**KNIFE LEGISLATION AND HANDLING AT AIRPORTS**

**IN**

**CANADA**

# Weapons Act

*1.1 Which knives are considered weapons under your local law?*

Canadian criminal law distinguishes between a “weapon”, “prohibited weapon”, and “concealed weapon”.

1. ***“Weapon”***

Under the *Criminal Code*, RSC 1985, c C-46 (the “*Criminal Code*”), any knife used, designed to be used, or intended for use in the following manner constitutes a “weapon” (section 2 of the *Criminal Code*):

1. In causing death or injury to any person; or
2. For the purpose of threatening or intimidating any person.

This means that, in general, a knife is not in and of itself automatically considered a “weapon”. The reason that an individual carries a knife (e.g. to use it as a tool vs. to use it to cause injury to someone) is relevant to the determination of whether it constitutes a “weapon”.

1. ***“Prohibited Weapon”***

There are specific knives and sharp-bladed weapons which constitute “prohibited weapons” (section 84 of the *Criminal Code*). These are:

1. A knife that has a blade that opens automatically by gravity or centrifugal force or by hand pressure applied to a button, spring, or other device in or attached to the handle of the knife (section 84(a) of the *Criminal Code*); and
2. Any weapon, other than a firearm, that is prescribed to be a prohibited weapon (section 84(b) of the *Criminal Code*).

With respect to ii), “Paragraph (b)” weapons are listed in the *Regulations Prescribing Certain Firearms and Other Weapons, Components and Parts of Weapons, Accessories, Cartridge Magazines, Ammunition and Projectiles as Prohibited, Restricted or Non-Restricted*, SOR/98-462 (the “*Regulation on Prohibited Weapons*”). These include, without limitation, the following weapons that may comprise one or more blades or sharp edges: Nunchaku, shuriken, finger rings with blade(s) or sharp object(s), cross-bows, constant companions, push-daggers, devices having a length of less than 30 cm and resembling an innocuous object but designed to conceal a knife or blade (including a knife comb), spiked wristbands, and morning stars.

For further explanation on “prohibited weapons”, please refer to Part 3 of the Schedule to the *Regulation on Prohibited Weapons* as well as to the Canada Border Services Agency Memorandum D19-13-2 – “Importing and exporting firearms, weapons and devices” dated January 19, 2022 (please see here: <https://www.cbsa-asfc.gc.ca/publications/dm-md/d19/d19-13-2-eng.html>).

1. ***“Concealed Weapon”***

While there is no legislative definition of a “concealed weapon”, the Supreme Court of Canada has indicated that in order to prove concealment, a person must take steps to hide a weapon so that it would not be observed or come to the notice of others and the person must know that the object constitutes a weapon.

1. ***Additional information regarding scissors in a pocket tool***

Although scissors are not specifically mentioned in the *Criminal Code*, we are of the view that they can be considered a “weapon” if they meet the criteria in section 2 of the *Criminal Code* discussed in greater detail in a) above. Scissors do not appear to constitute a “prohibited weapon” under section 84 of the *Criminal Code* and are not mentioned in the *Regulation on Prohibited Weapons*. However, note that as discussed in section 2.2 below, scissors with blades longer than 6 cm as measured from the fulcrum are prohibited to be taken in carry-on baggage for all flights. The foregoing would still apply to scissors in a pocket tool.

*1.2 Is there a legal requirement to have a legitimate/justifiable reason for carrying and/or transporting a knife in the public? If so, for what kind of knives (lock knife, folding knife [depending on a special blade length or not?], fixed knife or any knife)?*

Under the *Criminal Code*, there is no legal requirement to have a justifiable reason for carrying or transporting a knife in public.

That said, carrying or transporting a knife can constitute an offense under the *Criminal* *Code* in certain circumstances, the most common being the following:

1. Carrying or possessing a “weapon” (i.e. a knife used, designed, or intended to be used in (i) causing death or injury to any person, or (ii) for the purpose of threatening or intimidating any person) for a purpose dangerous to the public peace or for the purpose of committing an offence (section 88(1) of the *Criminal Code*);
2. Carrying a “weapon” while a person is attending or is on the way to attend a public meeting (section 89(1) of the *Criminal Code*); and
3. Carrying a “concealed weapon” unless the person is authorized under the *Firearms Act* to conceal it (section 90(1) of the *Criminal Code*).

Doing any of the foregoing with a “prohibited weapon” is also prohibited.

In other words, under the *Criminal Code*, as long as a knife is: (i) not considered a “weapon”; (ii) not a “concealed weapon”; and (iii) not a “prohibited weapon”, it may be transported in public.

