

# DANGEROUS KNIVES

## AN ORDINANCE TO PROHIBIT THE CARRYING OF DANGEROUS KNIVES.

Ordinance Nos,

28 of 1906

14 of 1907

12 of 1945

Ordinance Nos,

30 of 1949

[1 of 1983](#) [ 27<sup>th</sup> January , 1983 ]

[24<sup>th</sup> November , 1906 ]

### CHAPTER 1

Short title. **1.** This Ordinance may be cited as the Knives Ordinance.

Application of **2.**  
Ordinance.

(1) The Minister may, by Order to be published in the Gazette, \* declare the provisions contained in Chapter II of this Ordinance to be in force in any district, village, or part of Sri Lanka; and thereupon the same shall be in force within the limits and from the date mentioned in such Order. Proclaimed in - The Central Province, -The Kegalla District. (\*-The Kurunegala District. The Ratnapura District.-The Southern Province. -The whole of Ceylon. - Gazette No, 6,227 of 31st January, 1908. " No. 6,303 of 2nd April, 1909, " No. 6.244 of 29th May, 1908. " No. 7,664 of 21st January 1928. " No. 6,172 of 1st March. 1907. " No, 10,019 of 23rd September, 1949, as from 1st October. 1949.)

(2) The Minister may in like manner exempt from the operation of Chapter II of this Ordinance any district, village, or part of Sri Lanka in which this Ordinance has been declared to be in force.

### CHAPTER II

Penalty for wearing c, prohibited knives.

[12.1 of 1983](#)

**3.** Any person who carries on or about his person, or wears, any prohibited knife, shall be guilty of an offence, and shall be liable on conviction thereof, to imprisonment of either description for a term not exceeding one month and shall also be liable to a fine not exceeding fifty rupees, and for the second and any subsequent offence to imprisonment of either description for a term not exceeding three months and shall also be liable to a fine not exceeding one hundred rupees; and in every prosecution under this section the prohibited knife in respect of which such person is convicted shall be forfeited.

Exception with regard to instruments indispensable for lawful trades & c.

**4.** Where the use of any instrument which is a prohibited knife within the meaning of this Ordinance is indispensable for the purpose of carrying on any lawful trade, craft, or pursuit, the carrying or wearing of such instrument by any person when actually engaged in any such trade, craft, or pursuit shall not be an offence under this Ordinance.

Exception with regard to military

**5.** Nothing in this Ordinance shall extend to the carrying or wearing of any military weapon by any person serving in any of armed forces or in

weapons. any police force or in any corps of pioneers or volunteers.

**6.**

Power of peace officers, & c. ,to require production of knives for inspection.

[3,30 of 1949]

(1) It shall be lawful for any peace officer or grama niladhari or for any revenue or judicial officer to call upon any person wearing or carrying any instrument which may reasonably be suspected to be a prohibited knife, to produce the same to him for inspection; and, if such instrument proves to be a prohibited knife, to detain the same until such time as he can produce it before the court.

(2) An officer referred to in subsection (1) may arrest a person who, when called upon by that officer to produce for inspection an instrument which that person is wearing or carrying, refuses or fails to do so forthwith, or who prevents or attempts to prevent that officer from detaining a prohibited knife. Where an officer other than a peace officer, by verture of the powers vested in him by this subsection, arrests a person, he shall forthwith commit that person to the custody of a peace officer; and a peace officer to whose custody and arrested person is committed under this subsection shall deal with that person in accordance with the provisions of section 36 of the Code of Criminal Procedure Act, No. 15 of 1979 as though he had arrested that person without warrant.

[3,30 of 1949]

(3) whoever, when called upon by any of the officers named in subsection (1) to produce any such instrument for inspection, refuses or fails to do so forthwith, or prevents or attempts to [§3,30 of 1949] prevent any such officer from detaining any prohibited knife, shall be guilty of an offence against this Ordinance, and shall be liable on conviction thereof to a fine not exceeding one hundred rupees.

