

Laws impacting the sale of knives and controlled items in Queensland.

Information Session
for Business



**It's illegal
to sell a knife
to anyone
under 18.**

**NO PHOTO ID
NO SALE**

It is now a criminal offence to sell knives or particular controlled items to anyone under 18 in Queensland.
If you look under 25, expect to be asked for photo ID.

**END.
KNIFE
VIOLENCE**

NationalRetail
ASSOCIATION

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Queensland
Government

About us

Who are we

The National Retail Association is Australia's most representative retail industry organisation, servicing more than 60,000 retail and food outlets nationwide.

We are a not-for-profit organisation built on strong relationships with our members and for almost 100 years we have been helping our member businesses navigate and comply with a complex and evolving regulatory environment.

What we do

- ✓ Safe Retail Precincts
- ✓ Safe City Networks
- ✓ Retail Crime Committees
- ✓ Customer aggression
- ✓ Trading Hours
- ✓ 16 x Single-use Plastic Bans
- ✓ Sustainability
- ✓ Product safety
- ✓ Health & nutrition

We advise governments on policy to influence regulatory policy, and engage businesses to ensure they understand and can comply with regulation.



Business Engagement Program

The **Queensland Police Service (QPS)** are:

- Implementing and enforcing the legislation and regulations.
- delivering public awareness campaigns and media to educate the general public, consumers, community groups, councils, etc.
- Main website: endknifeviolence.com.au

National Retail's role:

National Retail has been officially engaged by QPS to assist businesses to understand, prepare for, and comply with the legislation.

- We are physically visiting thousands of stores across 500 shopping centres and retail precincts across metro and regional QLD from June to Oct 2024 to provide advice and resources.
- Suite of business factsheets & resources
- Online information sessions
- Tollfree hotline & email
- Business website: <https://bit.ly/knifelaws-nationalretail>





New Laws Overview

Why

The laws restricting the sale of knives and controlled items are only **one part of a broader suite of initiatives** targeted at reducing knife crime and improving community safety.

Knife-related crime

- While most knives and bladed items bought from stores are not used in crimes, some are bought or stolen and used as weapons.
- Knife-related crime poses a serious risk to community safety.
- Increased offences are being reported where knives or other controlled items are involved, particularly crimes involving minors.

Objectives of the new laws

- Reduce access to these items for people under 18.
- Disrupt and deter violent offences.
- Support safer, responsible retailing.
- Improve community safety.

Additional initiatives

- End Knife Violence campaign.
- “I live my life without a knife” school-based education program.
- Expanded Jack’s Law, Police wandering powers to search for bladed instruments using metal detectors.
- Campaigns and recruitment drives to increase number of Police recruits going through academy.
- Increasing number of Police on the streets, in shopping centres and transport hubs.
- Youth intervention programs.

What

New laws come into effect in **Queensland** from **1 September 2024** which mean that knives and other items will be considered controlled items.

Summary of requirements for sellers:

- You must not sell knives or controlled items to anyone under 18.
- You must display signage regarding age restriction requirements.
- You must instruct and warn staff, with written acknowledgement.
- You must not promote or advertise controlled items as 'suitable for combat'.
- You must securely store *particular* controlled items prior to sale.
 - Single-edged knives must not be sold to minors, but are not required to be securely stored.
 - *Particular* controlled items are required by law to be securely stored : double-edged knives, knives with blades at both ends, axes, tomahawks, machetes, sickles, scyths, swords, spears, spear guns, and gel blasters which look like real firearms.

Who

The laws apply to **all persons**, businesses and places, which **sell** impacted items into or within Queensland.

“Sell” = to give something to somebody in exchange for money.

Examples

Physical stores

e.g. supermarkets, hardware, outdoors, fishing, craft, discount, convenience, kitchenware and other outlets.

Online sales

E.g. online marketplaces, e-commerce sites, home delivery, click-and-collect.

Applies if selling to an end customer in QLD, regardless of where the seller is based.

Also applies to all QLD-based sellers, regardless of where the customer is based.

Members of the public

E.g. selling goods at markets, online, second hand.