Note that as detailed below, municipal and provincial statutes as well as air travel safety rules may prohibit or restrict transportation of certain knives.

*1.3 How must these concerned knives of point 1.2 be carried or transported in the public (e.g. in a closed or locked container)?*

As discussed in greater detail above, knives that are considered “weapons”, “prohibited weapons”, or “concealed weapons” under the *Criminal Code* cannot be transported in public. However, if a knife is not considered a “weapon”, a “prohibited weapon”, or a “concealed weapon” (e.g. if it is being used as a tool), it can indeed be transported in public under the *Criminal Code*.

A licensed business may transport a prohibited weapon if the prohibited weapon is placed in a container that cannot be readily broken into or accidentally opened during transportation and that is constructed and sealed so as to prevent it from being opening without breaking the seal or otherwise clearly indicating that it has been open (section 14 of the *Storage, Display and Transportation of Firearms and Other Weapons by Businesses Regulations*, SOR/98-210 ).

*1.4 Are there any public places which may be restricted by an authority (on certain days or at certain times) for carrying any knives or other dangerous tools (e.g. railway station, airport, market places, football stadium, event halls etc.)?*

Provinces, cities, and municipalities may restrict the possession or transportation of knives in public places. See for example the discussion of the *Safe Public Spaces (Street Weapons) Act* in Saskatchewan in section 1.9 below.

There are various locations at which knives may be prohibited or restricted, including, without limitation, courthouses, casinos, bars, stadiums, concert venues, and trains.

*1.5 How is the blade length measured (only the cutting blade or including the blade shank)?*



There is no specific provision of the *Criminal Code* restricting the possession of knives of a certain length.

However, recent provincial legislation has been introduced regarding knives of 30 cm of more. For more discussion, see section 1.9 below.

Furthermore, as detailed below in section 2.2, the Canadian Air Transport Security Authority (“CATSA”) sets out rules relative to knives with blades of a certain length and the measurement thereof (which is consistent with the above illustration).

*1.6 Are there any further dangerous objects which also fall under the Criminal Code?*

Yes, please refer to the discussion of “prohibited weapons” under the *Criminal Code* in section 1.1 above.

*1.7 Are there any exceptions?*

N/A

*1.8 What are the consequences for a legal offense?*

Under the *Criminal Code*, it is not illegal to carry a knife in a public place if the knife does not meet the definition of a “weapon”, a “concealed weapon”, or a “prohibited weapon”. However, under the *Criminal Code*, there are legal repercussions for the following:

1. Carrying or possessing a “weapon” (section 88(1) of the Criminal Code)

A person found guilty of this offence is liable to (i) imprisonment for a term not exceeding 10 years, or (ii) a fine of not more than $5,000, imprisonment of not more than two years less a day, or both.

1. Carrying a “weapon” while attending or on the way to attend a public meeting (section 89(1) of the Criminal Code)

A person found guilty of this offence is liable to a fine of not more than $5,000, imprisonment of not more than two years less a day, or both.

1. Carrying a “concealed weapon” (section 90(1) of the Criminal Code)

A person found guilty of this offence is liable to (i) imprisonment for a term not exceeding 5 years, or (ii) a fine of not more than $5,000, imprisonment of not more than two years less a day, or both.

These are in addition to other consequences of having a criminal record, such as potentially impacting a person’s employment, professional licenses, housing, and travel.

Consequences under applicable provincial and municipal law may vary.

*1.9 Are there any legislative developments? If so what do they concern?*

Several changes have been made over the years to Canada Border Services Agency Memorandum D19-13-2 – “Importing and exporting firearms, weapons and devices”. These include:

1. In 2017, the definition of “centrifugal knife” was updated to reflect Canadian International Trade Tribunal decision CITT AP-2017-012, as mentioned in the Canada Border Services Agency Memorandum D19-13-2 – “Importing and exporting firearms, weapons and devices” dated May 29, 2019, which can be viewed here: <https://publications.gc.ca/collections/collection_2019/asfc-cbsa/Rv55-8-19-13-2-2019-eng.pdf>. Accordingly, centrifugal knives will be classified as “prohibited weapons” at least by the Canada Border Services Agency if the following conditions are met: (i) A knife has a blade that opens automatically by centrifugal force, when the blade is released from the handle into the fully ejected and locked position with a simple and brisk outwardly flick of the wrist; and (ii) it includes knives that require some preliminary or simultaneous minimal manipulation of either a flipper or other non-edged parts of the blade.
2. In 2022, a clarification to the definition of “bladed finger rings” and an update to the description of “spiked wristbands” were made as mentioned in Canada Border Services Agency Memorandum D19-13-2 – “Importing and exporting firearms, weapons and devices” dated January 19, 2022, which can be viewed here: <https://www.cbsa-asfc.gc.ca/publications/dm-md/d19/d19-13-2-eng.html>.

