



# Knives Act 1997

## 1997 CHAPTER 21

### *The defences*

#### **3 Exempt trades**

- (1) It is a defence for a person charged with an offence under section 1 to prove that—
  - (a) the knife was marketed—
    - (i) for use by the armed forces of any country;
    - (ii) as an antique or curio; or
    - (iii) as falling within such other category (if any) as may be prescribed;
  - (b) it was reasonable for the knife to be marketed in that way; and
  - (c) there were no reasonable grounds for suspecting that a person into whose possession the knife might come in consequence of the way in which it was marketed would use it for an unlawful purpose.
- (2) It is a defence for a person charged with an offence under section 2 to prove that—
  - (a) the material was published in connection with marketing a knife—
    - (i) for use by the armed forces of any country;
    - (ii) as an antique or curio; or
    - (iii) as falling within such other category (if any) as may be prescribed;
  - (b) it was reasonable for the knife to be marketed in that way; and
  - (c) there were no reasonable grounds for suspecting that a person into whose possession the knife might come in consequence of the publishing of the material would use it for an unlawful purpose.
- (3) In this section “prescribed” means prescribed by regulations made by the Secretary of State.

#### **4 Other defences**

- (1) It is a defence for a person charged with an offence under section 1 to prove that he did not know or suspect, and had no reasonable grounds for suspecting, that the way in which the knife was marketed—

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*Status: This is the original version (as it was originally enacted).*

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- (a) amounted to an indication or suggestion that the knife was suitable for combat;  
or
  - (b) was likely to stimulate or encourage violent behaviour involving the use of the knife as a weapon.
- (2) It is a defence for a person charged with an offence under section 2 to prove that he did not know or suspect, and had no reasonable grounds for suspecting, that the material—
- (a) amounted to an indication or suggestion that the knife was suitable for combat;  
or
  - (b) was likely to stimulate or encourage violent behaviour involving the use of the knife as a weapon.
- (3) It is a defence for a person charged with an offence under section 1 or 2 to prove that he took all reasonable precautions and exercised all due diligence to avoid committing the offence.