Events or temporary sellers

E.g. markets, shows, exhibitions, auctions, festivals

Sales within a business

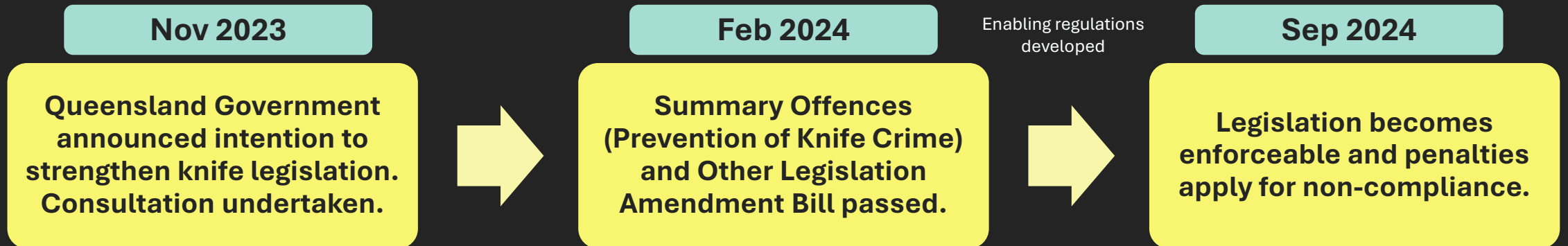
E.g. Businesses selling tools/ equipment to staff or apprentices.

Non-commercial businesses

E.g. Sporting or interest groups selling equipment

When

The legislation will be enforceable from 1 September 2024.



Businesses are encouraged to start making changes immediately.

How

The *Summary Offences (Prevention of Knife Crime) and Other Legislation Amendment Bill* was implemented by the Queensland Government.

The Queensland Government is responsible for the implementation while the Queensland Police Force is responsible for enforcement. Penalties can be applied from 1 September 2024.

Currently \$162 per penalty unit, eg. 100 penalty units = \$16,200. Penalty unit values change annually.

Offence	Maximum Penalties
Selling a controlled item to anyone under 18.	140 to 420 penalty units (1 st to 3 rd offence)
Failing to display signage about prohibited sales.	20 penalty units
Employer fails to instruct and warn staff of laws and liability.	40 penalty units
Employee who sells a controlled item to a minor.	20 to 40 penalty units
Promote or advertise controlled items as suitable for combat.	25 penalty units
Failing to securely store particular controlled items.	50 penalty units
Person falsely representing as adult to purchase controlled items.	25 penalty units



8 Steps for Sellers

8 steps for sellers

- 01** Assess your range for impacted items.
- 02** Consider whether you need to sell these items.
- 03** Ensure you do not sell to minors.
- 04** Display signage about age restrictions.
- 05** Instruct your staff and keep records.
- 06** Check items are not promoted illegally.
- 07** Ensure particular controlled items are securely stored.
- 08** Check requirements for restricted items and weapons.

Step 1: Assess your range

To understand your responsibilities, review your range and determine whether an item is:

- ▶ **Exempt**
- ▶ **Controlled**
- ▶ **Controlled-Secured**
- ▶ **Restricted**

- Review your range and classify carefully.
- Adopt a risk-averse approach.
- Do not rely on product labelling.
- Consider how average person would perceive it.
- Where unsure, consider legal advice.

EXEMPT

- ▶ Knife with rounded or dull tip (eg. butter knife)
- ▶ Plastic or wooden knife for eating
- ▶ Cheese knife
- ▶ Items that are not likely to be considered knives, such as scissors, shears, secateurs, most shaving razors and replacement blades for box-cutters or scalpels



CONTROLLED

Knives with one single-sided blade, such as:

- ▶ Kitchen or steak knife
- ▶ Utility knife or box-cutter
- ▶ Fishing knife
- ▶ Craft scalpel
- ▶ Cutthroat razor
- ▶ A single-sided knife within a multi-tool or kit



CONTROLLED-SECURED

A specific list of items are identified:

- ▶ A dagger that has a double-edged blade
- ▶ A knife or multi-tool with a blade at each end
- ▶ A sword
- ▶ A machete
- ▶ An axe or tomahawk
- ▶ A sickle or scythe
- ▶ A spear gun or spear



RESTRICTED

Replica weapons under the Weapons Act.

Example:

- ▶ gel blasters which are not clearly identifiable as toys



Step 2:

Consider whether you need to sell these items

Some businesses need to sell knives, axes, machetes, and other controlled items.

However, if these items are not a core product line and you don't have a clear reason for selling them, **consider removing them from your range.**

Benefits of Phasing Out:

- Reduce legal risk
- Lower secure storage costs
- Decrease theft risk
- Avoid contributing to violent crime
- Potentially increase staff safety

Some stores (homewares, variety, convenience) are opting to stop selling these items due to cost, danger, and complexity.

If you don't need to sell controlled items, or if you have concerns about complying with the new legal requirements, **consider phasing out these items.**

Step 3:

Ensure you and your staff do not sell to minors.

Legal requirements for sellers:

Sellers and their employees must not sell a controlled or restricted item to a minor aged under 18 years.

