



## **Guidance Notes and Code of Practice for Collectors and Owners of Japanese Art Swords**

The following guidance notes list a number of points, which will help maintain the reputation of the serious and responsible collector of Japanese Art Swords and the sword preservation community of which he/she is a member. Furthermore, at formal sword appreciation, viewing and kantei sessions, normal traditional Japanese sword etiquette (not part of the following guidelines) will apply. The following guidelines and rules, however, determine eligibility for membership. The terms “sword”, “blade”, “swords”, “blades” used herein refer to traditionally made antique Japanese art swords over 100 years old with historic and artistic merit.

### **I. Guidelines**

- 1) Wherever a private collection is kept, it should be in a reasonably secure environment and should not be accessible to young children or individuals of reduced mental capacity or diminished responsibility. Ideally, blades should be kept under lock and key, such as in a gun safe, lockable cabinet or bank vault. A separate lockable room is a further option.
- 2) If swords are being transported for any reason, they should not be readily useable or accessible. They should be wrapped in a sword bag, which in turn should be in a carrying bag (such as a custom-made sword bag, gun slip or gun case). Ideally, this outer case should be lockable.
- 3) A To-ken Society of Great Britain membership card and some other proof of identity should be carried at all times when a sword is in transit (additionally, refer to guideline item 2) or displayed (refer to guideline item 9) for any reason (i.e. teaching, demonstration, exhibition etc.). However, membership of our Society does not exempt members from observing all relevant laws and regulations.
- 4) If stopped and questioned by anyone of authority or law enforcement function, politely explain what item you have in your possession and the reason for having it with you (please note that it is an offence to carry a blade in a public place without a good reason). Show your To-ken Society membership card. Membership of our Society will, however, not be a sufficient reason to carry or transport contemporary or modern blades, replicas, reproductions, film props or sporting equipment such as bokken, shinai or shinken. Furthermore, Society membership or the possession of a membership card does not absolve one of the responsibility to observe the law.
- 5) In the above situation (guideline item 4), if the person of authority or law enforcement function asks to see the blade, suggest this be done somewhere privately. Resist having to unwrap and draw the blade in a public place unless ordered to do this by a police officer. If such a situation occurs, explain proper sword handling technique to avoid both damage to the sword and any accidents.
- 6) At all times, remain co-operative and reasonable with authorities.

7) If sending a sword abroad (e.g. to Japan for restoration work or appraisal), make sure that you have absolute proof of sending it and fill out the requisite despatch documents truthfully and accurately. Unless you can prove to HM Customs and Excise that the sword was a temporary export, you may find re-importation difficult.

If swords are imported, some of the requirements of the Border Force with regard to curved blades of 50cm or more stipulate that the item in question:

- was made before 1954, or
- was made by traditional hand sword making methods, or
- is only available for the purposes of use in religious ceremonies or for martial arts, or
- is for use in a historical re-enactments or sporting activity for example a martial arts demonstration for which public liability insurance is held.

If you are importing a restricted offensive weapon you should have evidence to demonstrate why you require it.

8) When swords are being mailed internally within the UK, they should be properly packed and sent by a mail system that requires them to be signed for by the recipient and have a tracking number. It will then be possible to know where they are at all times. Proof of age will be required.

9) If swords are on public display and not cased, the display must be carefully monitored at all times. Swords must never be left unattended for both safety and security reasons. Signs stating that swords must not be touched or handled should be prominently displayed.

10) Never leave swords unattended in a public place even for the briefest of times.

11) Swords should never be touched or transported by anyone under the influence of alcohol or drugs, or diminished mental capacity or responsibility due to health or other reasons.

12) We will endeavour to ensure that the membership is informed of any future change to the legislation governing the ownership and transportation of swords. We ask members to comply with any and all new legislation that may be introduced.

## **II. Prerequisites for and conditions of membership**

- 1) Potential members are asked to read and undertake to abide by the guidelines above and our code of conduct which may be found on our website at <https://to-ken.uk/aboutus/code-of-conduct-1.html>.
- 2) The Society reserves the right to revoke the membership of anyone who fails to comply with our code of conduct or through their actions in the wider sword community may, by association, bring the Society in to disrepute.
- 3) Members must be at least 18 years old and without criminal convictions.

Please complete the details below to show that you understand and will comply with the guidelines, code of conduct and membership prerequisites. We are unable to issue a membership card until a signed confirmation is received.

**III. Declaration**

I have read the above, fully understand the associated responsibilities and undertake to comply fully with these requirements for membership.

SIGNED.....

DATE.....

FULL NAME.....

ADDRESS .....

.....

.....

POST CODE .....

DATE OF BIRTH .....

HOME PHONE NO ..... MOBILE NO .....

EMAIL .....