

*Draft Order laid before the Scottish Parliament under section 3A(3) of the Civic Government (Scotland) Act 1982 for approval by resolution of the Scottish Parliament.*

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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2012 No.**

**CRIMINAL LAW**

**The Knife Dealers (Licence Conditions) (Scotland) Order 2012**

*Made* - - - - 2012  
*Coming into force* - - 2012

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 3A(1) and (2) and 27C of the Civic Government (Scotland) Act 1982(1) and all other powers enabling them to do so(2).

In accordance with section 3A(3) of that Act, a draft of this Order has been laid before and approved by resolution of the Scottish Parliament.

**Citation, commencement and application**

1.—(1) This Order may be cited as the Knife Dealers (Licence Conditions) (Scotland) Order 2012 and comes into force on the day after the day on which it is made.

(2) Articles 3 and 4 apply only to knife dealers’ licences granted or renewed by a licensing authority after this Order comes into force.

**Interpretation**

2. In this Order, “customer” means a person who buys, hires, borrows or otherwise acquires any article listed in section 27A(2) of the Civic Government (Scotland) Act 1982 from a dealer

**Mandatory conditions for all knife dealers’ licences**

3.—(1) In granting or renewing a knife dealer’s licence, a licensing authority must attach to the licence the conditions 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;

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(1) 1982 c.45; section 3A was inserted by section 172(3) of the Criminal Justice and Licensing (Scotland) Act 2010 (asp 13) and section 27C was amended by section 172(4) of that Act.  
(2) The powers to make this Order are exercised together by virtue of section 33(2) of the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10). The Order is subject to the affirmative procedure by virtue of section 33(3) of that Act.