



# 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—
  - (a) a shot gun (that is to say a smooth-bore gun with a barrel not less than 24 inches in length, not being an air gun); and
  - (b) an air weapon (that is to say, an air rifle, air gun or air pistol not of a type declared by rules made by the Secretary of State under section 53 of this Act to be specially dangerous).
- (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.

## **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.
- (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 makes any false statement.
- (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.

## **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 converted contrary to 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.

*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.

*Special exemptions from sections 1 to 5*

## **7 Police permit**

- (1) A person who has obtained from the chief officer of police for the area in which he resides a permit for the purpose in the prescribed form may, without holding a certificate under this Act, have in his possession a firearm and ammunition in accordance with the terms of the permit.
- (2) It is an offence for a person to make any statement which he knows to be false for the purpose of procuring, whether for himself or for another person, the grant of a permit under this section.

## **8 Authorised dealing with firearms**

- (1) A person carrying on the business of a firearms dealer and registered as such under this Act, or a servant of such a person may, without holding a certificate, have in his possession, or purchase or acquire, a firearm or ammunition in the ordinary course of that business.
- (2) It is not an offence under section 3(2) of this Act for a person—
- (a) to part with the possession of any firearm or ammunition, otherwise than in pursuance of a contract of sale or hire or by way of gift or loan, to a person

who shows that he is by virtue of this Act entitled to have possession of the firearm or ammunition without holding a certificate; or

- (b) to return to another person a shot gun which he has lawfully undertaken to repair, test or prove for the other.

## **9 Carriers, auctioneers, etc.**

- (1) A person carrying on the business of an auctioneer, carrier or warehouseman, or a servant of such a person, may, without holding a certificate, have in his possession a firearm or ammunition in the ordinary course of that business.
- (2) It is not an offence under section 3(1) of this Act for an auctioneer to sell by auction, expose for sale by auction or have in his possession for sale by auction a firearm or ammunition without being registered as a firearms dealer, if he has obtained from the chief officer of police for the area in which the auction is held a permit for that purpose in the prescribed form and complies with the terms of the permit.
- (3) It is an offence for a person to make any statement which he knows to be false for the purpose of procuring, either for himself or for another person, the grant of a permit under subsection (2) of this section.
- (4) It is not an offence under section 3(2) of this Act for a carrier or warehouseman, or a servant of a carrier or warehouseman, to deliver any firearm or ammunition in the ordinary course of his business or employment as such.

## **10 Slaughter of animals**

- (1) A person licensed under section 3 of the Slaughter of Animals Act 1958 or section 2 of the Slaughter of Animals (Scotland) Act 1928 may, without holding a certificate, have in his possession a slaughtering instrument and ammunition therefor in any slaughterhouse or knacker's yard in which he is employed.
- (2) The proprietor of a slaughterhouse or knacker's yard or a person appointed by him to take charge of slaughtering instruments and ammunition therefor for the purpose of storing them in safe custody at that slaughterhouse or knacker's yard may, without holding a certificate, have in his possession a slaughtering instrument or ammunition therefor for that purpose.

## **11 Sports, athletics and other approved activities**

- (1) A person carrying a firearm or ammunition belonging to another person holding a certificate under this Act may, without himself holding such a certificate, have in his possession that firearm or ammunition under instructions from, and for the use of, that other person for sporting purposes only.
- (2) A person may, without holding a certificate, have a firearm in his possession at an athletic meeting for the purpose of starting races at that meeting.
- (3) A member of a rifle club or miniature rifle club or cadet corps approved by the Secretary of State may, without holding a certificate, have in his possession a firearm and ammunition when engaged as a member of the club or corps in, or in connection with, drill or target practice.

- (4) A person conducting or carrying on a miniature rifle range (whether for a rifle club or otherwise) or shooting gallery at which no firearms are used other than air weapons or miniature rifles not exceeding 23 inch calibre may, without holding a certificate, have in his possession, or purchase or acquire, such miniature rifles and ammunition suitable therefor; and any person may, without holding a certificate, use any such rifle and ammunition at such a range or gallery.
- (5) A person may, without holding a shot gun certificate, borrow a shot gun from the occupier of private premises and use it on those premises in the occupier's presence.
- (6) A person may, without holding a shot gun certificate, use a shot gun at a time and place approved for shooting at artificial targets by the chief officer of police for the area in which that place is situated.

## **12 Theatre and cinema**

- (1) A person taking part in a theatrical performance or a rehearsal thereof, or in the production of a cinematograph film, may, without holding a certificate, have a firearm in his possession during and for the purpose of the performance, rehearsal or production.
- (2) Where the Defence Council are satisfied, on the application of a person in charge of a theatrical performance, a rehearsal of such a performance or the production of a cinematograph film, that such a firearm as is described in section 5(1)(a) of this Act is required for the purpose of the performance, rehearsal or production, they may under section 5 of this Act, if they think fit, not only authorise that person to have possession of the firearm but also authorise such other persons as he may select to have possession of it while taking part in the performance, rehearsal or production.

