

**Westlaw Delivery Summary Report for 35, IP MAY 09**

Your Search:	TI(fisher & bell)
Date/Time of Request:	Tuesday, March 30, 2010 00:06 Central
Client Identifier:	HKLAWSCHOOLS
Database:	UK-CASELOC
Citation Text:	1960 WL 18689
Lines:	50
Documents:	1
Images:	0

The material accompanying this summary is subject to copyright. Usage is governed by contract with Thomson Reuters, West and their affiliates.



1960 WL 18689

Page 1

[1961] 1 Q.B. 394 [1960] 3 W.L.R. 919 [1960] 3 All E.R. 731 (1961) 125 J.P. 101 (1960) 104 S.J. 981 [1961] 1 Q.B. 394 [1960] 3 W.L.R. 919 [1960] 3 All E.R. 731 (1961) 125 J.P. 101 (1960) 104 S.J. 981

C

© 2010 Sweet &amp; Maxwell

**Fisher v Bell****Also known as:****Divisional Court****10 November 1960****Case Analysis**

**Where Reported** [1961] 1 Q.B. 394; [1960] 3 W.L.R. 919; [1960] 3 All E.R. 731; (1961) 125 J.P. 101; (1960) 104 S.J. 981;

**Case Digest****Subject:** Criminal Law**Keywords:** Offensive Weapons, Sale of Goods**Catchphrases:** Restriction of offensive weapons

**Abstract:** A shopkeeper who exposes an offensive weapon for sale in his window does not offer it for sale contrary to the Restriction of Offensive Weapons Act 1959 s.1(1). A shopkeeper put a flick-knife in his window with a ticket saying "ejector knife - 4s."

Held, the knife was not offered for sale since, in the absence of any definition in the Restriction of Offensive Weapons Act, 1959, extending the meaning of that term, it must be given the meaning attributed to it in the ordinary law of contract. ( Magor and St Mellons Rural DC v Newport Corp [1947-51] C.L.Y. 5812 followed; distinguished and distinguished).

**Judges:** Lord Parker of Waddington, L.C.J.Parker of Waddington, Lord, LCJ**Appellate History****Related Cases****Significant Cases Cited****following****Magor and St Mellons Rural DC v Newport Corp**

CA

**distinguishing****Keating v Horwood**

Copr. © West 2010 No Claim to Orig. Govt. Works

1960 WL 18689

Page 2

[1961] 1 Q.B. 394 [1960] 3 W.L.R. 919 [1960] 3 All E.R. 731 (1961) 125 J.P. 101 (1960) 104 S.J. 981 [1961] 1 Q.B. 394 [1960] 3 W.L.R. 919 [1960] 3 All E.R. 731 (1961) 125 J.P. 101 (1960) 104 S.J. 981

### **distinguishing**

#### **Wiles v Maddison**

KBD

#### **Magor and St Mellons Rural DC v Newport Corp**

[1952] A.C. 189; [1951] 2 All E.R. 839; [1951] 2 T.L.R. 935; (1951) 115 J.P. 613

HL

#### **Pharmaceutical Society of Great Britain v Boots Cash Chemists (Southern) Ltd**

[1953] 1 Q.B. 401; [1953] 2 W.L.R. 427; [1953] 1 All E.R. 482; (1953) 117 J.P. 132; (1953) 97 S.J. 149

CA

#### **Guardians of the Poor of the Parish of Bristol v Bristol Waterworks Co**

[1914] A.C. 379

HL

#### **Phillips v Dalziel**

[1948] 2 All E.R. 810; 64 T.L.R. 628; (1948) 112 J.P. 445; 47 L.G.R. 31; [1948] W.N. 429

DC

### **Cases Citing This Case**

#### **applied**

##### **Partridge v Crittenden**

[1968] 1 W.L.R. 1204; [1968] 2 All E.R. 421; (1968) 132 J.P. 367; (1968) 112 S.J. 582

DC

#### **applied**

##### **British Car Auctions v Wright**

[1972] 1 W.L.R. 1519; [1972] 3 All E.R. 462; [1972] R.T.R. 540; [1972] Crim. L.R. 562; (1972) 116 S.J. 583

