**KNIFE LEGISLATION AND HANDLING AT AIRPORTS**

**IN**

**NETHERLANDS**

# Weapons Act

In the Netherlands, the weapons law consists of both centralised (nationwide) legislation and decentralised (municipality level) legislation. On the centralised level, the Weapons and Ammunition Act ([Wet Wapens en Munitie](https://wetten.overheid.nl/jci1.3:c:BWBR0008804&z=2019-10-01&g=2019-10-01)) (the "Act") and its underlying regulations Weapons and Ammunition Decree (Besluit Wapens en Munitie) (the "Decree") and the Regulation on Weapons and Ammunition (Regeling Wapens en Munitie) (the "Regulation") generally apply to all persons in the Netherlands.

On a decentralised level, municipalities can adopt additional legislation in respect of weapons such as knives, but only to the extent not already governed in centralised legislation.

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

We understand local law to be all regulations applicable in the Netherlands, including on a decentralised level. The Act, Decree and Regulation include a list of four categories of items that qualify as a 'weapon' and of which usage is restricted, varying per category.

The below overview shows the items, including their descriptions, included in the categories, to the extent relevant for this questionnaire. Category II is not relevant.

Category I includes:

1. stilettos: a foldable knife with a blade that can be opened by a pressure mechanism or similar release mechanism which releases the blade in a sideways hinged motion;
2. falling or folding knives (valmes): a foldable knife with a blade that can be released right handed by a pressure mechanism or similar release mechanism, or a swinging movement, or by gravity;
3. fan or butterfly knife (vlindermes): a knife of which the handle is split in two longitudinally and that releases the blade by unfolding each of the two parts of the handle sideways in an opposite direction;
4. other foldable knives to the extent that the blade has more than one sharp or cutting edge, or the total length of the knife in an unfolded state exceeds 28 centimeters.
5. skinning or flaying knife (vilmes): a knife with a blade with a right angle to the handle, or that can be positioned in a right angle to the handle, and is intended to use holding in the palm of the hand with the blade protruding between the fingers;
6. ballistic knife (ballistisch mes): a knife with a blade that is pushed upright out of a guiding system by means of air, gas or spring pressure; and,
7. other items designated by the minister of Justice and Security that could pose a serious threat to persons or that resemble a weapon in such a way that they are suitable for threat or depredation. Items that are designated in the Regulation are stiletto’s, falling knives and butterfly knives with handles fitted with a bumper plate. The Regulation also designates a so called ‘throwing pen’. This is a type of short and slender shaped metal or hard plastic object, equipped with a sharp point, or several cutting parts. It is originally used in various Japanese martial arts and belongs to the same type of weapons as the throwing star. As a collective name, the term ‘Shaken’ or ‘Shuriken’ is also used. The throwing pen, like the throwing star, is considered capable of posing a serious threat to persons while serving no social purpose.

Category III includes:

1. throwing knives.

Category IV includes:

1. Items which, given their nature or the circumstances under which they are found, are reasonably believed to be intended to cause or threaten injury to persons and do not fall into any of the other categories.

Note that scissors could be subject to Category IV in certain circumstances. This could be the case if scissors are used in a situation in which it is reasonably believed that someone intends to cause or threaten injury to persons.

*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)?*

**Weapons**

No. If a specific type of knife qualifies as a weapon because it is included in one of the four categories, it is prohibited to carry and/or transport the knife in public.

If it does not fall under one of the categories, it does not qualify as a weapon. In that case, it can be freely carried and transported in public.

To 'carry a weapon' within the meaning of the Act consists of carrying a weapon [such as a category 1 or 3 knife] on the public road or at other publicly accessible places, other than transporting a weapon.

'Transporting a weapon' within the meaning of the Act consists of carrying a weapon [such as a category 1 or 3 knife] on the public road or at other publicly accessible places that is packed/packaged/wrapped as such so that the knife is not ready for immediate use.

Please note that it is also prohibited to manufacture (vervaardigen), possess (voor handen hebben), transform (transformeren), transfer, import, and export the weapons set out above in answer 1.1. In relation to category 1 weapons it is also prohibited to repair those for a third party (herstellen voor een derde).

**Other knives**

For knives that do not qualify as weapon in the meaning of the Act, there is no legitimate or justifiable reason required for carrying and/or transporting such a knife in public. However, municipalities may have adopted additional legislation in respect of carrying and transporting knives and/or similar items in addition to the centralised Act, Decree, and Regulation. For instance, the municipalities Amsterdam and Rotterdam have adopted such additional legislation. In Rotterdam it is not allowed to carry any knife or item that can be used as a weapon. One can only transport it in the meaning of the Act, meaning properly packaged as described above. In Amsterdam, a similar prohibition is adopted. This prohibition explicitly includes pocketknives and screwdrivers.