## **13 Equipment for ships and aircraft**

- (1) A person may, without holding a certificate.—
  - (a) have in his possession a firearm or ammunition on board a ship, or a signalling apparatus or ammunition therefor on board an aircraft or at an aerodrome, as part of the equipment of the ship, aircraft or aerodrome;
  - (b) remove a signalling apparatus or ammunition therefor, being part of the equipment of an aircraft, from one aircraft to another at an aerodrome, or from or to an aircraft at an aerodrome to or from a place appointed for the storage thereof in safe custody at that aerodrome, and keep any such apparatus or ammunition at such a place; and
  - (c) if he has obtained from an officer of police a permit for the purpose in the prescribed form, remove a firearm from or to a ship, or a signalling apparatus from or to an aircraft or aerodrome, to or from such place and for such purpose as may be specified in the permit.
- (2) It is an offence for a person to make any statement which he knows to be false for the purpose of procuring, either for himself or for another person, the grant of a permit under subsection (1)(c) of this section.

**14 Persons temporarily in Great Britain**

A person who has been in Great Britain for not more than thirty days in all in the preceding twelve months may have in his possession, or purchase or acquire, a shot gun without holding a shot gun certificate.

**15 Holder of Northern Irish certificate**

Section 2(1) of this Act does not apply to a person holding a firearm certificate issued in Northern Ireland authorising him to possess a shot gun.

*Prevention of crime and preservation of public safety*

**16 Possession of firearm with intent to injure**

It is an offence for a person to have in his possession any firearm or ammunition with intent by means thereof to endanger life or cause serious injury to property, or to enable another person by means thereof to endanger life or cause serious injury to property, whether any injury to person or property has been caused or not.

**17 Use of firearm to resist arrest**

- (1) It is an offence for a person to make or attempt to make any use whatsoever of a firearm or imitation firearm with intent to resist or prevent the lawful arrest or detention of himself or another person.
- (2) If a person, at the time of his committing or being arrested for an offence specified in Schedule 1 to this Act, has in his possession a firearm or imitation firearm, he shall be guilty of an offence under this subsection unless he shows that he had it in his possession for a lawful object.
- (3) A firearm or imitation firearm shall, notwithstanding that it is not loaded or is otherwise incapable of discharging any shot, bullet or other missile, be deemed to be an offensive weapon or instrument for the purpose of section 23(1)(a) of the Larceny Act 1916 (armed robbery) and section 28(1) of that Act (going armed by night).
- (4) For purposes of this section, the definition of " firearm " in section 57(1) of this Act shall apply without paragraphs (b) and (c) of that subsection, and " imitation firearm " shall be construed accordingly.
- (5) In the application of this section to Scotland, a reference to Schedule 2 to this Act shall be substituted for the reference in subsection (2) to Schedule 1; and subsection (3) shall be omitted.

**18 Carrying firearm with criminal intent**

- (1) It is an offence for a person to have with him a firearm or imitation firearm with intent to commit an indictable offence, or to resist arrest or prevent the arrest of another, in either case while he has the firearm or imitation firearm with him.
- (2) In proceedings for an offence under this section proof that the accused had a firearm or imitation firearm with him and intended to commit an offence, or to resist or prevent arrest, is evidence that he intended to have it with him while doing so.

- (3) In the application of this section to Scotland, for the reference to an indictable offence there shall be substituted a reference to any offence specified in paragraphs 1 to 18 of Schedule 2 to this Act.

## **19 Carrying firearm in a public place**

A person commits an offence if, without lawful authority or reasonable excuse (the proof whereof lies on him) he has with him in a public place a loaded shot gun or loaded air weapon, or any other firearm (whether loaded or not) together with ammunition suitable for use in that firearm.

## **20 Trespassing with firearm**

- (1) A person commits an offence if, while he has a firearm with him, he enters or is in any building or part of a building as a trespasser and without reasonable excuse (the proof whereof lies on him).
- (2) A person commits an offence if, while he has a firearm with him, he enters or is on any land as a trespasser and without reasonable excuse (the proof whereof lies on him).
- (3) In subsection (2) of this section the expression "land" includes land covered with water.