QBD

#### **considered**

##### **Norgren Co (CA) v Technomarketing**

[Times](#), March 3, 1983

Ch D

#### **followed**

##### **Mella v Monahan**

[1961] Crim. L.R. 175

DC

##### **French v Hoggett**

[1968] 1 W.L.R. 94; [1967] 3 All E.R. 1042; (1968) 132 J.P. 91; 66 L.G.R. 383; (1967) 111 S.J. 906

DC

##### **Interfact Ltd v Liverpool City Council**

[2005] EWHC 995 (Admin); [2005] 1 W.L.R. 3118; (2005) 169 J.P. 353; (2005) 169 J.P.N. 520; (2005) 155 N.L.J. 864; [2005] N.P.C. 72; [Times](#), May 31, 2005; Official Transcript

DC

Copr. © West 2010 No Claim to Orig. Govt. Works

1960 WL 18689

Page 3

[1961] 1 Q.B. 394 [1960] 3 W.L.R. 919 [1960] 3 All E.R. 731 (1961) 125 J.P. 101 (1960) 104 S.J. 981 [1961] 1 Q.B. 394 [1960] 3 W.L.R. 919 [1960] 3 All E.R. 731 (1961) 125 J.P. 101 (1960) 104 S.J. 981

**Morrison-Low v Paterson's Executors**

2005 S.L.T. (Land Ct) 2; 2005 S.L.C.R. 5; 2005 G.W.D. 16-266

Land Ct (Full Ct)

**Target Travel (Coaches) v Roberts**

[1986] R.T.R. 120; [1985] Crim. L.R. 743

DC

**Hayward v Eames**

[1985] R.T.R. 12; [1984] Crim. L.R. 760; Times, October 10, 1984

DC

**National Dock Labour Board v British Steel Corp**

[1973] 1 W.L.R. 89; [1973] 1 All E.R. 305; [1973] 1 Lloyd's Rep. 101; 14 K.I.R. 152; (1973) 8 I.T.R. 281; (1972) 117 S.J. 55; Times, December 14, 1972

HL

**Standard Life Bank Ltd v Wilson**

[2008] I.C.R. 947; (2008) 152(14) S.J.L.B. 30; Official Transcript

EAT (SC)

**Topliss Showers v Gessey & Son**

[1982] I.C.R. 501

QBD

**R. v Simpson (Calvin)**

[1983] 1 W.L.R. 1494; [1983] 3 All E.R. 789; (1984) 78 Cr. App. R. 115; (1984) 148 J.P. 33; [1984] Crim. L.R. 39; (1983) 127 S.J. 748

CA (Crim Div)

**Legislation cited**

Restriction of Offensive Weapons Act 1959 (c.37) s.1

Restriction of Offensive Weapons Act 1959 (c.37) s.1(1)

**Journal Articles**

END OF DOCUMENT

**Westlaw Delivery Summary Report for 35, IP MAY 09**

Date/Time of Request:	Tuesday, March 30, 2010 00:06 Central
Client Identifier:	HKLAWSCHOOLS
Database:	KEYCITE-HIST
Citation Text:	1960 WL 18689
Service:	KeyCite
Lines:	5
Documents:	1
Images:	0

The material accompanying this summary is subject to copyright. Usage is governed by contract with Thomson Reuters, West and their affiliates.



Date of Printing: Mar 30, 2010

### KEYCITE

#### **C** **Fisher v Bell**, , , , , (DC, Nov 10, 1960) (NO. 18663)

Direct History and Negative Indirect Judicial Treatments from U.K. & E.U. cases are not included in KeyCite coverage. For History and Citing References from the U.K., run a search in the UK-CASELOC database.