You should take all reasonable steps to verify a customer is not a minor. Unless you can reasonably assess that a person is over 18 years, you must sight appropriate identification which displays their age.

Sellers may refuse to sell a controlled item without repercussions under the *Anti-Discrimination Act* if they have reason to suspect the item is being purchased by a minor.

Legal requirements for customers:

A person is prohibited from falsely representing themselves as 18 years or older to buy a controlled item.

Tips:

- Check if you can adapt existing systems
- How to verify age (Assess-Ask-Check)
- Acceptable ID
- Fake ID
- Refusing a sale
- Verifying age online
- Staff under 18
- Apprentices under 18
- Possessing vs selling a knife



[resource link >](#)

Step 4: Display signage about age restrictions.

Legal requirements for sellers:

Sellers must display clearly visible signs advising that the sale of controlled items to minors is prohibited.

Prohibition signs which use the prescribed wording, colour and font must be displayed either:

- at each point-of-sale in the outlet so it is clearly visible when a person is purchasing a controlled item,

OR

- at each place where a controlled item is displayed in the outlet, so it is clearly visible when a person is viewing the displayed products.

If there is no display location, then a sign must be at each point-of-sale. A retail outlet includes any physical premises where the item is sold to customers.

Tips:

- Official signage:**

You must display signage which uses the correct wording, colour, text size and paper size. QPS have approved official wording and created signage to download.

You can create your own official signage however specific size, colours and wording will be required.

- Optional extra materials:**

You may also want to display extra materials, such as campaign signage, to help educate customers (but this does not replace the official black-and-white signage requirements).

[**resource link >**](#)



Step 5: Instruct your staff and keep records.

Legal requirements for sellers:

Staff must be instructed and warned that it is illegal to sell a controlled or restricted item to a minor, with staff acknowledging this in writing.

Sellers are responsible for ensuring you **instruct** all employees about:

- the prohibition on the sale of controlled items to minors, and
- the requirement that all employees sight acceptable evidence of age before selling a controlled item unless satisfied that the person is an adult.

You must also **warn** employees of the legal consequences of selling to a minor, and that both the owner and employee can be held liable.

Sellers must obtain the **written acknowledgement** from the employee that confirms the employee has received these instructions and warning.

Tips:

- Consider if you can use your existing training systems.
- Ensure all staff trained before 1 September.
- Keep records (paper or electronic).
- Optional additional training.

The form is titled "Selling age-restricted goods in Queensland. Employee Acknowledgement". It includes fields for "Business name:" and "Employee name:". Below these is an "Acknowledgement" section where the employee states they have been instructed and warned about their obligations. A bulleted list of obligations follows:

- I must not sell knives or other controlled items to anyone under 18 years;
- I must sight acceptable evidence of age unless I am confident that the person is over 18 years;
- selling a controlled item to a minor is a breach of law which carries legal consequences; and
- both my employer and myself can be held personally liable, and I may be prosecuted and penalised if I do sell these items to underage customers.

 The form also includes a statement: "I have read and understood this form, and I am confident that I know how to sell age-restricted goods legally. I understand that I must refuse to sell to any customers if I am in any doubt." There are lines for "Employee signature" and "Employer signature", each followed by a "Date" field. At the bottom, a section titled "Why is this required?" explains that under the Queensland Summary Offences Act 2005, businesses must have evidence that all employees who may be involved in the sale of age-restricted items have been instructed about:

- the prohibition on the sale of controlled items to minors,
- the requirement that all employees sight acceptable evidence of age before selling a controlled item unless satisfied that the person is an adult, and
- the legal consequences of selling to a minor and that both the owner and employee can be held liable.

SAMPLE FORM – available to download

[resource link >](#)

Step 6:

Check items are not promoted illegally.

Legal requirements for sellers:

Sellers must not suggest or promote item as suitable for combat or violence.

Sellers must not sell a controlled item that indicates or suggests the item:

- is suitable for combat or intended to be used for violence, whether actual or threatened, against a person or fictional creature (eg. zombie weapon), or
- is likely to stimulate or encourage violent or criminal behaviour that involves using the item.



Tips:

Check all features of a controlled item, or the way in which the item is sold, such as:

- images, words or markings on the item
- images or words in an advertisement or signage
- images or words in website content
- images or words packaging for the item
- product names

Consider how an average person would view the item's name, description, markings, packaging or promotion (whether physical or online), and if any of these could be interpreted as suggesting violence or combat.

The end seller is ultimately responsible for ensuring items are not promoted in an illegal manner. If you stock brands which have illegal features, but you do not control the brand or packaging, contact the product supplier.

