sa)" insert "or (u)".

(7) In paragraph 5E, for "paragraph 1(r) or (sa)" substitute "paragraph 1(r), (sa) or (u)".

(8) In paragraph 6, for "5A and 5B" substitute "and 5A to 5E".

PART 3

Arrangements for surrender of weapons

Arrangements for surrender of weapons

3.—(1) The Secretary of State must make such arrangements as the Secretary of State thinks fit to secure the orderly surrender at designated police stations in England and Wales of weapons the possession in private of which will become unlawful by virtue of Part 2.

(2) The chief officer of police for any area may designate any police station in the chief officer's area as being suitable for the receipt of weapons surrendered in accordance with the arrangements made under paragraph (1).

(3) The Secretary of State may also make such arrangements as the Secretary of State thinks fit to secure the orderly surrender at other designated locations in England and Wales of weapons the possession in private of which will become unlawful by virtue of Part 2.

(4) The Secretary of State may designate any location in England and Wales as being suitable for the receipt of weapons surrendered in accordance with the arrangements made under paragraph (3).

(5) In this Part, "chief officer of police" has the meaning given in section 101(1) of the Police Act 1996(**a**).

PART 4

Compensation for surrendered weapons

Eligibility for compensation

4. Compensation may be claimed by a person—

(a) in respect of a weapon, possession in private of which will become unlawful by virtue of Part 2,

(b) who—

(i) owned the weapon on 27th March 2025, or

(ii) on or before 27th March 2025 had contracted to acquire the weapon,

(c) who has surrendered the weapon at a designated police station in accordance with arrangements made under article 3(1) within the period beginning with 1st July 2025 and ending with 31st July 2025, and

(d) who has made a written declaration that the person is the legal owner of the weapon and that it was lawfully acquired.

(**a**) 1996 c. 16.

Receipt of weapon surrendered

5.—(1) If an officer is satisfied that the criteria in article 4 have been met, the officer must, upon receipt of the weapon, issue a receipt containing a unique reference number to the person who surrendered the weapon.

(2) The officer must ensure that a copy of the receipt is retained with the weapon surrendered.

(3) In this Part, "officer" means any person authorised to accept surrender of weapons in accordance with arrangements made under article 3(1).

Claims for compensation

6.—(1) The claim form to be used for the purposes of this article is set out in the Schedule.

(2) A person who has surrendered a weapon in accordance with the arrangements made under article 3(1) may make a claim to the Secretary of State on the claim form mentioned in paragraph (1).

(3) The claim form, to be forwarded to the Secretary of State by the officer who accepted the surrender of the weapon, must be submitted at the same time as the weapon is surrendered.

(4) The claim form must contain—

(a) the claimant's full name, date of birth and address,

(b) the date on which the weapon was acquired or contracted to be acquired,

(c) details of the bank account into which any compensation is to be paid,

(d) the unique reference number contained on the receipt issued under article 5, and

(e) the amount of compensation sought.

(5) If the amount of compensation sought is higher than £5, the claimant must provide sufficient evidence of valuation of the weapon to enable the Secretary of State to determine the claim.

(6) Evidence of valuation of a weapon may include—

(a) a valuation from an auction house,

(b) evidence of the price paid for the purchase of the weapon and the date of purchase, or

(c) published evidence of the value of the weapon.

(7) If not satisfied that the evidence of valuation supplied under paragraph (5) is sufficient to enable a determination of the claim to be made, the Secretary of State may request additional evidence to be supplied.

Determination and payment of claims

7.—(1) The Secretary of State must determine a claim made under article 6 as soon as reasonably practicable.

(2) The amount of compensation payable for a weapon, if any, is £5, unless the claimant has indicated that a higher amount of compensation is sought.

(3) Where the claimant has sought a higher amount of compensation than £5, the amount payable, if any, is to be determined by the Secretary of State taking account of the evidence of valuation of the weapon supplied.

(4) If satisfied that a higher amount of compensation is payable under this Part, the Secretary of State must—

(a) notify the claimant in writing of the amount of compensation that the Secretary of State considers is payable and give reasons for the decision, and

(b) make payment of the amount determined into the bank account nominated for this purpose on the claim form submitted by the claimant.

(5) If the Secretary of State considers that compensation is payable under this Part, but not satisfied that a higher amount of compensation is payable, the Secretary of State must—

(a) notify the claimant in writing that £5 is payable and give reasons for the decision,

(b) make payment of £5 into the bank account nominated for this purpose on the claim form submitted by the claimant.

(6) If the Secretary of State considers that no compensation is payable, the Secretary of State must notify the claimant in writing that no compensation is to be paid and give reasons for the decision.

Minister of State
Home Office

Date

SCHEDULE

Article 6(1)

Claim Form

Home Office

NPCC National Police Chiefs' Council

SURRENDER AND COMPENSATION SCHEME CLAIM FORM

(Please ensure that you have read the accompanying guidance before completing this form)

PLEASE COMPLETE IN BLOCK CAPITALS

PART A – Your Details

Title			
Forename			
Surname			
Date of Birth	Day	Month	Year
Your address	House number		
	Street		
	Village, Town or City		
	County		
	Postcode		
Contact number			
Email			

PART B – Who are you?

