

Laws impacting the sale of knives and controlled items across Australia.

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

LEARN MORE

Queensland Government

Introduction

Acknowledgement of country

In the spirit of reconciliation, the National Retail Association acknowledges the Traditional Custodians of country throughout Australia and their connections to land, sea and community. We pay our respect to their Elders past and present and extend that respect to all Aboriginal and Torres Strait Islander peoples today.

This session – Our focus is knives as functional tools necessary for everyday use

Introduction: David Stout, Director of Policy, National Retail Association

Presenter: Ebony Johnson, Policy Manager, National Retail Association



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.



Our expertise

QLD Knife Laws Engagement Program 2024

In 2024, National Retail was officially engaged by QPS to assist businesses to understand, prepare for, and comply with the new QLD legislation.

- We physically visited thousands of stores across 620 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>
- QPS website: endknifeviolence.com.au





Knife sale laws across Australia

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 knife sale laws

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

Additional initiatives - QLD

- 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 - State by state

[Link to resource >](#)



State	Act & Amendment	Restrict sale to minor	Age of minor defined	Signage requirements	Restricted advertising	Staff acknowledgment	Secure storage	
NSW	<u>Summary Offences Act 1988</u>	✓	<16* *16-17 yrs must have lawful excuse	✗	✗	✗	✗	
WA	<u>Weapons Act 1999</u>	✓ Includes supply	<18	✗	✗	✗	✗	
SA	<u>Summary Offences Act 1953</u>	✓	<16	✗	✓	✗	✗	
VIC	<u>Control of Weapons Act 1990</u>	✓	<18	✗	✗	✗	Dagger, double ended blade and throwing knife is a prohibited weapon	
ACT	<u>Crimes Act 1900</u>	✓ Includes supply	<16	✓ Section 384	✗	✗	✗	
QLD	<u>Summary Offences Act 2005</u>	✓	<18	✓	✓	✓	✓	
NT / TAS	No specific legislation applies in these states.						current as of 19 December 2024	

Who do laws apply to?

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

“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



Best practice
government policy

Queensland = most stringent laws

New laws came into effect in **Queensland** from **1 September 2024** which mean that knives and other items are 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.



8 Steps for Sellers

Recommendations for sellers

Meet the most stringent laws (QLD) and consider further measures

- 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** Monitor risks and consider measures beyond the law.

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
- Reduce reputational risk of an incident
- 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.

QLD 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:

- 16 or 18
- 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
- **NSW** – ‘reasonable grounds’
“a child reasonably requires the knife for the lawful pursuit of the child’s occupation, education or training”
- **WA** – supply with ‘lawful excuse’
“lawful employment, duty, or activity; lawful sport, recreation, or entertainment; lawful collection, display, or exhibition.”



[QLD Resource link >](#)

Step 4: Display signage about age restrictions.

QLD 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.

QLD 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 with the text: "I have been instructed and warned by my employer about my obligations when selling age-restricted items. I understand that:" followed by a bulleted list of legal requirements. At the bottom, there are lines for "Employee signature" and "Employer signature", each with a corresponding "Date" field. A "Why is this required?" section explains the legal basis under the Queensland Summary Offences Act 2005.

SAMPLE FORM – available to download

[resource link >](#)

Step 6:

Check items are not promoted illegally.

QLD 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.

QLD Legal requirements for sellers:

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

Secure storage is defined as:

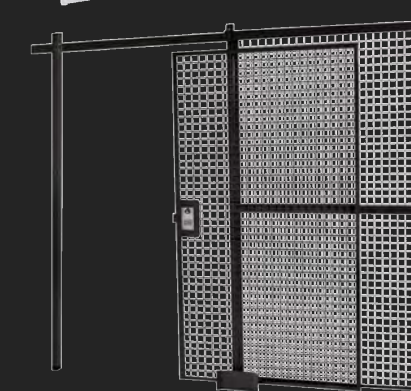
- a locked room,
- a locked cage,
- a locked counter,
- a locked cabinet, or
- some form of secure tethering cord or device which allows customers to inspect but not remove the product without the assistance of a sales attendant.

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: Theft management

Monitor risks and consider measures beyond the law.

Monitor and weigh up risks of theft.

Ask:

- Do we really need to sell these?
- Which products are essential?
- How easy can I remove the product from packaging?
- Are potentially dangerous products within sight?
- Would I prefer to have control of their storage?
- What is the impact of worst case?



Examples of measures beyond the law →

- Tamper-proof packaging
- Stop-locks and anti-theft devices





Examples of measures beyond the law (cont.)

- Product location (e.g. secure or in view)
- Faux packaging / empty display
- Removing or reducing non-core ranges



Challenges

Challenges remain re selling knives and necessary products that can be misused by a small proportion of people.

