



# Civic Government (Scotland) Act 1982

## 1982 CHAPTER 45

### PART II

#### LICENSING AND REGULATION—PARTICULAR ACTIVITIES

#### *[<sup>F1</sup>Licensing and regulation of knife dealers*

#### **[<sup>F1</sup>27A Knife dealers' licences**

- (1) A licence, to be known as a “knife dealer's licence”, is required for carrying on business as a dealer in any article mentioned in subsection (2).
- (2) Those articles are—
  - (a) knives (other than [<sup>F2</sup>folding pocket knives whose blades do not exceed 3.5 inches (8.91 centimetres) in length or knives] designed for domestic use);
  - [<sup>F3</sup>(aa) daggers (other than kirpans or skean dhus whose blades do not exceed exceed 3.5 inches (8.91 centimetres) in length);]
  - (b) knife blades (other than those designed for domestic use);
  - (c) swords;
  - (d) any other article—
    - (i) which has a blade; or
    - (ii) which is sharply pointed,and which is made or adapted for use for causing injury to the person.
- (3) A knife dealer's licence shall, in addition to specifying the activity which the dealer engages in, specify the premises in or from which the activity is to be carried on.
- (4) In subsections (1) and (3), “dealer” means a person carrying on a business which consists wholly or partly of—
  - (a) selling;
  - (b) hiring;
  - (c) offering for sale or hire;

*Status: Point in time view as at 01/05/2017.*

*Changes to legislation: Civic Government (Scotland) Act 1982, Section 27A is up to date with all changes known to be in force on or before 01 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (d) exposing for sale or hire;
  - (e) lending; or
  - (f) giving,
- to persons not acting in the course of a business or profession any article mentioned in subsection (2) (whether or not the activities mentioned in paragraphs (a) to (f) are carried out incidentally to a business which would not, apart from this section, require a knife dealer's licence).
- (5) In subsection (4), “selling”, in relation to an article mentioned in subsection (2)—
- (a) includes—
    - (i) selling such an article by auction;
    - (ii) accepting goods or services in payment (whether in part or in full) for such an article; but
  - (b) does not include selling (by auction or otherwise) such an article by one person on behalf of another;
- and “sale” is to be construed accordingly.
- (6) For the purposes of subsection (4), an article is not to be treated as being exposed for sale if it is exposed for sale (by auction or otherwise) by a person other than the owner.
- (7) The Scottish Ministers may by order modify subsection (2) so as to—
- (a) add articles or classes of article;
  - (b) amend descriptions of articles or classes of article;
  - (c) remove articles or classes of article.
- (8) The Scottish Ministers may by order—
- (a) modify subsection (4) so as to modify the definition of “dealer”;
  - (b) specify descriptions of activity which are not to be taken to be businesses for the purposes of that subsection (or that subsection as modified).
- (9) The power in subsection (8)(a) includes in particular power to add descriptions of business.]

#### **Textual Amendments**

- F1** Ss. 27A-27S and cross-heading inserted (1.11.2007 for specified purposes, 1.6.2009 for specified purposes, 1.9.2009 for specified purposes, 1.6.2010 in so far as not already in force) by [Custodial Sentences and Weapons \(Scotland\) Act 2007 \(asp 17\)](#), **ss. 58, 67(2)**; S.S.I. 2007/431, art. 3, sch., S.S.I. 2009/197, art. 2, Sch.
- F2** Words in s. 27A(2)(a) substituted (1.9.2009) by [The Knife Dealers \(Exceptions\) Order 2009 \(S.S.I. 2009/218\)](#), arts. 1, **2(a)**
- F3** S. 27A(2)(aa) inserted (1.9.2009) by [The Knife Dealers \(Exceptions\) Order 2009 \(S.S.I. 2009/218\)](#), arts. 1, **2(b)**

#### **Modifications etc. (not altering text)**

- C1** S. 27A(4) modified (1.9.2009) by [The Knife Dealers \(Exceptions\) Order 2009 \(S.S.I. 2009/218\)](#), arts. 1, **3**

**Status:**

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