Retailer ☐

Wholesaler ☐

Private Individual ☐

If you are a retailer/wholesaler, please provide your company name:

_____

PART C - Proof of Ownership

You are required to provide proof that you owned or had contracted to acquire the items for which you are claiming compensation before the cut-off date before the Home Office considers your claim.

Have you provided a receipt as proof that you owned or had contracted to acquire the items for which you are claiming compensation before the cut-off date?

Yes ☐

No ☐ If you have ticked no, please answer the questions below.

If you are unable to provide a receipt as evidence of ownership or contract to acquire, please provide reasons why.

Are you able to provide evidence of ownership or contract to acquire other than a receipt? If so, please explain what it is and submit it with this form.

PART D - Do you want to claim financial compensation for the item(s) you have surrendering to the police? Tick which box applies.

Yes ☐ Now go to Part E of this form.

No ☐ Now go to Part F of this form.

PART E – Your bank account

All compensation payments will be made by BACS Transfer if it is determined that compensation is payable. Please provide here the details of the bank account into which any compensation awarded to you will be paid. These details will be included on any cheque that is issued by the Home Office.

Name of account holder	
Account number	
Bank sort code	

PART F – Declaration and signature

I declare that I have read the guidance for the scheme.

I declare that I am the legal owner of the weapon(s) that I am surrendering to the police and that I lawfully acquired it/them or contracted to acquire it/them **on or before 27 March 2025.**

I confirm that I understand that in surrendering the item(s) described in this form to the police, I have relinquished any entitlement to the ownership or use of the item(s).

Please tick which box applies.

A. Seeking compensation in the amount of £5 ☐

B. Seeking compensation for an amount higher than £5 - I am providing evidence of value for the Home Office to consider ☐

C. Not Seeking Compensation ☐

To the best of my knowledge and belief all the item(s) surrendered as part of this application are eligible for payment under the published terms of this scheme.

By signing this declaration, I authorise the police to pass on the information contained in this form to the Home Office for the purposes of processing any claim that I am making for financial compensation.

Signature of legal owner…… Date……

PART G – Person surrendering the item(s) if not the legal owner

If you are surrendering the item(s) on behalf of the legal owner, please fill in the below form with your details. This is in addition to the signature of the legal owner above.

Title			
Forename			
Surname			
Date of Birth	Day	Month	Year
Your address	House number		
	Street		
	Village, Town or City		
	County		
	Postcode		

Signature ……..…….....

Date……..……

PART H – Police use only

Application unique reference number:	Name of Weapon	Seeking Compensation? Enter Y/N	If Y, do you accept the amount of £5?	If N, please provide the value of the weapon.

Total Claim of Compensation:	£

Annex A: Guidance for completing the Ninja swords Surrender and Compensation Claim Form

This section provides guidance for individuals completing this form. Further information can be found in the **Criminal Justice Act 1988 (Offensive Weapons) (Amendment, Surrender and Compensation) (England and Wales) Order 2025 ('the 2025 Order')** available on www.gov.uk. Alternatively, you can ask for assistance at the police station in which you are surrendering your items, you can email your question to the Home Office (email address will be published on gov.uk).

PART A – Your details

Please use this Part to provide the relevant details in the correct boxes. The police will need to verify your identity and it is important to provide correct contact details so you can be contacted regarding your claim(s) for compensation. Your phone number can be a landline or mobile.

Part A should include an email contact address. Contact by email is required to avoid any delays in considering claims or paying compensation.

PART B – Are you a retailer/wholesaler/individual.

Please use this Part to provide the relevant details. This is to ensure we process your claim as an individual or retailer/wholesaler.

PART C – Proof of Ownership

Please use this Part to provide the relevant details. This is to ensure we process your claim if you do provide any evidence to support your claim.

PART D – Do you want to claim financial compensation for the item(s) you are surrendering to the police?

Under the 2025 Order Surrender and Compensation Scheme, legitimate and eligible owners of Ninja Swords are entitled to financial compensation to cover the value of any item surrendered.

Please use this Part to indicate whether you are claiming financial compensation by ticking the relevant box - 'Yes' or 'No'.

Note that in the 2025 Order, if you are claiming compensation for a Ninja Sword, you must have been the lawful owner or have contracted to acquire it on or before the cut-off date of 27 March 2025. the Home Office has set at £5 the standard amount of compensation that will be paid to the lawful owners of items that are surrendered to the police under this scheme. If you consider that your item is worth more than the standard amount of compensation, it is open to you to make a claim for the higher amount and if you wish to do so you must provide proof of purchase or other evidence of this value. This evidence, which must be submitted at the time of surrendering the item to the police, will be forwarded to the Home Office for consideration alongside your compensation claim. The amount of compensation due to you will be decided by the Home Office. If your claim is for over £5 for any single item, you will need to provide proof of purchase and it is recommended that you provide a photograph of the item as well. Further information on your potential entitlement and how to claim compensation can be found in the 2025 Order which is available on www.gov.uk.