Step 7:

Ensure particular controlled items are securely stored.

Legal requirements for sellers:

Sellers must ensure particular controlled items and restricted items are securely stored prior to sale.

Secure storage is defined as:

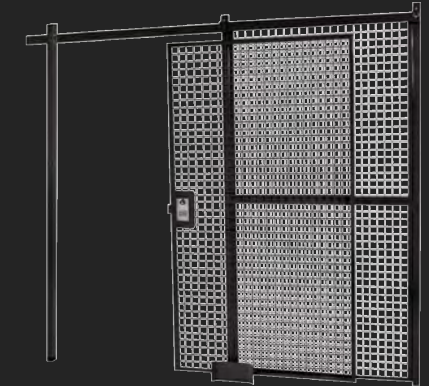
- a locked room,
- a locked cage,
- a locked counter,
- a locked cabinet, or
- some form of secure tethering cord or device which allows customers to inspect but not remove the product without the assistance of a sales attendant.

Controlled items requiring secure storage are:

- A dagger that has a double-edged blade
- A knife with a blade at each end
- A sword, machete or axe
- A sickle or scythe
- A spear gun or spear
- Any other bladed item prescribed by regulation.
- Secure storage already applies to items classified as restricted items.

Tips:

- Applies to particular controlled items.
- Must be secure at all times, except when in physical possession of a person.
- Examples of insufficient storage.
- Suggestions:
 - Add locks to cabinets
 - Add grills or doors to pallet racks
 - Empty boxes on display, stock in locked room
 - Consider all stock movements e.g. delivery, refunds, damaged, disposal
- Voluntary secure storage of other items.



Campaign signage
re secure storage

[resource link >](#)



Step 8:

Check restricted items and weapon requirements.

Legal requirements for sellers:

Gel Blasters which could be mistaken for a firearm are prohibited from being sold to minors.

Sellers should also implement all measures described previously in this Guide for Controlled-Secured items.



- All of the seller requirements apply:
 - Sellers should take all reasonable steps to verify a customer is not a minor. A person is prohibited from falsely representing themselves as 18 years or older to buy a controlled item.
 - Staff must be instructed and warned that it is illegal to sell a controlled or restricted item to a minor, with staff acknowledging this in writing.
 - Sellers must display clearly visible signs advising that the sale of controlled items to minors is prohibited.
 - Sellers must not suggest or promote item as suitable for combat or violence.
 - Sellers must store restricted items in a locked container prior to sale, and take reasonable precautions to ensure the item is not accessible to persons who are not lawfully entitled to possess the item.
- Sellers are encouraged to make buyers aware of the storage and carrying requirements of possessing a restricted item at time of purchase.

A weapons licence is not required for a gel blaster.

Recap

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Business Support

Key links

Website for business

All business resources are available at: <https://bit.ly/knifelaws-nationalretail>

Factsheets and signage

The website above offers a large range of factsheets, signage, point-of-sale materials, sample staff forms, and more...

Online Sessions

National Retail specialists are holding regular online webinars for businesses to receive an overview of the laws and ask questions. All sessions are free for businesses and their staff.

- Register at: <https://bit.ly/qldknifelaws>

Contact the National Retail team

- Email us: policy@nationalretail.org.au
- Call us: **1800 571 146** (tollfree business hotline)

Contact us



VISIT

<https://bit.ly/knifelaws-nationalretail>



CALL

1800 571 146



EMAIL

policy@nationalretail.org.au

Register for Updates



Want to further updates from the National Retail Association?



Additional FAQs

How should we verify age?

You should take all reasonable steps to verify a customer is not a minor. Unless you can reasonably assess that a person is over 18 years, you must sight appropriate identification which displays their age. Many businesses use a simple 3 step age verification process, such as Assess – Ask – Check:

Assess – staff should try to assess the age of the customer and whether there is any chance they are under 25 years (this age buffer allows a margin of error as it can be difficult to visually determine someone’s age).

Ask – ask the customer to provide identification which shows their age or date of birth, noting you should not ask someone’s age.

Check – take your time to carefully check the ID is valid, current, unaltered, and that the photo matches the person. Ensure you carefully check the age or date of birth.



What is appropriate ID?

Acceptable evidence of age is a driver licence, proof of age card, or passport, which includes a photo of the person and indicates their age via their date of birth or otherwise that they have attained a particular age.

For example:

- Australian photo driver licence
- Australian or overseas passport
- Australian proof of age card (formerly 18+ card)
- A digital copy of evidence that displays their name, photo and date of birth.

