

# Fact Sheet: NSW Knife Laws

## Offence

It is an offence to have a knife in a public place without a reasonable excuse.

## What is a knife?

A knife includes a knife blade, a razor blade, or any other blade.

## Are there some knives you need a permit to own?

Yes. Under the Weapons Prohibitions Act 1998 (NSW), there are specific knives that you are not allowed to own or carry unless you have obtained a prohibited weapons permit. These include flick knives, ballistic knives, sheath knives, star knives, push daggers and others. See Schedule 1 for a list of knives that are prohibited.

## Can you carry a knife in a public place or school?

No, you can't have custody of a knife in a public place or school - unless you have a reasonable excuse.

## What is considered a public place?

It is a place open to the public or used by the public and includes water areas (i.e. Sydney Harbour or Bondi Beach).

## What is a reasonable excuse to carry a knife?

A reasonable excuse to have a knife includes:

- for your job/training
- for the preparation of food
- for use in lawful entertainment/recreation/sport
- exhibition of knives for retail or trade purposes
- organised exhibition by knife collectors
- wearing of official uniform
- genuine religious purposes
- during travel to or from or incidental to the above activities.

Carrying a knife for self-defence or the defence of another is not a reasonable excuse.

## What is the penalty?

The police have a range of charge options available depending on the circumstances and seriousness of the offence.

- **Police-issued fine:** First-time offenders could be served a notice and required to pay a \$550 fine.<sup>1</sup>
- **The lower charge:** Under s. 11B of the Summary Offences Act 1988 (NSW), the maximum penalty is \$5,500 or imprisonment for two years.
- **The higher charge:** Under s. 931B of the Crimes Act 1900 (NSW), the maximum penalty is \$4,440, imprisonment for 4 years, or both.
- **Visible carrying a knife to cause fear:** Under s.931C of the Crimes Act 1900 (NSW), the maximum penalty is \$11,000 or imprisonment for 4 years of both.

## A new separate offence for parents

If a child (10-17 years) commits an offence against s 931B, Crimes Act 1900 (NSW), and the parent knowingly authorises or permits the child to commit the offence, the parents can receive a \$550 fine.

## Sale of knives to children

If a person sells a knife to a child under the age of 16 years, they can be fined \$5,500. There are certain defences.

The law specifies that selling plastic knives or blades for eating purposes does not constitute an offence under this section.

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