PART E – Your bank account

If it is determined that compensation is payable, we will issue a BACS for that amount to be paid into the account specified in Part E of this form.

PART F – Declaration

You are required to complete this Part to confirm that you are the legal owner of the item(s) that you are surrendering, that it was/they were lawfully acquired and that you are eligible to claim compensation, if applicable, including that you acquired ownership before the cut-off date. You should have also read and ensured that you understood the guidance for the scheme before signing. Signing this Part also signals that you understand that in surrendering the item(s), you relinquish your ownership of the item(s) you are surrendering. If you are claiming financial compensation, you are also required to use this Part to confirm the following:

1. You will accept the compensation value listed in this document for your item(s);

2. You will not accept the compensation value listed in this document for your item(s) and are seeking a higher amount;

3. You will accept the compensation value listed in this document for some of your item(s) but will not accept the compensation value listed for other item(s).

4. You must tick which box applies to your application. If you are claiming compensation for an offensive weapon, you must have been the lawful owner or contracted to acquire it on or before the cut-off date of **27 March 2025.**

If you acquired any of the above items after the relevant dates, you would still need to safely dispose of the items and should do so by surrendering them to the police. You will not, however, be eligible to claim compensation under this scheme. Signing the declaration also confirms that you agree that the police can pass on the information contained in this form to the Home Office for the purposes of processing any claim that you are making for financial compensation.

Annex B – This section is to be completed by the police

To be completed by the police. Once completed, a copy will be provided to the claimant as a receipt.

Application unique reference number: Format is Police Station Code + Property booking in reference. E.g. XXX-123456	
Police Force	
Name of receiving officer or staff (please print)	
Receiving station name	
Date received	
Identity of claimant confirmed? (Y/N)	
Ownership of claimant confirmed? (Y/N)	
Evidence of ownership before cut-off date provided? (Y/N)	
All surrendered items correctly detailed? (Y/N) if no, use box below for details	
Valuation of relevant items provided and attached? (Y/N)	
Declarations completed and signed by application (Y/N)	
Additional comments: This space is for the police to record any other information not provided elsewhere in this form. If required, further detail can be recorded on another page.	
For police use: Once completed, the entire form with all supporting documents should then be sent to an email address which will be published in gov.uk in due course (with the compensation claim's unique reference number added to the subject line. The Home Office will review the claim and respond directly to the claimant to confirm progress and next steps in due course. A copy or photo of the completed receipt at Annex B should be given to the claimant.	

EXPLANATORY NOTE

(This note is not part of the Order)

Section 141 of the Criminal Justice Act 1988 (c. 33) ("section 141") provides that any person who manufactures, sells or hires or offers for sale or hire, exposes or has in that person's 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.

The Criminal Justice Act 1988 (Offensive Weapons) Order 1988 (S.I. 1988/2019) (the "1988 Order") specifies descriptions of weapons to which section 141 applies. Both section 141 and the 1988 Order set out defences to the section 141 offences.

Part 2 of this Order adds a new weapon description at paragraph 1(u) in the Schedule to the 1988 Order (the weapon sometimes known as a "ninja sword"), and provides for defences to the section 141 offences in relation to this new weapon description.

Part 3 of this Order provides for the making of arrangements for the surrender of weapons which fall under the new paragraph 1(u).

Part 4 of this Order provides for a scheme under which compensation can be claimed by persons surrendering weapons which fall under the new paragraph 1(u). Article 4 makes provision as to eligibility for compensation. Article 5 provides for officers accepting the surrendered items to issue a receipt. Article 6 provides for claims to be submitted where ninja swords have been surrendered and for the forms to be transmitted to the Secretary of State. Article 7 provides for determination of claims and payment by the Secretary of State. The claim form is set out in the Schedule.

The default level of compensation for these weapons, set at £5, is the amount of compensation payable unless the person claiming the compensation contends that the value exceeds that amount. If the person claims that the value exceeds this default level, evidence of valuation must be submitted and the level of compensation payable is to be determined by the Secretary of State.

The surrender arrangements referred to in this instrument may be obtained at gov.uk and from the Firearms and Weapons Policy Unit of the Crime Directorate of the Public Safety Group of the Home Office at 2 Marsham Street, London SW1P 4DF.

The equivalent annual net direct cost to business is less than £10 million, so an Impact Assessment is not required. An economic note has been produced instead and contains proportionate analysis outlining the main costs, benefits, and Net Present Social Value calculations. An Explanatory Memorandum and an economic note are available alongside this instrument on www.legislation.gov.uk. Copies may be obtained from the Firearms and Weapons Policy Unit of the Crime Directorate of the Public Safety Group of the Home Office at 2 Marsham Street, London SW1P 4DF.

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