**KNIFE LEGISLATION AND HANDLING AT AIRPORTS**

**IN**

**Czech Republic**

# Weapons Act

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

There is no explicit regulation of knives as weapons in the Czech Republic, i.e., knives are not considered weapons under Act no. 119/2002 Coll., on Firearms and Ammunition (Weapons Act), as amended. However, they may be considered weapons under other legal regulations, namely under Act no. 40/2009 Coll., Criminal Code, as amended (Criminal Code).

In Czech law, most often there are two concepts of the term weapon:

* **Criminal law definition (general concept):** According to this concept, a weapon is anything that can make an attack against the body more significant (section 118 of the Criminal Code) in this concept, a weapon can be basically any object, substance or other means of controllable energy that is used (usable) to attack the physical integrity of another person. It therefore basically does not matter if a firearm, explosive, knife, car, piece of rope or container with corrosive substance is used as a weapon. The use of a weapon in this sense is typically a reason for imposing a higher penalty for an illegal act. Some other laws, for example, allow members of the enforcing authorities to take away from persons under certain conditions any objects that could be used as weapons in this way.
* **Definition in the Weapons Act (administrative concept):** Weapons in this concept are understood as a narrower set of specified items according to certain technical aspects. In the case of the Czech Weapons Act, these are firearms and ammunition for them. However, its (i.e., the Weapons Act’s) scope also includes some other items - ammunition, some weapon accessories and attachments (e.g., silencers), ammunition findings (e.g., bombs, grenades, artillery ammunition preserved in the country mainly from World War II, or left on the territory of former military areas/bases). The purpose of this concept is to regulate the possession of weapons, their acquisition and other methods of handling them, the conditions imposed on persons handling weapons, etc.

However, in many countries (including other member states of the European Union), this concept of weapons is broader and specific conditions and prohibitions apply to weapons other than firearms (e.g., knives, batons, pepper spray, etc.).

As briefly described above, in this latter meaning (i.e., under the Weapons Act) knives, including scissors in a pocket tool, are not considered weapons, but they may be considered weapons under other laws (i.e., in the broader sense, namely under the Criminal Code and the Czech Police Act see below).

*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)?*

No, as described above, knives are not considered weapons within the meaning of the Weapons Act, but they may be considered as weapons under the Criminal Code (see answer to question 1.1 above).

*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)?*

Since knives do not qualify as weapons in the sense of the Weapons Act, they may be freely carried or transported in public (specific measures such as transportation in locked or closed containers are not required).

Knives may in principle be carried around freely as long as they do not become a weapon due to the way they are used. Consequently, it must always be checked in each particular case for what use a particular knife is intended to be used and for what specific purpose the owner intends to use it. For example, under some circumstances, the Czech Police may seize any weapon depending on the circumstances of each individual case as described in point 1.6 below.

*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.)?*

If an object is not considered a weapon within the meaning of the Weapons Act (e.g., knives, including scissors in a pocket tool), such object may in principle be carried around freely. However, a property owner (by virtue of his right of ownership) or a holder of public property (on the basis of corresponding police regulations) is free to issue directives concerning the use of his territory by third parties, as long as the constitutional rights of the addressees are observed. This can also include the authority to restrict or prohibit the carrying of knives (which are not weapons within the meaning of the Weapons Act). The same applies to service providers on the basis of contractual freedom. It would therefore be permissible to impose certain restrictions on the transport of knives (even if they are not considered weapons within the meaning of the Weapons Act).

If an object is considered a weapon (e.g., firearms) within the meaning of the Weapons Act, the provisions concerning the carrying of weapons in publicly accessible places must be observed (see answer to question 1.6 below). It is forbidden to carry weapons under the Weapons Act in publicly accessible places without a permit.

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



The law does not contain any detailed provisions on measurement methodology. However, it is common practice to measure the total length from the tip of the blade to the rearmost point of the handle, and the blade length from the tip of the blade to the point where the blade shank exits the shank of the knife. In other words, the blade length must be measured to the point at which the knife would naturally stop penetration when it is used as a stitch weapon.

*1.6 Are there any further dangerous objects which also fall under the Weapons Act?*

The term weapons in the sense of the Weapons Act includes namely firearms, ammunition for them, and their accessories and attachments.

Act No. 119/2002 Coll., on Firearms and Ammunition (the Weapons Act), as amended, regulates firearms and ammunition for them. A firearm is a weapon whose function is derived from the immediate release of energy when fired, designed for the desired effect at a defined distance. This primarily concerns firearms whose function is derived from the release of chemical energy (most commonly the combustion of gunpowder) and gas weapons that use compressed gas or air (e.g., air guns, wind guns, etc.).