More recently, at the end of 2024, certain provinces have introduced legislation regarding knives of 30 cm of more:

1. In Saskatchewan, the *Safe Public Spaces (Street Weapons) Act* was passed in December 2024. Among other things, this new law prohibits a person from possessing a “street weapon” (including a knife of 30 cm or more, as further defined in the legislation) in a public urban space, subject to exceptions. It also allows municipalities and First Nations to opt into new rules regulating the possession, transportation, and storage of large knives.
2. In Manitoba, *The Long-Bladed Weapon Control Act*, C.C.S.M. c. L214 came into force on December 31, 2024. This new law imposes restrictions on the sale of “long-bladed weapons” (including a knife that has a blade made of metal that is at least 30 cm long, as further defined in the legislation). These restrictions include, without limitation: (i) An obligation for retailers to keep long-bladed weapons on their premises in a secured manner preventing them from being accessed without retailer assistance; (ii) an obligation for retailers to not sell a long-bladed weapon to a person unless that person first provides their photo identification with their date of birth; (iii) an obligation for retailers not to sell long-bladed weapons to persons under the age of 18; and (iv) an obligation for retailers to record certain information at the time of the sale of a long-bladed weapon and to retain records thereof.

# Airports

* 1. *According to the Official Journal of the European Union laying down detailed measures for the implementation of the common basic standards in aviation security, any objects with a sharp point or sharp edge capable of being used to cause serious injury, including a knife with a blade more than 6cm are not allowed to be carried into the security restricted areas or on board of an aircraft.*
  2. *Are there any further national regulations to be considered in this respect?*

Section 10 of the *Canadian Aviation Security Regulations*, 2012, SOR/2011-318 provides that if an aviation security regulation, a security measure, an emergency direction, or an interim order requires a person to be screened, a screening authority must not permit the person to pass beyond a screening checkpoint into a sterile area with any items:

1. Listed in Part 1 and 2 of TP 14628 E:

TP 14628 E is a document entitled “Prohibited Items List” which is published by the Department of Transport, a federal Canadian government entity responsible for developing and overseeing the Government of Canada’s transportation policies and programs.

Part 1 of TP 14628 E lists the following sharp objects which are prohibited to be taken in carry-on baggage for all flights:

1. Items designed for chopping, such as axes, hatchets and cleavers;
2. Ice axes and ice picks;
3. Razor type blades such as box cutters, utility knives, and safety razor blades;
4. Knives with blades of more than 6 cm;
5. Scissors with blades longer than 6 cm as measured from the fulcrum;
6. Martial arts equipment with sharp points or sharp edges; and
7. Swords, sabres.

Part 2 of TP 14628 E lists the following items prohibited to be taken in carry-on baggage for flights to the United States from preclearance facilities:

1. Knives of any length
2. That pose an immediate threat to aviation security.

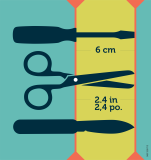
For more information, please see: <https://www.tc.gc.ca/en/services/transportation-security/aviation/what-not-bring-on-plane.html>.

Note that in 2017, the Department of Transport amended the Prohibited Items List to remove knives with blades 6 cm or less in length on domestic or international flights.

CATSA is a Crown corporation responsible for securing specific elements of the air transportation system – from passenger and baggage screening to screening airport workers. CATSA provides a list of sharp objects that are permitted in carry-on baggage and those which must be packed in checked baggage when flying within Canada or international (non US) destinations (see here: <https://www.catsa-acsta.gc.ca/en/what-can-bring/sharp-objects#measure>) (the “CATSA Prohibited Items List”). Per the CATSA Prohibited Items List, and consistent with TP 14628 E:

1. A knife with a blade 6 cm or less is permitted in carry-on or checked baggage within Canada or to an international (non-U.S.) destination.
2. A knife with a [blade over 6 cm](https://www.catsa-acsta.gc.ca/en/sharp-objects#measure) must be placed in checked baggage and is permitted when flying within Canada, the U.S., or to an international destination.
3. Knives of any type or length are not permitted in carry-on baggage on flights to the U.S.