## **21 Possession of firearms by persons previously convicted of crime**

- (1) A person who has been sentenced to preventive detention, or to imprisonment or to corrective training for a term of three years or more, or who has been sentenced to be detained for such a term in a young offenders institution in Scotland, shall not at any time have a firearm or ammunition in his possession.
- (2) A person who has been sentenced to borstal training, to corrective training for less than three years or to imprisonment for a term of three months or more but less than three years, or who has been sentenced to be detained for such a term in a detention centre or in a young offenders institution in Scotland, shall not at any time before the expiration of the period of five years from the date of his release have a firearm or ammunition in his possession.
- (3) A person who—
- (a) is the holder of a licence issued under section 53 of the Children and Young Persons Act 1933 or section 57 of the Children and Young Persons (Scotland) Act 1937 (which sections provide for the detention of children and young persons convicted of serious crime, but enable them to be discharged on licence by the Secretary of State); or
  - (b) is subject to a recognizance to keep the peace or to be of good behaviour, a condition of which is that he shall not possess, use or carry a firearm, or is subject to a probation order containing a requirement that he shall not possess, use or carry a firearm; or
  - (c) has, in Scotland, been ordained to find caution a condition of which is that he shall not possess, use or carry a firearm;
- shall not, at any time during which he holds the licence or is so subject or has been so ordained, have a firearm or ammunition in his possession.
- (4) It is an offence for a person to contravene any of the foregoing provisions of this section.



- (5) It is an offence for a person to sell or transfer a firearm or ammunition to, or to repair, test or prove a firearm or ammunition for, a person whom he knows or has reasonable ground for believing to be prohibited by this section from having a firearm or ammunition in his possession.
- (6) A person prohibited under subsection (1), (2) or (3) of this section from having in his possession a firearm or ammunition may apply to quarter sessions or, in Scotland, in accordance with Act of Sederunt to the sheriff for a removal of the prohibition; and if the application is granted that prohibition shall not then apply to him.
- (7) Schedule 3 to this Act shall have effect with respect to the courts with jurisdiction to entertain an application under this section and to the procedure appertaining thereto.

## **22 Acquisition and possession of firearms by minors**

- (1) It is an offence for a person under the age of seventeen to purchase or hire any firearm or ammunition.
- (2) It is an offence for a person under the age of fourteen to have in his possession any firearm or ammunition to which section 1 of this Act applies, except in circumstances where under section 11(1), (3) or (4) of this Act he is entitled to have possession of it without holding a firearm certificate.
- (3) It is an offence for a person under the age of fifteen to have with him an assembled shot gun except while under the supervision of a person of or over the age of twenty-one, or while the shot gun is so covered with a securely fastened gun cover that it cannot be fired.
- (4) Subject to section 23 below, it is an offence for a person under the age of fourteen to have with him an air weapon or ammunition for an air weapon.
- (5) Subject to section 23 below, it is an offence for a person under the age of seventeen to have an air weapon with him in a public place, except an air gun or air rifle which is so covered with a securely fastened gun cover that it cannot be fired.

## **23 Exceptions from s. 22(4) and (5)**

- (1) It is not an offence under section 22(4) of this Act for a person to have with him an air weapon or ammunition while he is under the supervision of a person of or over the age of twenty-one ; but where a person has with him an air weapon on any premises in circumstances where he would be prohibited from having it with him but for this subsection, it is an offence—
  - (a) for him to use it for firing any missile beyond those premises; or
  - (b) for the person under whose supervision he is to allow him so to use it.
- (2) It is not an offence under section 22(4) or (5) of this Act for a person to have with him an air weapon or ammunition at a time when—
  - (a) being a member of a rifle club or miniature rifle club for the time being approved by the Secretary of State for the purposes of this section or section 11(3) of this Act, he is engaged as such a member in or in connection with target practice ; or

- (b) he is using the weapon or ammunition at a shooting gallery where the only firearms used are either air weapons or miniature rifles not exceeding .23 inch calibre.

## **24 Supplying firearms to minors**

- (1) It is an offence to sell or let on hire any firearm or ammunition to a person under the age of seventeen.
- (2) It is an offence—
  - (a) to make a gift of or lend any firearm or ammunition to which section 1 of this Act applies to a person under the age of fourteen; or
  - (b) to part with the possession of any such firearm or ammunition to a person under that age, except in circumstances where that person is entitled under section 11(1), (3) or (4) of this Act to have possession thereof without holding a firearm certificate.
- (3) It is an offence to make a gift of a shot gun or ammunition for a shot gun to a person under the age of fifteen.
- (4) It is an offence—
  - (a) to make a gift of an air weapon or ammunition for an air weapon to a person under the age of fourteen ; or
  - (b) to part with the possession of an air weapon or ammunition for an air weapon to a person under that age except where by virtue of section 23 of this Act the person is not prohibited from having it with him.
- (5) In proceedings for an offence under any provision of this section it is a defence to prove that the person charged with the offence believed the other person to be of or over the age mentioned in that provision and had reasonable ground for the belief.

## **25 Supplying firearm to person drunk or insane**

It is an offence for a person to sell or transfer any firearm or ammunition to, or to repair, prove or test any firearm or ammunition for, another person whom he knows or has reasonable cause for believing to be drunk or of unsound mind.