Most knives that are used as weapons are stolen or already owned.

- National policy inconsistency
- Online sales no ID solution
- Ongoing crime, aggression and societal issues
- Can't lock everything up based on thieves
- Understanding your role in reporting crime and suspicious behaviour

More information

More information

Check state police websites for knife law updates.



VISIT

National summaries and details of the QLD law

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

policy@nationalretail.org.au



Additional FAQs

National Sale of Knife Laws

State	
NSW	<p>NSW Summary Offences Act 1988 UPDATED DEC 2024 Subdivision 1 Knives and offensive implements 11F Sale of knives to children</p>
WA	<p>Western Australia Weapons Act 1999 UPDATED SEP 2024 Police Legislation Amendment Act 2024 7. Controlled Weapons 8A. Selling and supplying controlled weapons to children ('Edged weapons' added to controlled weapons prescribed in Weapons Regulations 1999 (Act s. 3) (Sch. 2), Schedule 2 – Controlled weapons)</p>
SA	<p>South Australia Summary Offences Act 1953 Part 3A—Weapons etc 21D—Unlawful selling or marketing of knives</p>
VIC	<p>Victoria Control of Weapons Act 1990 S. 3(1)def. of controlled weapon inserted by No. 47/2000 s. 5(1). Section 6 – Control of Controlled Weapons Control of Weapons Regulations 2011</p>
ACT	<p>ACT Crimes Act 1900 Part 17 – Offences punishable summarily and summary procedure generally Section 383 – Sale of knife to person under 16 Section 384 – Retail supplier of knives to display sign</p>
QLD	<p>Summary Offences Act 2005 UPDATED SEP 2024 Summary Offences (Prevention of Knife Crime) and Other Legislation Amendment Act 2024 Part 3 Amendment of Summary Offences Act 2005 - Section 23 Gel blasters - Weapons Act 1990, section 67</p>
NT / TAS	<p>No specific legislation applies in these states</p>

National Sale of Knife Laws

State	Legal Requirements – Key Points
NSW	<p>NSW Summary Offences Act 1988 UPDATED 2024</p> <ol style="list-style-type: none"> 1. A person who sells a knife to a child under the age of 16 years is guilty of an offence. 2. It is a <u>defence</u> (proof of which lies on the person) to a prosecution for an offence under this section that the person selling the knife believed on reasonable grounds that the child was of or above the age of 16 years.
WA	<p>Western Australia Weapons Act 1999 UPDATED 2024</p> <ol style="list-style-type: none"> 1. In this section – child means a person under 18 years of age. 2. A person who sells an edged weapon to a child commits an offence. 3. A person who supplies an edged weapon to a child commits an offence. 4. It is a defence to a charge of an offence ... to prove the accused believed on reasonable grounds that, at the time the edged weapon was supplied, the child had a lawful excuse to carry or possess the weapon.
SA	<p>South Australia Summary Offences Act 1953</p> <ol style="list-style-type: none"> 1. It is an offence to sell a knife to a minor under 16. 2. It is a defence to prosecution for an offence to prove that: <ol style="list-style-type: none"> a) the seller requested the minor to produce evidence of age of a kind prescribed by regulation; and b) the minor made a false statement or produced false evidence in response to that request; and c) in consequence, the seller reasonably assumed that the minor was of or above the age of 16 years 3. A person who markets a knife in a way that— (a) indicates, or suggests, that the knife is suitable for combat; or (b) is otherwise likely to stimulate or encourage violent behaviour involving the use of the knife as a weapon, is guilty of an offence.
VIC	<p>Victoria Control of Weapons Act 1990 and Control of Weapons Regulations 2011</p> <ol style="list-style-type: none"> 1. It is an offence to sell knives to children under 18.
ACT	<p>ACT Crimes Act 1900</p> <ol style="list-style-type: none"> 1. It is a crime to sell a knife (except a plastic knife) to a person under 16. 2. A person who sells knives must display the following sign: 'It is an offence to sell a knife to a person under the age of 16. Proof of age may be required.'. <ol style="list-style-type: none"> i. the sign must be no smaller than 210mm x 145mm (A5) ii. Letters within sign must be at least 8mm in height.
QLD	<p>Summary Offences (Prevention of Knife Crime) and Other Legislation Amendment Act 2024 – within Summary Offences Act 2005 UPDATED 2024</p> <ol style="list-style-type: none"> 1. It is an offence to sell a knife or controlled item to anyone under the age of 18. 2. Obligations on people and businesses to not sell to anyone under 18, display signage, instruct and warn staff, monitor promotional activity and securely store particular controlled items. 3. Gel blasters are that are restricted items under the Weapons Act 1990, section 67 that is a replica of a firearm under that Act; are also controlled items.
NT / TAS	No specific legislation applies in these states.