Note that blade length is in measured from the top of the handle (or in the case of scissors, from the joint/ fulcrum). The following illustration from CATSA’s webpage on Sharp Objects (see here: <https://www.catsa-acsta.gc.ca/en/what-can-bring/sharp-objects#measure>) is helpful:



However, note that per CATSA’s webpage on “Sharp Objects”, the above does not apply to knives that are “prohibited weapons” and “concealed weapons”, which are prohibited, and we are also of the view that the above does not apply to “weapons” in general. Presenting a “prohibited weapon” or “concealed weapon”, and we are of the view “weapons” as well, at pre-screening will result in the police being notified and potential prosecution.

* 1. *If your country is outside the EU, what are the corresponding local regulations?*

Please refer to section 2.2 above.

* 1. *May the airports/airlines in your country issue any further (stricter) regulations for forbidden items?*

From a high-level, the CATSA rules appear to be generally in line with those set out in the *Canadian Aviation Security Regulations*. In addition, we reiterate that per CATSA, “prohibited weapons” as well as “concealed weapons” under the *Criminal Code* are prohibited past a security checkpoint, and we are of the view that this applies to “weapons” in general. If a prohibited knife is presented at a pre-board screening checkpoint, the police will be notified and criminal charges may be laid.

* 1. *May a pair of scissors or a saw be included in a pocket knife with a blade of max. 6cm? If so, is the size of the pair of scissors or the length of the saw of relevance?*

The CATSA Prohibited Items List prohibits “[w]ork tools that could be used to either cause serious injury or threaten the safety of aircraft”, and this includes saws (regardless of length) in carry-on baggage for all flights. An argument can be made that a small saw in a Swiss Army Knife might not in practice be prohibited by CATSA, given the CATSA specifically permits Swiss Army Knives in carry-on baggage. See here: <https://www.catsa-acsta.gc.ca/en/what-can-bring/item/jackknife-eg-swiss-army-knife>. However, this is merely an argument, and the final decision rests with the screening officer. Furthermore, even if this argument were correct, we reiterate that knives of any type or length are not permitted in carry-on baggage on flights to the U.S.

* 1. *What is considered as a sharp object besides knives?*

Please refer to section 2.2 above and to CATSA Prohibited Items List: <https://www.catsa-acsta.gc.ca/en/sharp-objects>. Below is a list of items specified on the CATSA’s website, some of which are permitted in carry-on baggage, others in checked baggage only, and others considered illegal in Canada:

