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# Firearms Act 1968

## 1968 CHAPTER 27

### PART II

#### FIREARM AND SHOT GUN CERTIFICATES; REGISTRATION OF FIREARMS DEALERS

##### *Grant, renewal, variation and revocation of firearm and shot gun certificates*

#### [<sup>F1</sup>26A Applications for firearm certificates.

- (1) An application for the grant of a firearm certificate shall be made in the prescribed form to the chief officer of police for the area in which the applicant resides and shall state such particulars as may be required by the form.
- (2) Rules made by the Secretary of State under section 53 of this Act may require any application for a firearm certificate to be accompanied by up to four photographs of the applicant and by the names and addresses of two persons who have agreed to act as referees.
- (3) The rules may require that, before considering an application for a firearm certificate, the chief officer of police has the following from each referee nominated by the applicant—
  - (a) verification in the prescribed manner of—
    - (i) any prescribed particulars; and
    - (ii) the likeness to the applicant of the photographs submitted with the application;
  - (b) a statement in the prescribed form to the effect that he knows of no reason why the applicant should not be permitted to possess a firearm; and
  - (c) such other statements or information in connection with the application or the applicant as may be prescribed.]

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#### Textual Amendments

**F1** Ss. 26A, 26B substituted for s. 26 (1.7.1997) by 1997 c. 5, s. 37; S.I. 1997/1535, art. 3(b), Sch. Pt. I

### **<sup>F2</sup>26B Applications for shot gun certificates.**

- (1) An application for the grant of a shot gun certificate shall be made in the prescribed form to the chief officer of police for the area in which the applicant resides and shall state such particulars as may be required by the form.
- (2) Rules made by the Secretary of State under section 53 of this Act may—
  - (a) require any application for a certificate to be accompanied by up to four photographs of the applicant;
  - (b) require the verification in the prescribed manner of any prescribed particulars and of the likeness of those photographs to the applicant;
  - (c) require any application for a certificate to be accompanied by a statement by the person verifying the matters mentioned in paragraph (b) above to the effect that he knows of no reason why the applicant should not be permitted to possess a shot gun.

#### Textual Amendments

**F2** Ss. 26A, 26B substituted for s. 26 (1.7.1997) by 1997 c. 5, s. 37; S.I. 1997/1535, art. 3(b), Sch. Pt. I

### **27 Special provisions about firearm certificates.**

- <sup>F7</sup>(1) A firearm certificate shall be granted where the chief officer of police is satisfied—
- (a) that the applicant is fit to be entrusted with a firearm to which section 1 of this Act applies and is not a person prohibited by this Act from possessing such a firearm;
  - (b) that he has a good reason for having in his possession, or for purchasing or acquiring, the firearm or ammunition in respect of which the application is made; and
  - (c) that in all the circumstances the applicant can be permitted to have the firearm or ammunition in his possession without danger to the public safety or to the peace.]

<sup>F8</sup>[(1A) For the purposes of subsection (1) above a person under the age of eighteen shall be capable of having a good reason for having a firearm or ammunition in his possession, or for <sup>F9</sup>... acquiring it, only if he has no intention of using the firearm or ammunition, at any time before he attains the age of eighteen, for a purpose not authorised by the European weapons directive.]

- (2) A firearm certificate shall be in the prescribed form and shall specify the conditions (if any) subject to which it is held, the nature and number of the firearms to which it relates [<sup>F10</sup>, including if known their identification numbers,] and, as respects ammunition, the quantities authorised to be purchased [<sup>F10</sup> or acquired] and to be held at any one time thereunder.

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(3) This section applies to the renewal of a firearm certificate as it applies to a grant.

**Textual Amendments**

- F7** S. 27(1) substituted (1.7.1997) by 1997 c. 5, s. 38; S.I. 1997/1535, art. 3(b), **Sch. Pt. I**
- F8** S. 27(1A) inserted (1.1.1993) by S.I. 1992/2823, **reg. 4(2)**
- F9** Words in s. 27(1A) omitted (28.7.2010) by virtue of Firearms (Amendment) Regulations 2010 (S.I. 2010/1759), **regs. 1(2), 2(5)**
- F10** Words inserted by Firearms (Amendment) Act 1988 (c. 45, SIF 51:1), **s. 23(5)**

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

- C3** S. 27(2) amended by Firearms (Amendment) Act 1988 (c. 45, SIF 51:1), **s. 9**

**28 Special provisions about shot gun certificates.**

[<sup>F11</sup>(1) Subject to subsection (1A) below, a shot gun certificate shall be granted or, as the case may be, renewed by the chief officer of police if he is satisfied that the applicant can be permitted to possess a shot gun without danger to the public safety or to the peace.

