



# Firearms Act 1968

## 1968 CHAPTER 27

### PART I

#### PROVISIONS AS TO POSSESSION, HANDLING AND DISTRIBUTION OF WEAPONS AND AMMUNITION; PREVENTION OF CRIME AND MEASURES TO PROTECT PUBLIC SAFETY

##### *General restrictions on possession and handling of firearms and ammunition*

#### **1 Requirement of firearm certificate.**

- (1) Subject to any exemption under this Act, it is an offence for a person—
  - (a) to have in his possession, or to purchase or acquire, a firearm to which this section applies without holding a firearm certificate in force at the time, or otherwise than as authorised by such a certificate;
  - (b) to have in his possession, or to purchase or acquire, any ammunition to which this section applies without holding a firearm certificate in force at the time, or otherwise than as authorised by such a certificate, or in quantities in excess of those so authorised.
- (2) It is an offence for a person to fail to comply with a condition subject to which a firearm certificate is held by him.
- (3) This section applies to every firearm except—
  - [<sup>F1</sup>(a) a shot gun within the meaning of this Act, that is to say a smooth-bore gun (not being an air gun) which—
    - (i) has a barrel not less than 24 inches in length and does not have any barrel with a bore exceeding 2 inches in diameter;
    - (ii) either has no magazine or has a non-detachable magazine incapable of holding more than two cartridges; and
    - (iii) is not a revolver gun; and]
    - (b) an air weapon (that is to say, an air rifle, air gun or air pistol [<sup>F2</sup>which does not fall within section 5(1) and which is] not of a type declared by rules made by the Secretary of State under section 53 of this Act to be specially dangerous).

*Status: Point in time view as at 20/01/2004.*

*Changes to legislation: Firearms Act 1968, Cross Heading: General restrictions on possession and handling of firearms and ammunition is up to date with all changes known to be in force on or before 13 July 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)*

[<sup>F3</sup>(3A) A gun which has been adapted to have such a magazine as is mentioned in subsection (3)(a)(ii) above shall not be regarded as falling within that provision unless the magazine bears a mark approved by the Secretary of State for denoting that fact and that mark has been made, and the adaptation has been certified in writing as having been carried out in a manner approved by him, either by one of the two companies mentioned in section 58(1) of this Act or by such other person as may be approved by him for that purpose.]

- (4) This section applies to any ammunition for a firearm, except the following articles, namely:—
- (a) cartridges containing five or more shot, none of which exceeds .36 inch in diameter;
  - (b) ammunition for an air gun, air rifle or air pistol; and
  - (c) blank cartridges not more than one inch in diameter measured immediately in front of the rim or cannellure of the base of the cartridge.

#### Textual Amendments

- F1** S. 1(3)(a) substituted by [Firearms \(Amendment\) Act 1988 \(c. 45, SIF 51:1\), s. 2\(2\)](#)
- F2** Words inserted (20.1.2004) by [Anti-social Behaviour Act 2003 \(2003 c. 38\), ss. 39\(2\)\(c\)\(ii\), 93; S.I. 2003/3300, art. 2](#)
- F3** S. 1(3A) inserted by [Firearms \(Amendment\) Act 1988 \(c. 45, SIF 51:1\), s. 2\(3\)](#)

#### Modifications etc. (not altering text)

- C1** S. 1(1)(a) excluded (E. W.) (17.12.2003) by [The Anti-social Behaviour Act 2003 \(Commencement No. 1 and Transitional Provisions\) Order 2003 \(S.I. 2003/3300\), art. 5\(2\)](#)

## 2 Requirement of certificate for possession of shot guns.

- (1) Subject to any exemption under this Act, it is an offence for a person to have in his possession, or to purchase or acquire, a shot gun without holding a certificate under this Act authorising him to possess shot guns.
- (2) It is an offence for a person to fail to comply with a condition subject to which a shot gun certificate is held by him.

## 3 Business and other transactions with firearms and ammunition.

- (1) A person commits an offence if, by way of trade or business, he—
  - (a) manufactures, sells, transfers, repairs, tests or proves any firearm or ammunition to which section 1 of this Act applies, or a shot gun; or
  - (b) exposes for sale or transfer, or has in his possession for sale, transfer, repair, test or proof any such firearm or ammunition, or a shot gun,
 without being registered under this Act as a firearms dealer.
- (2) It is an offence for a person to sell or transfer to any other person in the United Kingdom, other than a registered firearms dealer, any firearm or ammunition to which section 1 of this Act applies, or a shot gun, unless that other produces a firearm certificate authorising him to purchase or acquire it or, as the case may be, his shot gun certificate, or shows that he is by virtue of this Act entitled to purchase or acquire it without holding a certificate.

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- (3) It is an offence for a person to undertake the repair, test or proof of a firearm or ammunition to which section 1 of this Act applies, or of a shot gun, for any other person in the United Kingdom other than a registered firearms dealer as such, unless that other produces or causes to be produced a firearm certificate authorising him to have possession of the firearm or ammunition or, as the case may be, his shot gun certificate, or shows that he is by virtue of this Act entitled to have possession of it without holding a certificate.
- (4) Subsections (1) to (3) above have effect subject to any exemption under subsequent provisions of this Part of this Act.
- (5) A person commits an offence if, with a view to purchasing or acquiring, or procuring the repair, test or proof of, any firearm or ammunition to which section 1 of this Act applies, or a shot gun, he produces a false certificate or a certificate in which any false entry has been made, or personates a person to whom a certificate has been granted, or [<sup>F4</sup>knowingly or recklessly makes a statement false in any material particular].
- (6) It is an offence for a pawnbroker to take in pawn any firearm or ammunition to which section 1 of this Act applies, or a shot gun.

#### Textual Amendments

- F4** Words in s. 3(5) substituted (1.7.1997) by 1997 c. 5, s. 52(1), **Sch. 2 para. 2(1)**; S.I. 1997/1535, art. 3, **Sch. Pt. I**

## 4 Conversion of weapons.

- (1) Subject to this section, it is an offence to shorten the barrel of a shot gun to a length less than 24 inches.
- (2) It is not an offence under subsection (1) above for a registered firearms dealer to shorten the barrel of a shot gun for the sole purpose of replacing a defective part of the barrel so as to produce a barrel not less than 24 inches in length.
- (3) It is an offence for a person other than a registered firearms dealer to convert into a firearm anything which, though having the appearance of being a firearm, is so constructed as to be incapable of discharging any missile through its barrel.
- (4) A person who commits an offence under section 1 of this Act by having in his possession, or purchasing or acquiring, a shotgun which has been shortened contrary to subsection (1) above or a firearm which has been [<sup>F5</sup>converted as mentioned in subsection (3) above] (whether by a registered firearms dealer or not), without holding a firearm certificate authorising him to have it in his possession, or to purchase or acquire it, shall be treated for the purposes of provisions of this Act relating to the punishment of offences as committing that offence in an aggravated form.

#### Textual Amendments

- F5** Words substituted by **Firearms (Amendment) Act 1988 (c. 45, SIF 51:1)**. s. 23(1)

**Status:**

Point in time view as at 20/01/2004.

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