



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

Prohibition of certain weapons and control of arms traffic

5 Weapons subject to general prohibition

- (1) A person commits an offence if, without the authority of the Defence Council, he has in his possession, or purchases or acquires, or manufactures, sells or transfers—
 - (a) any firearm which is so designed or adapted that, if pressure is applied to the trigger, missiles continue to be discharged until pressure is removed from the trigger or the magazine containing the missiles is empty;
 - (b) any weapon of whatever description designed or adapted for the discharge of any noxious liquid, gas or other thing; and
 - (c) any ammunition containing, or designed or adapted to contain, any such noxious thing.
- (2) The weapons and ammunition specified in subsection (1) of this section are referred to in this Act as "prohibited weapons" and "prohibited ammunition" respectively.
- (3) An authority given to a person by the Defence Council under this section shall be in writing and be subject to conditions specified therein.
- (4) The conditions of the authority shall include such as the Defence Council, having regard to the circumstances of each particular case, think fit to impose for the purpose of securing that the prohibited weapon or ammunition to which the authority relates will not endanger the public safety or the peace.
- (5) It is an offence for a person to whom an authority is given under this section to fail to comply with any condition of the authority.

- (6) The Defence Council may at any time, if they think fit, revoke an authority given to a person under this section by notice in writing requiring him to deliver up the authority to such person as may be specified in the notice within twenty-one days from the date of the notice; and it is an offence for him to fail to comply with that requirement.

6 Power to prohibit movement of arms and ammunition

- (1) The Secretary of State may by order prohibit the removal of firearms or ammunition—
- (a) from one place to another in Great Britain; or
 - (b) from Great Britain to Northern Ireland; or
 - (c) for export from Great Britain,

unless the removal is authorised by the chief officer of police for the area from which they are to be removed, and unless such other conditions as may be specified in the order are complied with.

- (2) An order under this section may apply—
- (a) either generally to all such removals, or to removals from and to particular localities specified in the order; and
 - (b) either to all firearms and ammunition or to firearms and ammunition of such classes and descriptions as may be so specified; and
 - (c) either to all modes of conveyance or to such modes of conveyance as may be so specified ;

but no such order shall prohibit the holder of a firearm certificate from carrying with him any firearm or ammunition authorised by the certificate to be so carried.

- (3) It is an offence to contravene any provision of—
- (a) an order made under this section; or
 - (b) an order made under section 9 of the Firearms Act 1920 (the former enactment corresponding to section 18 of the Firearms Act 1937 and this section); or
 - (c) any corresponding Northern Irish order, that is to say an order made under the said section 9 as extending to Northern Ireland or under any enactment of the Parliament of Northern Ireland repealing and re-enacting that section, prohibiting the removal of firearms or ammunition from Northern Ireland to Great Britain.
- (4) An order under this section shall be made by statutory instrument and may be varied or revoked by a subsequent order made thereunder by the Secretary of State.