Court for trial of offences. **7.** Every offence alleged to have been committed against the provisions of this Ordinance shall be triable by the Magistrate's Court having local jurisdiction.

[3.1 of 1983]

Offenders under this Ordinance not to be discharged with admonition or conditionally.

[4.1 of 1983]

**8.** The provisions of sections 306 to 309 (inclusive of both) of the Code of Criminal Procedure Act, No. 15 of 1979, shall not apply to a person charged with an offence under this Ordinance.

Penalties for false charge.

**9.** Should the court which tries any case under the provisions of this Chapter find that the charge is false, frivolous, or vexatious, it shall be lawful for such court to impose on the complainant a fine not exceeding five rupees.

Limitation of prosecutions.

[5.1 of 1983]

**10.** No prosecution shall be instituted against any person for an offence against this Ordinance after the lapses of three months from the time when the offence is alleged to have been committed.

### CHAPTER III

Power of Magistrate to order persons convicted under section 315 of the Penal Code to be whipped.

**11** Whenever a person is convicted before a Magistrate's Court of an offence under section 315 of the Penal Code, such Magistrate's Court may, in addition to or in lieu of any punishment to which the offender may be sentenced for such offence, order such offender to be whipped in manner prescribed by the Code of Criminal Procedure Act, No. 15 of 1979, but the number of lashes or strokes to be inflicted shall in no case exceed the limit prescribed by the

Corporal Punishment Ordinance.

- Convicted person may be prohibited from carrying a knife. **12.** Whenever any person is convicted by any court other than a Rural Court\* of any offence not punishable by death in which the knife has been used, or of the abetment of or the attempt to commit any such offence, it shall be lawful for such court, in lieu of or in addition to any punishment to which the offender is liable, to make an order in such case prohibiting him on his discharge from custody from wearing, carrying, or concealing about his person any knife outside the precincts of the house, hut, or boutique in which he ordinarily resides, unless he shall have first obtained a licence from the +Divisional Secretary of the Divisional Secretary's Division as is hereinafter provided. (\* The reference to "Rural Court" should be omitted consequent to the repeal of the Rural Courts Ordinance by Law No. 44 of 1973. The reference to Rural Court should be read as the Magistrate's Court,)
- Power of Divisional Secretary of the Divisional Secretary's Division to issue licences. **13.** It shall be lawful for the Divisional Secretary of the Divisional Secretary's Division in which such person resides to issue a licence (either with or without conditions) to such person to wear or carry a knife (not being a prohibited knife) outside the precincts of the house, hut, or boutique in which such person ordinarily resides, for such period and under such conditions as to the Divisional Secretary of the Divisional Secretary's Division shall seem fit.
- Contravention of order or condition of licence. **14** When any person against whom an order has been made under section 12 does, without having obtained a licence under the last preceding section, any act in contravention of such order, or in any way contravenes the terms or conditions of any licence issued under the last preceding section, then and in every such case such person shall be guilty of an offence punishable on conviction with imprisonment of either description for any period not exceeding six months; and if a licence has been granted to him such licence shall thereupon be cancelled.
- Power of Minister of Justice to declare certain offences to be cognizable offences. **15.** The Minister of Justice may, by Order, declare what offences under the last preceding section when committed in any province or district of Sri Lanka specified in the Order are cognizable offences, and thereupon and until such Order is revoked such offences when so committed shall be cognizable offences within the meaning of the Code of Criminal Procedure Act, No. 15 of 1979.
- Interpretation. **16.** In this Ordinance, unless the contrary intention appears -  
" court" includes a Rural Court;  
" district" means administrative district;  
" peace officer " bears the meaning given to the term by the Code of Criminal Procedure Act, No. 15 of 1979;  
" prohibited knife" means any knife, whether a clasp knife or otherwise, the blade of which is more than  
<sup>[ 5, 30 of 1949]</sup> two inches in length, and is not so rounded or blunted at the point as to be incapable, in the opinion of the court, of being used as a stabbing instrument, and includes any sword, dagger, or similar weapon adapted for use as a stabbing instrument.