- (1A) No such certificate shall be granted or renewed if the chief officer of police—
- (a) has reason to believe that the applicant is prohibited by this Act from possessing a shot gun; or
  - (b) is satisfied that the applicant does not have a good reason for possessing, purchasing or acquiring one.

(1B) For the purposes of paragraph (b) of subsection (1A) above an applicant shall, in particular, be regarded as having a good reason if the gun is intended to be used for sporting or competition purposes or for shooting vermin; and an application shall not be refused by virtue of that paragraph merely because the applicant intends neither to use the gun himself nor to lend it for anyone else to use.]

<sup>F12</sup>[(1C) A person under the age of eighteen shall be regarded for the purposes of paragraph (b) of subsection (1A) above as not having a good reason for possessing<sup>F13</sup>... or acquiring a shot gun if it is his intention to use the shot gun, at any time before he attains the age of eighteen, for a purpose not authorised by the European weapons directive.]

- (2) A shot gun certificate shall be in the prescribed form and shall—
- (a) be granted or renewed subject to any prescribed conditions and no others; and
  - (b) specify the conditions, if any, subject to which it is granted or renewed.

[<sup>F14</sup>(2A) A shot gun certificate shall specify the description of the shot guns to which it relates including, if known, the identification numbers of the guns.]

<sup>F15</sup>(3) .....

**Textual Amendments**

- F11** S. 28(1) substituted by Firearms (Amendment) Act 1988 (c. 45, SIF 51:1), **s. 3(1)**
- F12** S. 28(1C) inserted (1.1.1993) by S.I. 1992/2823, **reg. 4(3)**
- F13** Words in s. 28(1C) omitted (28.7.2010) by virtue of Firearms (Amendment) Regulations 2010 (S.I. 2010/1759), **regs. 1(2), 2(6)**
- F14** S. 28(2A) inserted by Firearms (Amendment) Act 1988 (c. 45, SIF 51:1), **s. 3(2)**

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**F15** S. 28(3) repealed (1.7.1997) by 1997 c. 5, s. 52(2), **Sch. 3**; S.I. 1997/1535, art. 3(b), **Sch. Pt. I**

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

**C4** S. 28(2) amended by **Firearms (Amendment) Act 1988 (c. 45, SIF 51:1), s. 9**

**[<sup>F16</sup>28A Certificates: supplementary.**

- (1) A certificate shall, unless previously revoked or cancelled, continue in force for five years from the date when it was granted or last renewed, but shall be renewable for a further period of five years by the chief officer of police for the area in which the holder resides.
- (2) The provisions of this Act apply to the renewal of a certificate as they apply to a grant; but, subject to the power of renewal conferred by this subsection, a certificate granted or last renewed in Northern Ireland shall not continue in force for a period longer than that for which it was so granted or last renewed.
- (3) The Secretary of State may by order amend subsection (1) above so as to substitute for any reference to a period for the time being specified in that subsection a reference to such other period as may be specified in the order.
- (4) An order made under subsection (3) above shall apply only to certificates granted or renewed after the date on which the order comes into force.
- (5) The power to make orders under subsection (3) above shall be exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (6) A person aggrieved by the refusal of a chief officer of police to grant or to renew a certificate under this Act may in accordance with section 44 of this Act appeal against the refusal.
- (7) It is an offence for a person knowingly or recklessly to make any statement which is false in any material particular for the purpose of procuring (whether for himself or another) the grant or renewal of a certificate under this Act.]

**Textual Amendments**

**F16** S. 28A inserted (1.7.1997) 1997 c. 5, s. 52(1), **Sch. 2 para. 4(1)**; S.I. 1997/1535, art. 3(b), **Sch. Pt. I**

**29 Variation of firearm certificates.**

- (1) The chief officer of police for the area in which the holder of a firearm certificate resides may at any time by notice in writing vary the conditions subject to which the certificate is held, except such of them as may be prescribed, and may by the notice require the holder to deliver up the certificate to him within twenty-one days from the date of the notice for the purpose of amending the conditions specified therein.
- (2) A firearm certificate may also, on the application of the holder, be varied from time to time by the chief officer of police for the area in which the holder for the time being resides; and a person aggrieved by the refusal of a chief officer of police to vary a firearm certificate may in accordance with section 44 of this Act appeal against the refusal.

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- (3) It is an offence for a person [<sup>F17</sup>knowingly or recklessly to make a statement false in any material particular] for the purpose of procuring, whether for himself or another person, the variation of a firearm certificate.