The Weapons Act defines 6 categories of weapons (A, A-I, B, C, C-I and D), and each of these categories is associated with a different level of requirements and conditions that must be met to obtain them, respectively, imposed on their holders:

* Category A - Prohibited weapons
* Category A-I - Prohibited weapons
* Category B - Weapons subject to permit
* Category C - Weapons subject to notification
* Category C-I - Weapons subject to notification
* Category D - Weapons not subject to registration

Weapons of categories A, A-I, B, and C are subject to registration with the relevant police department and may only be acquired, held or carried by a person authorized to do so - the holder of a weapons permit (natural person) or the holder of a weapons license (legal entity or natural person doing business). Weapons of categories C-I and D may be acquired, held, and under certain conditions, carried, by any [legally](https://slovnik.seznam.cz/preklad/anglicky_cesky/legally?strict=true) [competent](https://slovnik.seznam.cz/preklad/anglicky_cesky/competent?strict=true) adult or legal entity, even if they are not the holder of a weapons permit or weapons license.

If an object is not a weapon in the sense of the Weapons Act, it may still qualify as a weapon under the Criminal Code as briefly described in point 1.1 above. However, it does not depend on the technical characteristics of a particular thing, but only on the way of its use. In principle, any object capable of being used to injure a person can become a weapon under the Criminal Code, but this does not mean that at the same time such object is considered as weapon under the Weapons Act. Consequently, whether an object qualifies as a weapon in the sense of the Criminal Code is determined by its use or intention to use a thing in a certain way by the holder (i.e., if a thing is used or intended to be used as a weapon, it is a weapon, see answer to question 1.2 above).

Although there is no explicit regulation of weapons in the Weapons Act in such broader sense (i.e., weapons as defined under the Criminal Code), it is possible to find such regulation in other laws. For example, under section 35(1) of Act No. 273/2008 Coll., on the Police of the Czech Republic (Police Act), **a police officer is authorized to call a person to surrender a weapon if there is a risk that it will be unlawfully used for violence or threatening with violence**. After a previous futile call, **the police officer is authorized to seize the weapon**.

Under section 35(2) of the Police Act, **a police officer is authorized to search a person and seize a weapon** if

1. the person’s personal freedom is to be restricted,
2. an intervention is being carried out against this person, or
3. another action is being carried out against this person, there is a risk that the person will resist, and there is a suspicion that the person is carrying a weapon.

A weapon, within the meaning of the Police Act, is understood to mean anything that can make an attack against the body more forceful, i.e., it is any weapon in the broader general meaning of the Criminal Code, not in the narrower meaning of the Weapons Act. Consequently, the rules above apply to knives, including scissors in a pocket tool, as well.

*1.7 Are there any exceptions?*

According to the terminology of the Weapons Act, an object is only covered by the Weapons Act if it is considered a weapon under the Weapons Act (i.e., namely firearms, ammunition for them, their accessories and attachments).

According to section 7(a) of the Weapons Act, historical weapons are category D weapons, and according to Annex 1, Part One, Point 22 of the Weapons Act, historical weapons include, among others, all firearms manufactured before 31 December 1890, all main parts of which were manufactured before 31 December 1890. Strictly speaking it is not an exception since these weapons are considered as weapons under the Weapons Act, but being in category D means that these weapons do not require registration (permit or notification).

Other weapons such as knives are not regulated by the Weapons Act, but there are other regulations namely in the Criminal Code and the Czech Police Act which may be applicable to knives as described above. From this point of view, there are no exceptions, since the definition of a weapon in this general sense is very broad.

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

Violations of the provisions of the Weapons Act may have criminal and administrative consequences.

Most offences against the Weapons Act are misdemeanours, but depending on their seriousness and other circumstances such offences may be considered also as crimes mostly under section 279 (Illegal Possession of Weapons) of the Criminal Code. The factual basis of the crime set out in Section 279 of the Criminal Code is a blanket factual basis and is closely related to the Weapons Act, as the handling of firearms and ammunition and other activities or obligations related thereto are primarily regulated by the Weapons Act (the factual basis of this crime lies mainly in handling weapons without a registration, i.e., permit or notification).

If a weapon is actually used, the perpetrator can also make him/herself liable to prosecution in accordance with the respective provisions of the Czech Criminal Code, whereby the use of weapons is regarded as a qualifying criterion and thus has an aggravating effect.