* Arrows used in crossbows: May be permitted in checked bags if approved by air carrier.
* Axes: This item is permitted in checked baggage only.
* Bladed or spiked finger rings: Please note that this is an illegal item under the Criminal Code of Canada; if it is presented at a pre-board screening checkpoint, protocol requires us to notify the police. This could lead to charges and prosecution to the item’s holder.
* Blender blades with a blade 6 cm or less are permitted when flying within Canada or to an international (non-U.S.) destination. Knives of any type or length are not permitted in your carry-on on flights to the U.S.
* Bows and arrows must be for sporting use and are not permitted in carry-on baggage under any circumstances. They may be transported in checked baggage as long as all sharp objects are securely wrapped to prevent Screening Officers and baggage handlers from injury.
* Box cutters: This item is permitted in checked baggage only.
* Camping axes: This item is permitted in checked baggage only.
* Concealed knives of any length: Please note that these are illegal items under the Criminal Code of Canada; if they are presented at a pre-board screening checkpoint, protocol requires us to notify the police. This could lead to charges and prosecution to the item’s holder.
* Comb knives: Please note that this is an illegal item under the Criminal Code of Canada; if it is presented at a pre-board screening checkpoint, protocol requires us to notify the police. This could lead to charges and prosecution to the item’s holder.
* Cigar cutters without removable blades: If the blade is removable, the cutter is only allowed in checked baggage.
* Ceremonial knives and swords (e.g. a kirpan) with a blade 6 cm or less are permitted when flying within Canada or to an international (non-U.S.) destination. Knives of any type or length are not permitted in your carry-on on flights to the U.S.
* Corkscrews (with attached knife): A corkscrew with a blade 6 cm or less is permitted when flying within Canada or to an international (non-U.S.) destination. Knives of any type or length are not permitted in your carry-on on flights to the U.S.
* Cuticle cutters: If in pointed-tipped scissor form, only cuticle cutters with blades measuring 6 cm (2.4 inches) or less, measured from the joint - or fulcrum - to the tip are permitted in carry-on.
* Darts used in crossbows: This item is permitted in checked baggage only.
* Fishing hooks that measure more than 6cm should always be packed in your checked baggage.
* Hatchets: This item is permitted in checked baggage only.
* Hunting equipment, including knives, hunting rifles and bows and arrows for sporting use, is not permitted in carry-on baggage under any circumstances, but may be transported in checked baggage as long as all sharp objects are securely wrapped to prevent Screening Officers and baggage handlers from injury and guns are unloaded and securely locked and have been declared at the air carrier check-in counter.
* A hunting knife with a blade 6 cm or less is permitted when flying within Canada or to an international (non-U.S.) destination. Knives of any type or length are not permitted in your carry-on on flights to the U.S.
* Ice picks: This item is permitted in checked baggage only.
* A jackknife with a blade 6 cm or less is permitted when flying within Canada or to an international (non-U.S.) destination. Knives of any type or length are not permitted in your carry-on on flights to the U.S.
* Knitting needles and crochet hooks of any size and made from any type of material (e.g. plastic, aluminum, bamboo) are permitted in carry-on or checked baggage.
* Knives: A knife with a blade 6 cm or less is permitted when flying within Canada or to an international (non-U.S.) destination. Knives of any type or length are not permitted in your carry-on on flights to the U.S.
* Knives with a blade over 6 cm: A knife with a blade over 6 cm must be placed in checked baggage and are permitted when flying within Canada or to an international (non-U.S.) destination. Knives of any type or length are not permitted in your carry-on on flights to the U.S.
* Kubotan: This item is permitted in checked baggage only.
* Lawn darts measuring 6 cm (2.4 in.) or less, from the end of the barrel to the point, are permitted in carry-on. Darts with steel points that exceed this length must be placed in checked baggage.
* Letter-opener: This item is permitted in carry-on baggage and checked baggage.
* Morning stars: Please note that this is an illegal item under the Criminal Code of Canada; if it is presented at a pre-board screening checkpoint, protocol requires us to notify the police. This could lead to charges and prosecution to the item’s holder.
* Nail clippers with a blade 6 cm or less are permitted when flying within Canada or to an international (non-U.S.) destination. Knives of any type or length are not permitted in your carry-on on flights to the U.S.
* Prohibited knives: Any knife that has a blade that opens automatically by gravity, by centrifugal force, or by hand pressure applied to a button, spring or other device in or attached to the handle of the knife (butterfly knives, switchblades, etc.) is a prohibited item and is considered an illegal item under the Criminal Code of Canada. If a prohibited knife is presented at a pre-board screening checkpoint, protocol requires us to notify the police. This could lead to charges and prosecution to the item’s holder.
* Push daggers: Please note that this is an illegal item under the Criminal Code of Canada; if it is presented at a pre-board screening checkpoint, protocol requires us to notify the police. This could lead to charges and prosecution to the item’s holder.
* Sabres: Permitted in checked baggage only.
* Scissors: Small scissors with blades measuring 6 cm (2.4 in.) or less, measured from the joint - or fulcrum - to the tip, are permitted in carry-on. Scissors with longer blades are permitted in checked baggage.
* Scuba knives: A scuba knife with a blade 6 cm or less is permitted when flying within Canada or to an international (non-U.S.) destination. Knives of any type or length are not permitted in your carry-on on flights to the U.S.
* Saws: Permitted in checked baggage only.
* Sewing kits containing small sewing needles: Permitted in both carry-on and checked baggage.
* Shuriken (throwing stars): Please note that this is an illegal item under the Criminal Code of Canada; if it is presented at a pre-board screening checkpoint, protocol requires us to notify the police. This could lead to charges and prosecution to the item’s holder.
* Spiked collars or wristbands or any similar device: Please note that this is an illegal item under the Criminal Code of Canada; if it is presented at a pre-board screening checkpoint, protocol requires us to notify the police. This could lead to charges and prosecution to the item’s holder.
* Steel cobras: Please note that this is an illegal item under the Criminal Code of Canada; if it is presented at a pre-board screening checkpoint, protocol requires us to notify the police. This could lead to charges and prosecution to the item’s holder.
* Straight razors, safety razors and any blades that are not encased in a safety cartridge or can come out of a razor are not permitted in carry-on baggage. Safety razors are permitted in carry-on baggage if the blade is removed.
* Switchblade knives: Please note that this is an illegal item under the Criminal Code of Canada; if it is presented at a pre-board screening checkpoint, protocol requires us to notify the police. This could lead to charges and prosecution to the item’s holder.
* Swords: Permitted in checked baggage only.
  1. *Are there any further aviation security regulations with respect to the Victorinox (pocket) knives to be observed?*

None that we are aware of.

* 1. *Are there any changes intended in the near future? If so what do they concern?*

None that we are aware of.

Ibach, Switzerland, 12 March 2025

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