



Criminal Justice Act 1988

1988 CHAPTER 33

PART XI

MISCELLANEOUS

Articles with blades or points and offensive weapons

139 Offence of having article with blade or point in public place. E+W

- (1) Subject to subsections (4) and (5) below, any person who has an article to which this section applies with him in a public place shall be guilty of an offence.
- (2) Subject to subsection (3) below, this section applies to any article which has a blade or is sharply pointed except a folding pocketknife.
- (3) This section applies to a folding pocketknife if the cutting edge of its blade exceeds 3 inches.
- (4) It shall be a defence for a person charged with an offence under this section to prove that he had good reason or lawful authority for having the article with him in a public place.
- (5) Without prejudice to the generality of subsection (4) above, it shall be a defence for a person charged with an offence under this section to prove that he had the article with him—
 - (a) for use at work;
 - (b) for religious reasons; or
 - (c) as part of any national costume.
- (6) A person guilty of an offence under subsection (1) above shall be liable—
 - ^{F1}(a) on summary conviction, to imprisonment for a term not exceeding six months, or a fine not exceeding the statutory maximum, or both;
 - (b) on conviction on indictment, to imprisonment for a term not exceeding [^{F2}four] years, or a fine, or both.]

Status: There are multiple versions of this provision on screen. These apply to different geographical extents. Skip to: E+W - England and Wales extent N.I. - Northern Ireland extent

Changes to legislation: Criminal Justice Act 1988, Section 139 is up to date with all changes known to be in force on or before 09 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

[^{F3}(6ZA) See section 315 of the Sentencing Code for provision about the sentence which a court in England and Wales may be required to impose where a person aged 16 or over who has a previous relevant conviction (within the meaning of that section) is convicted of an offence under this section.]

^{F4}(6A)

^{F4}(6B)

^{F4}(6C)

^{F4}(6D)

^{F4}(6E)

^{F4}(6F)

^{F4}(6G)

(7) In this section “public place” includes any place to which at the material time the public have or are permitted access, whether on payment or otherwise.

(8) This section shall not have effect in relation to anything done before it comes into force.

Extent Information

E1 This version of this provision extends to England and Wales only; a separate version has been created for Northern Ireland only

Textual Amendments

F1 S. 139(6)(a)(b) substituted (4.7.1996) for words by 1996 c. 26, s.3(1) (with s. 3(2))

F2 Word in s.139(6)(b) substituted (E.W.) (12.2.2007) by Violent Crime Reduction Act 2006 (c.38), ss. 42(1)(a), 66(2); S.I. 2007/74, art. 2(a)

F3 S. 139(6ZA) inserted (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), Sch. 24 para. 90 (with Sch. 24 para. 447, Sch. 27); S.I. 2020/1236, reg. 2

F4 S. 139(6A)-(6G) repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), Sch. 28 (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

Modifications etc. (not altering text)

C1 S. 139 modified in part (1.12.2020 immediately before the consolidation date (see 2020 c. 9, ss. 3, 5(2) (3) and 2020 c. 17, ss. 2, 416)) by Sentencing (Pre-consolidation Amendments) Act 2020 (c. 9), ss. 1, 5(2)(3) (with Sch. 1 para. 41); S.I. 2012/1236, reg. 2

139 Offence of having article with blade or point in public place. **N.I.**

(1) Subject to subsections (4) and (5) below, any person who has an article to which this section applies with him in a public place shall be guilty of an offence.

(2) Subject to subsection (3) below, this section applies to any article which has a blade or is sharply pointed except a folding pocketknife.

(3) This section applies to a folding pocketknife if the cutting edge of its blade exceeds 3 inches.

Status: There are multiple versions of this provision on screen. These apply to different geographical extents. Skip to: E+W - England and Wales extent N.I. - Northern Ireland extent

Changes to legislation: Criminal Justice Act 1988, Section 139 is up to date with all changes known to be in force on or before 09 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

(4) It shall be a defence for a person charged with an offence under this section to prove that he had good reason or lawful authority for having the article with him in a public place.

(5) Without prejudice to the generality of subsection (4) above, it shall be a defence for a person charged with an offence under this section to prove that he had the article with him—

- (a) for use at work;
- (b) for religious reasons; or
- (c) as part of any national costume.

[^{F5}(6) A person guilty of an offence under subsection (1) shall be liable—

- (a) on summary conviction, to imprisonment for a term not exceeding 12 months or to a fine not exceeding the statutory maximum, or to both;
- (b) on conviction on indictment, to imprisonment for a term not exceeding 4 years, or to a fine, or to both.]

[^{F3}(6ZA) See section 315 of the Sentencing Code for provision about the sentence which a court in England and Wales may be required to impose where a person aged 16 or over who has a previous relevant conviction (within the meaning of that section) is convicted of an offence under this section.]

^{F4}(6A)

^{F4}(6B)

^{F4}(6C)

^{F4}(6D)

^{F4}(6E)

^{F4}(6F)

^{F4}(6G)

(7) In this section “public place” includes any place to which at the material time the public have or are permitted access, whether on payment or otherwise.

(8) This section shall not have effect in relation to anything done before it comes into force.

Extent Information

E2 This version of this provision extends to Northern Ireland only; a separate version has been created for England and Wales only

Textual Amendments

F3 S. 139(6ZA) inserted (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 24 para. 90** (with Sch. 24 para. 447, Sch. 27); S.I. 2020/1236, reg. 2

F4 S. 139(6A)-(6G) repealed (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 28** (with ss. 413(4)(5), 416(7), Sch. 27); S.I. 2020/1236, reg. 2

F5 S. 139(6) substituted (N.I.) (16.7.2008) by The Criminal Justice (Northern Ireland) Order S.I. 2008/1216 (N.I. 1), arts. 1, **90(3)**; S.R. 2008/293, **art. 2**, Sch. para. 14.

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Modifications etc. (not altering text)

- C1** S. 139 modified in part (1.12.2020 immediately before the consolidation date (see 2020 c. 9, ss. 3, 5(2) (3) and 2020 c. 17, ss. 2, 416)) by [Sentencing \(Pre-consolidation Amendments\) Act 2020 \(c. 9\), ss. 1, 5\(2\)\(3\)](#) (with [Sch. 1 para. 41](#)); S.I. 2012/1236, reg. 2

Status:

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Changes to legislation:

Criminal Justice Act 1988, Section 139 is up to date with all changes known to be in force on or before 09 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 36(2)(b)(v) and word inserted by [2019 c. 17 s. 13\(3\)\(b\)](#)
- s. 36(3A)(3B) substituted for s. 36(3A) by [2008 c. 4 s. 46\(2\)](#)
- s. 41(4A) inserted by [2004 c. 28 Sch. 10 para. 28](#)
- s. 139AZA(1)(a)(iii) and word inserted by [2019 c. 17 s. 13\(4\)\(b\)](#)