

CIVIC GOVERNMENT (SCOTLAND) ACT 1982

CONDITIONS APPLICABLE TO NON DOMESTIC KNIVES & SWORD LICENCES

Mandatory conditions for all knife dealers' licences

1. In granting or renewing a knife dealer's licence, a licensing authority must attach to the licence the mandatory conditions as specified in paragraphs (2) to (4).
2. The dealer must make detailed written records on the day of the transaction with a customer and retain such records for a period of 3 years from that date stating the following information—
 - a. the identity of the customer and the means by which the customer's identity was verified;
 - b. the steps taken to establish that the customer was at least eighteen years of age at the time of the transaction (including any proof of age or identity sought or the means by which the customer's age was verified or reasons why such verification was not sought because it was unnecessary); and
 - c. a full description of the article sold, hired, lent or given to the customer.
3. The dealer must ensure that any article listed in section 27A (2) of the Civic Government (Scotland) Act 1982 or display of such articles is not visible from the street or any public entrance to the premises.
4. The dealer must display a notice which must—
 - a. be displayed at all times in a position which is readily visible to customers at –
 - (i) the entry to the premises; and
 - (ii) the point of sale or counter;
 - b. be at least A4 size and on which the lettering must be legible and no smaller than 5 mm in height; and
 - c. contain the following wording:
 - i. it is an offence to sell to a person under the age of 18 any knife or knife blade (except if the person is aged 16 or over and the knife or blade is designed for domestic use);

- II. it is also an offence to sell to a person under the age of 18 any razor blade, axe, sword or other article which has a blade or which is sharply pointed and which is made or adapted for use for causing injury; and
- III. a customer may be asked to provide details of his/her age and identity (which may be recorded or copied and kept for inspection for up to 3 years).

Mandatory additional conditions for swords

1. Where a knife dealer's licence permits carrying on business as a dealer in swords, a licensing authority must also attach to the licence the conditions specified in paragraphs (2) and (3)
2. The dealer must take all reasonable steps to establish from the customer and confirm the intended use of any sword.
3. The dealer must make detailed written records on the day of the transaction with a customer and retain such records for a period of 3 years from that date stating the enquiries made of the customer or other persons or bodies as to the intended use of any sword.

Local conditions for all knife and sword dealers' licences

In addition to the record requirements listed the licence holder shall:-

1. record the date of purchase and the number of items sold, if more than one;
2. in case of doubt verify a customer's age by means of sight of a passport, photographic driver's licence or a PASS age verification card and shall retain for a period of 3 years a record of the passport, driver's licence or PASS number (to be retained with the records detailed at paragraph 2 of article 3 above): and,
3. shall retain a Refusals Register, which shall be retained for a period of at least 12 months, and which must record-
 - a. the date of refusal;
 - b. the reason for refusal;
 - c. details of the person attempting to purchase the item, and;
 - d. the age of the person;

4. The Licence Holder may keep their Purchase, Refusals and Transaction (i.e. article 3, para 2) Registers electronically but must be able to produce a printed version on the premises at all times, upon the reasonable request of an enforcement officer, to comply with the mandatory requirement to have a written record.
5. The Licence Holder shall display all knives, knife blades or swords within lock fast cabinets or display units within the premises and shall ensure that all such items not on display, are stored within a lock fast store within the premises.
6. The Licence Holder shall ensure that sales of knives, knife blades or swords are carried out by a sales person over the age of 18 or are supervised by a sales person over the age of 18.
7. The Licence Holder shall ensure that knives, knife blades and swords are not displayed in a manner which makes them visible from the outside of the premises.

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Head of Legal and Democratic Services

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