

CIVIC GOVERNMENT (SCOTLAND) ACT 1982

KNIFE DEALER LICENCE

GUIDANCE NOTES

Complete the application form and send to the Legal and Democratic Services, Licensing Team, John Muir House, Haddington, EH41 3HA.

1. A 'dealer' is defined as a person carrying on a business which consists wholly or partly of:
 - a) Selling;
 - b) Hiring;
 - c) Offering for sale or hire;
 - 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, whether or not those activities are carried out incidentally to a business which would not, apart from this section, require a knife dealer's licence.

2. Selling is defined as including sale by auction and accepting goods or services in payment for such articles. The legislation also applies to remote sales of knives and may require both the premises that the article is sold from and the premises where the article is dispatched from to be licensed, depending on where those premises are located.
3. The legislation does not define 'domestic' or 'non-domestic' knife. East Lothian Council interprets 'domestic' as being 'any knife, tool or blade used or habitually used in accommodation used as family homes.' Anyone dealing in knives that do not fall into the definition of 'domestic', or anyone dealing in swords, is required to apply for a Knife Dealer licence.
4. There are also certain exemptions from the requirement to obtain a Knife Dealer licence. The Knife Dealers' Licences (Exceptions) Order 2008 provides:

a) That the following knives are exempt from the licensing requirements, but only where the blade does not exceed 8.91 centimetres (3.5 inches) in length:-

- i. Folding pocket knives;
- ii. Kirpans; and
- iii. Skean Dubhs

b) Where a person is teaching or training another person in the sport of fencing, the hiring, lending or giving of fencing weapons does not constitute a business requiring a licence, but only where the person teaching is a professional who is qualified to teach or train in the sport.

5. The amount of public liability insurance cover must be a minimum of £2m.