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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force sections 58 and 59 of the [Custodial Sentences and Weapons \(Scotland\) Act 2007 \(asp 17\)](#) (“the 2007 Act”).

Section 58 of the 2007 Act inserts new sections 27A to 27S into the Civic Government (Scotland) Act 1982 (c. 45) (“the 1982 Act”). These sections make provision for knife dealers' licences. A knife dealer's licence will be required for carrying on a business as a dealer in any article mentioned in section 27A(2) of the 1982 Act. The Order makes provision for the regime for knife dealers' licences to fully commence on 1st June 2010. The Order makes provision for partial commencement of the knife dealer's licensing regime to come into force on 1st September 2009 to enable applications for knife dealer's licences to be made and for such licences to be granted prior to 1st June 2010.

Section 59 of the 2007 Act makes further amendments to the 1982 Act relating to knife dealers' licences including an amendment to section 7 of the 1982 Act to provide that a person who without reasonable excuse does anything for which a licence is required under section 27A of the 1982 Act without having such a licence is guilty of an offence.

Article 3 of the Order makes transitional provision that has the effect that a person will not be guilty of an offence under section 7(A1) of the 1982 Act by virtue of doing anything for which a knife dealer's licence is required under section 27A of that Act if that person has applied for a knife dealer's licence before 2nd December 2009 but that application has not yet been finally determined by the time section 58 comes fully into force on 1st June 2010.