#### History

##### Direct History

=> **1 Fisher v Bell**, 1960 WL 18689, 125 J.P. 101, [1961] 1 Q.B. 394, [1960] 3 All E.R. 731, [1960] 3 W.L.R. 919, (1960) 104 S.J. 981 (DC Nov 10, 1960) (NO. 18663)

© 2010 Thomson Reuters. All rights reserved.

**Westlaw Delivery Summary Report for 35, IP MAY 09**

Date/Time of Request:	Tuesday, March 30, 2010 00:06 Central
Client Identifier:	HKLAWSCHOOLS
Database:	KEYCITE-REFS
Citation Text:	1960 WL 18689
Service:	KeyCite
Lines:	38
Documents:	1
Images:	0

The material accompanying this summary is subject to copyright. Usage is governed by contract with Thomson Reuters, West and their affiliates.

Date of Printing: Mar 30, 2010

**KEYCITE****C Fisher v Bell, , , , , (DC Nov 10, 1960) (NO. 18663)**

Direct History and Negative Indirect Judicial Treatments from U.K. & E.U. cases are not included in KeyCite coverage. For History and Citing References from the U.K., run a search in the UK-CASELOC database.

**Citing References****Positive Cases (Australia)****Considered by**

- H** 1 Pelka v Sundquist, 2005 WL 3141576, [2005] WASC 52 (WASC Apr 07, 2005) (NO. SJA 1118 of 2004, SJA 1119 of 2004, SJA 1120 of 2004, SJA 1121 of 2004)

**Positive Cases (Hong Kong)****★★★★★ Examined**

- 2 HKSAR v YU WAI CHUEN, 2002 WL 475826, \*475826+, [2002] 2 HKLRD 347, 347+ (CFI Dec 06, 2001) (NO. Magistracy Appeal No)

**★★★ Cited**

- 3 HKSAR v YU WAI CHUEN, 2001 WL 1612740, \*1612740, [2001] HKEC 1539, 1539 (CFI Dec 06, 2001) (NO. HCMA 1027/2001)
- P** 4 HKSAR v WAN HON SIK, 2001 WL 325361, \*325361+, [2001] 3 HKLRD 283, 283+, [2001] HKEC 1092, 1092+ (CFI Aug 31, 2001) (NO. MAGISTRACY APPEAL NO)
- 5 HKSAR v LAM MAN KIT, 2001 WL 664880, \*664880, [2001] HKEC 574, 574 (CFI May 24, 2001) (NO. HCMA 1330/2000)
- 6 THE QUEEN v KEENING INDUSTRIAL LTD AND ANOTHER, 1995 WL 1718892, \*1718892+, [1995] 1 HKCLR 276, 276+, [1995] HKLY 379, 379+, [1996] HKLY 448, 448+ (CA 1995) (NO. 653 OF 1993)
- 7 ATT.-GEN. v. KO CHE-LUNG, 1972 WL 116046, \*116046+, [1972] HKLR 19, 19+ (AJ 1972)

**Positive Cases (New Zealand)****Referred to by**

- C** . Foodtown Supermarkets Ltd v Barrett, [1991] 1 NZLR 466, [1990] BCL 1129, (1990) 3 NZBLC 101,839, 13 TCL 25/9, (1991) 3 TCLR 446 (HC Jun 14, 1990) (NO. AP286/89) (Text not available on WESTLAW)

**Secondary Sources (U.S.A.)**

- 9 CONSUMER BASED ELECTRONIC COMMERCE: A COMPARATIVE ANALYSIS OF THE POSITION IN MALAYSIA AND HONG KONG, 12 Int'l J.L. & Info. Tech. 101, 122 (2004)

© 2010 Thomson Reuters. All rights reserved.



- 10 WAS THE DEATH OF THE CASUS OMISSUS RULE "UNDIGNIFIED"?, 30 Statute L. Rev. 73, 75+ (2009)
- 11 THE UNDIGNIFIED DEATH OF THE CASUS OMISSUS RULE, 25 Statute L. Rev. 40, 67+ (2004)

© 2010 Thomson Reuters. All rights reserved.