In addition to the criminal consequences, a violation against the Weapons Act can have administrative consequences. The confiscation of weapons concerned or the withdrawal of permits are particularly suitable administrative measures.

If other weapons (in the broader sense, i.e., under the Criminal Code or Police Act) are affected, they can be confiscated under conditions stipulated in the Czech Police Act as described in point 1.6 above. Whether the wearer is or is not threatened with any further consequences such as criminal prosecution or administrative proceedings depends on the circumstances of the particular case. Confiscation of weapons falls within the competence of the prosecution authorities or courts (criminal proceedings) or the administrative authorities (outside criminal proceedings). As described above, it is namely the police who may seize weapons and the police are also the administrative body that is responsible for the area regulated by the Weapons Act (see point 1.6 above).

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

In 2026, a new act, Act no. 90/20224 Coll., on Firearms and Ammunition (new weapons act), will replace the current Weapons Act as of 1 January 2026. The new weapons act introduces some fundamental conceptual innovations compared to the previous legislation (i.e., the current Weapons Act).

However, in general, the principles under the new weapons act will remain similar to as they are now, i.e., knives and other cold weapons will not be regulated as weapons under the new weapons act (similarly as under the current Weapons Act, the new weapons act regulates only firearms, ammunition and related issues, also a new special act on ammunition was introduced together with the new weapons act).

The Czech Republic is a relatively safe country, its legislation on firearms and ammunition is liberal (not as liberal as in the United States, but it seems to be a bit more liberal than in some other EU countries), including no explicit or special regulation of knives as weapons or dangerous things (except for that general definition of weapons in the Criminal Code as described above).

In the Czech parliament, various motions concerning weapons are currently pending or were recently adopted. These motions deal or dealt with general questions on the connection between the possession of weapons and the medical fitness of the applicant, or more generally, with conditions for obtaining permits under the Weapons Act (following the shooting at the Faculty of Philosophy of Charles University in Prague last year). Restrictions on the use of silencers have been discussed in the media recently (following the shooting mentioned above). Cutting and stabbing weapons and knives are not at the top of the political agenda for the time being since stabbing in public places is not that serious a problem yet in the Czech Republic.

# 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 pointed or sharp objects which may cause serious injury, including a knife with a blade more than 6cm are not allowed to be taken into the security restricted areas or on board of an aircraft.*

According to the Official Journal of the European Union stipulating detailed measures for the implementation of the common basic standards in aviation security, any pointed or sharp objects which may cause serious injury, including knifes with a blade of more than 6cm are not allowed to be taken into the security restricted areas or on board of an aircraft.

* + 1. *Are there any further national regulations to be considered in this respect?*

Since the Czech Republic is member of the EU, EU law is fully applicable in the Czech Republic. In the relevant context regarding the establishment and implementation of standards ensuring flight safety, the most important applicable rules are the following:

* Regulation (EC) No. 300/2008 - establishes the basic legal framework, the common basic standards for safeguarding civil aviation against acts of unlawful interference at the European Union level
* Commission Regulation (EU) 2015/1998 - implementing measures for the common basic standards on civil aviation security against acts of unlawful interference, guidelines for setting security measures for entities subject to certain obligations under Regulation (EC) No. 300/2008 or national legislation
* Commission Regulation (EU) No 1254/2009 - sets out the criteria allowing member states to deviate from the common basic standards and adopt alternative security measures. In the Czech Republic applied at the national level through section 86e of the Civil Aviation Act (special measures) and
* Implementing Regulation (EC) 272/2009.

In addition, there is also the EU-Commission Implementing Decision C(2015)8005 which contains implementing rules (specifying the procedures for implementing individual security measures and characterizing the conditions for granting exemptions) that are not published due to their classification as sensitive security information. The Implementing Decision C(2015)8005 is only addressed to operators of aerodromes or other entities responsible for the implementation of security regulations based on a need to know concept. In relation to passengers, however, it has no binding effect, because these regulations are not published (cf. judgment of the European Court of Justice in case C-345/06, Heinrich vs. Austria, of March 10, 2009). In the Czech Republic, the Commission Decision (EU) C(2015)8005 is applied at the national level through section 86d of the Civil Aviation Act (basic measures). The Civil Aviation Authority (CAA) sets obligations for individual addressees on a need to know basis, taking into account the local situation in the Czech Republic.