*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)?*

Knives that do not qualify as weapon in the meaning of the Act and therefore can be carried or transported must be packed/packaged/wrapped as such so that the knife is not ready for immediate use (niet voor onmiddellijk gebruik kunnen worden aangewend).

*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, marketplaces, football stadium, event halls etc.)?*

We refer to our answer to question 1.2 for the relevance between the qualifications as weapon within the meaning of the Act. A municipality could, under special circumstances or when a public event is held, impose additional rules.

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



Not the length of the blade as such is relevant for the qualification as a weapon in the meaning of the Act, but the total length of the knife in unfolded state determines the qualification as a weapon (category I no. 4 above).

Apart from the qualification as a weapon in the meaning of the Act, the length of the blade or knife has no other legal importance.

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

We kindly refer to [article 2](https://wetten.overheid.nl/jci1.3:c:BWBR0008804&paragraaf=1&artikel=2&z=2019-10-01&g=2019-10-01) of the Act (in Dutch), which includes the complete overview of all items qualifying as either a category I, II, III or IV weapon.

*1.7 Are there any exceptions?*

The Act, the Decree and the Regulation include general exemptions (vrijstellingen), the possibility to acquire an individual exemption (ontheffing) or leave (verlof) from the prohibitions to possess, manufacture, carry, transport, import and export various types of weapons. These exceptions are not for typical consumers, but for public services such as police and armed forces, hunting, ceremonies, etc.

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

The various prohibitions are sanctioned as follows. Amounts are based on the 2024 price level and current law.

1. a fine of a maximum of EUR 10,300 for:

* not immediately handing in a weapon within the meaning of the Act;
* not fulfilling the, for the purpose of security, requirements for rooms and means of transport in which category III [throwing knives] weapons or ammunition are kept or transported;
* illegally carrying a category III weapon [throwing knives].

1. Imprisonment of maximum of 9 months, or a fine of EUR 25,750, for

* Illegally manufacturing, transforming, repairing for third parties, transferring, possessing, carrying, transporting, importing and/or exporting a category I weapon;
* Illegally transporting, possessing or transferring a category III weapon [throwing knives].

1. Imprisonment of maximum of 8 years, or a fine of EUR 103,000 for illegally and in a professional manner

* manufacturing, transforming, repairing for third parties, transferring, possessing, carrying, transporting, importing and exporting a category I weapon;
* possessing, transferring, importing and exporting a category III weapon.

1. Imprisonment of maximum of 4 years, or a fine of EUR 103,000 for

* possessing, carrying, transporting a category I weapon; and,
* possessing and transferring a category III weapon,

on board of an aircraft or at an airport in the Netherlands.

Please note that pursuant to Dutch criminal law, a sentencing range mentioned above may be higher in the case of legal entities if a particular range is not deemed appropriate.

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

We are not aware of any legislative developments relevant for this questionnaire (16 December 2024).

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

Yes, section 3A (Security of civil aviation) of the Aviation Act (Luchtvaartwet) and the underlying Regulation execution safety civil aviation 2021 (Regeling uitvoering beveiliging burgerluchtvaart 2021).

Pursuant to these regulations, items that can be used to threaten people can only be brought on board of an aircraft if these items:

1. are packed/packaged/wrapped as such so that the item is not ready for immediate use;
2. are stored out of reach of passengers; and,
3. comply with other stipulations in section 4.4.2 of attachment 4-C on the annex to Commission Regulation (EU) No. 2015/1998.
   * 1. *If your country is outside the EU, what are the corresponding local regulations?*

N/A

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

No.

* 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?*

Yes, a pair of scissors or a saw may be included in a pocketknife with a blade of maximum 6 cm, but the size of the scissors or the length of the saw is indeed of relevance. The important assessment is whether the sharp part/parts is/are longer than 6 cm. This applies to nail files, scissors and tweezers, etc. So sharp objects, of which the sharp part is no longer than 6 cm, are allowed.

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

Any object that is capable of being used to cause injury or to impose threat. Airport rules can include a broader definition in their rules. For instance, the Schiphol Rules[[1]](#footnote-2) prohibit carrying any object which based on the circumstances is likely to be carried or brought to disrupt or threat the public order and public safety, or to cause material damage or injury to people. This could under circumstances include a bottle opener or screwdriver.

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

We are not aware of any further aviation security regulations to be observed.

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

We are not aware of any changes intended in the near future.

Ibach, Switzerland, 16 December 2024

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1. The Schiphol Rules appear to have the legal characteristics of general terms and conditions applicable in the legal relation between the airport and the passenger. [↑](#footnote-ref-2)