In the Czech legal system, issues of protecting civil aviation from unlawful acts are addressed in Part VIII of Act No. 49/1997 Coll., on Civil Aviation as amended (Civil Aviation Act). The main authorities in the area of security of airports are the Czech Ministry of Transport and the Czech Civil Aviation Authority. On 1 February 2015 (when Act No. 127/2014 Coll., which amended the Civil Aviation Act, entered into force), the administrative agenda of protecting civil aviation from unlawful acts was transferred from the competence of the Ministry of Transport to the competence of the Civil Aviation Authority (in Czech: Úřad pro civilní letectví). The implementing legal regulation directly related to Part VIII of the Civil Aviation Act is Decree No. 410/2006 Coll., on the protection of civil aviation against unlawful acts and on the amendment and supplementation of the Decree of the Ministry of Transport and Communications No. 108/1997 Coll., as amended, which stipulates further details in addition to the Civil Aviation Act.

Pursuant to letters c and d of Attachment 4-C to the Implementing Regulation (EU) 2015/1998, passengers are not permitted (among other) to carry the following items in their cabin baggage into the security restricted areas of airports or on board an aircraft:

* objects with a sharp point or sharp edge that may be used to cause serious injury (including knives with blades of more than 6cm or scissors with blades of more than 6cm as measured from the fulcrum)
* tools with a blade or a shaft of more than 6cm that may be used as a weapon and
* blunt instruments that may be used to cause serious injury when used to hit. However, transport in hold baggage is possible in principle (see implementing regulation No. 5.4.1 in conjunction with Attachment 5-B e contrario).

The above-mentioned provisions represent common basic standards more stringent measures in the form of an amendment of prohibited items are reserved as long as these measures are objective, risk adequate and non-discriminatory. Accordingly, it is a question of whether an object reaches an analogous level of danger (i.e. the danger of causing serious injury cf. Article 6 of Regulation (EC) No.

300/2008).

There exist bilateral treaties with approximately 95 countries the list also includes countries within the EU. Where such bilateral treaties regulate safety aspects, they must be taken into account. However, Czech law applies as long as the aircraft is on Czech soil or in Czech airspace. Czech law is also applicable abroad on board of Czech aircraft, as long as the law of another country is not mandatory.

Furthermore, the Convention on International Civil Aviation (Chicago Convention) and its Annex 17 Security with international standards and recommended practices of the International Civil Aviation Organization (hereinafter ICAO) should also be mentioned in this context. However, the provisions are addressed to the member states, such as the Czech Republic, and operators of airports (not to passengers).

For the sake of completeness, it should also be pointed out that the provisions of the War Material Legislation are to be observed when exporting weapons and, if these are not applicable, the provisions of the Export of Goods Control legislation shall be observed.

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

The Czech Republic is a member of the EU.

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

Pursuant to Art. 4 Section 1 of the ASM Ordinance (as defined under answer to question 2.1.1 above), it is the responsibility of the airport operator to take measures ensuring airport security in accordance with Annex I of Regulation (EC) No. 300/2008 and the Implementing Regulation (EU) 2015/1998. Pursuant to Art. 5 Section 1 of the ASM Ordinance, it is up to the air carrier to take measures ensuring safety of aircrafts in accordance with Annex I of Regulation (EC) No. 300/2008 and the Implementing Regulation (EU) 2015/1998. As outlined under answer to question 2.1.1 above, there is a harmonized regulation in the European area to what extent knives may be carried in airplanes. The airport operator and the airlines must ensure that these regulations are complied with. However, is has to be emphasized once again that the rules described above under answer 2.1.1 are only basic standards. Further restrictions are possible if the object reaches an analogous level of danger, i.e. the danger of causing serious injury (cf. Art. 6 of Regulation (EC) No. 300/2008). Furthermore, when travelling to destinations outside the EU, knives on board of aircrafts may be generally prohibited (namely at US, Israelian and Asian destinations).

In addition to complying with rules at the place of destination, airlines and airports are free to impose stricter rules. For example, the airline Emirates prohibits knives of all types, shapes and sizes in cabin baggage On the other hand, for example, Prague’s Vaclav Havel Airport complies with Attachment 4-C of the Implementing Regulation (EU) 2015/1998 and does not apply stricter security regulations for passenger security checks. Accordingly, it is permitted at Prague airport to carry knives with a blade length of up to 6cm in the cabin baggage. It is advisable to check the list of such items published on the Prague Airport’s website. However, it is also mentioned on the Prague Airport’s website that security **officers always have the right to designate as prohibited items that are not listed on the mentioned website, but that raise reasonable suspicion that they may be used to threaten the security of civil aviation**.

Passengers are generally advised to check with the airport and the airline before embarking on their journey whether the items (knives) they intend to take with them in their cabin baggage are considered harmless. With respect to Prague airport, passengers that are unsure whether specific items (knives) may be carried in the cabin baggage may also contact, 24/7, the Call Center at the phone number +420 220 111 888. As an alternative, it is mostly possible to transport restricted items with the passengers hold/checked baggage.

*2.3 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 Implementing Regulation (EU) 2015/1998 contains in letters c and d of Attachment 4-C an enumerative, non-exhaustive list of items that are prohibited in the cabin baggage of passengers. With respect to scissors, the said Attachment explicitly states that they are prohibited if they have a blade of more than 6cm measured from the fulcrum. As a result, shorter scissors are permitted (subject to stricter regulations as may be imposed by airlines and airports see answer to question 2.2 above).

Saws are cited as an example of workman’s tools capable of being used either to cause serious injury or threaten the safety of aircraft without a minimum length being provided, suggesting a general ban. Whether the Czech legislator has considered saws with a blade length of less than 6 cm is questionable. After all, for other tools that could be used as weapons, the length of the blade or shaft is again of relevance for the legislator and again set at a limit of 6cm. To what extent a mini saw should be more dangerous than a mini screwdriver is not comprehensible. The same can be argued with respect to the protective purpose of the regulation: the danger of causing serious injuries with a mini saw seems to be very low. However, in view of the fact that the wording of the rule is clear in itself, the interpretation of the rule must be applied strictly, meaning that saws shall be considered prohibited.

Attachment 4-C does not deal with the question of how related objects are to be assessed. If, however, certain objects are allowed individually, it must be deducted that the same rules apply to a combination of items, provided (in accordance with the meaning and spirit of the provisions) that this does not increase their dangerousness. As a result, it is admissible to combine a knife and a scissor in a multifunctional device and carry such device with the cabin baggage as long as the same requirements are fulfilled that would be applicable if the knife and the scissor would be a separate object.

Furthermore, it should be emphasized again that Article 6 of Regulation (EC) No. 300/2008 allows to apply stricter measures, provided that these are objective, non-discriminatory and that the object in question has an analogous risk potential in terms of the possibility of causing serious injury. An assessment which can vary from country to country and which, as the non-European area shows, actually differs significantly. A conclusive assessment is therefore only possible on a case-by-case basis with respect to the legal spheres concerned.

*2.4 What is considered as a sharp object besides knives?*

Pursuant to letter c of Attachment 4-C of the Implementing Regulation (EU) 2015/1998, the following objects (apart from knives) are considered to be objects with a sharp point or sharp edge:

* items designed for chopping, such as axes, hatchets and cleavers
* ice axes and ice picks
* razor blades
* box cutters
* scissors with blades of more than 6cm as measured from the fulcrum
* martial arts equipment with a sharp point or sharp edge
* swords and sabres.

However, as already mentioned, the above enumeration is not to be understood conclusively. In principle, any object, whether sharp after manufacture according to its regular use or sharpened or abraded due to subsequent processing, can constitute an object with a sharp point or sharp edge. However, please note that the EU regulations are basic standards the implementation and enforcement of stricter measures remains possible. As mentioned above, we are not aware that Prague’s Vaclav Havel Airport would apply stricter security regulations for passenger security checks.

*2.5 Are there any further aviation security regulations with respect to the Victorinox (pocket) knives to be observed?*

No, subject to the answers to questions 2.1 et seq. above.

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

Civil aviation law and air traffic law are a dynamic legal area reflecting both technical developments and the security situation. For example, after the terrorist attacks of September 11, 2001, the United States introduced stricter security measures, which other states were also required to observe in view of the threat of landing prohibitions for aircrafts in the USA. In this or another way, the example shows that a purely national approach is illusory, if only because every passenger affects at least two legal spheres, those at the departure airport and those at the destination airport.

We are not aware of any changes in this regard in the near future. It is not excluded that the Czech Republic will change its liberal approach towards firearms and other weapons as described in point 1.9 above. If the safety situation in the Czech Republic changes, a stricter approach not only towards firearms, but also towards other weapons (cold weapons), is not excluded in future, which could also mean a stricter approach in the area of airport security.

Ibach, Switzerland, 10 December 2024

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