#### Textual Amendments

**F17** Words in s. 29(3) substituted (1.7.1997) by 1997 c. 5, s. 52(1), **Sch. 2 para. 2(2)**; S.I. 1997/1535, art. 3(b), **Sch. Pt. I**

#### [<sup>F18</sup>**30A** Revocation of firearm certificates.

- (1) A firearm certificate may be revoked by the chief officer of police for the area in which the holder resides on any of the grounds mentioned in subsections (2) to (5) below.
- (2) The certificate may be revoked if the chief officer of police has reason to believe—
- (a) that the holder is of intemperate habits or unsound mind or is otherwise unfitted to be entrusted with a firearm; or
  - (b) that the holder can no longer be permitted to have the firearm or ammunition to which the certificate relates in his possession without danger to the public safety or to the peace.
- (3) The certificate may be revoked if the chief officer of police is satisfied that the holder is prohibited by this Act from possessing a firearm to which section 1 of this Act applies.
- (4) The certificate may be revoked if the chief officer of police is satisfied that the holder no longer has a good reason for having in his possession, or for purchasing or acquiring, the firearm or ammunition which he is authorised by virtue of the certificate to have in his possession or to purchase or acquire.
- (5) A firearm certificate may be revoked if the holder fails to comply with a notice under section 29(1) of this Act requiring him to deliver up the certificate.
- (6) A person aggrieved by the revocation of a certificate under subsection (2), (3) or (4) of this section may in accordance with section 44 of this Act appeal against the revocation.]

#### Textual Amendments

**F18** Ss. 30A, 30B, 30C, 30D substituted for s. 30 (1.7.1997) by 1997 c. 5, s. 40; S.I. 1997/1535, art. 3(b), **Sch. Pt. I**

#### [<sup>F19</sup>**30B** Partial revocation of firearm certificates.

- (1) The chief officer of police for the area in which the holder of a firearm certificate resides may partially revoke the certificate, that is to say, he may revoke the certificate in relation to any firearm or ammunition which the holder is authorised by virtue of the certificate to have in his possession or to purchase or acquire.
- (2) A firearm certificate may be partially revoked only if the chief officer of police is satisfied that the holder no longer has a good reason for having in his possession, or for purchasing or acquiring, the firearm or ammunition to which the partial revocation relates.

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- (3) A person aggrieved by the partial revocation of a certificate may in accordance with section 44 of this Act appeal against the partial revocation.

**Textual Amendments**

**F19** Ss. 30A, 30B, 30C, 30D substituted for s. 30 (1.7.1997) by 1997 c. 5, s. 40; S.I. 1997/1535, art. 3(b), Sch. Pt. I

**<sup>F20</sup>30C Revocation of shot gun certificates.**

- (1) A shot gun certificate may be revoked by the chief officer of police for the area in which the holder resides if he is satisfied that the holder is prohibited by this Act from possessing a shot gun or cannot be permitted to possess a shot gun without danger to the public safety or to the peace.
- (2) A person aggrieved by the revocation of a shot gun certificate may in accordance with section 44 of this Act appeal against the revocation.

**Textual Amendments**

**F20** Ss. 30A, 30B, 30C, 30D substituted for s. 30 (1.7.1997) by 1997 c. 5, s. 40; S.I. 1997/1535, art. 3(b), Sch. Pt. I

**<sup>F21</sup>30D Revocation of certificates: supplementary.**

- (1) Where a certificate is revoked under section 30A or 30C of this Act the chief officer of police shall by notice in writing require the holder to surrender the certificate.
- (2) Where a certificate is partially revoked under section 30B of this Act the chief officer of police shall by notice in writing require the holder to deliver up the certificate for the purpose of amending it.
- (3) It is an offence for the holder of a certificate to fail to comply with a notice under subsection (1) or (2) above within twenty-one days from the date of the notice.
- (4) If an appeal is brought against a revocation or partial revocation—
- (a) this section shall not apply to that revocation or partial revocation unless the appeal is abandoned or dismissed; and
  - (b) it shall then apply with the substitution, for the reference to the date of the notice, of a reference to the date on which the appeal was abandoned or dismissed.
- (5) This section shall not apply in relation to—
- (a) the revocation of a firearm certificate on any ground mentioned in section 30A(2), (3) or (4) of this Act;
  - (b) the revocation of a shot gun certificate,
- if the chief officer of police serves a notice on the holder under section 12 of the <sup>M1</sup>Firearms Act 1988 requiring him to surrender forthwith his certificate and any firearms and ammunition in his possession by virtue of the certificate.

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#### Textual Amendments

**F21** Ss. 30A, 30B, 30C, 30D substituted for s. 30 (1.7.1997) by 1997 c. 5, s. 40; S.I. 1997/1535, art. 3(b), Sch. Pt. I

#### Marginal Citations

**M1** 1988 c. 45.

### 31 Certificate for prohibited weapon.

- (1) A chief officer of police shall not refuse to grant or renew, and shall not revoke, a firearm certificate in respect of a prohibited weapon or prohibited ammunition if the applicant for the certificate is for the time being authorised by the Defence Council under section 5 of this Act to have possession of that weapon or ammunition.
- (2) Where an authority of the Defence Council under that section to have possession of, or to purchase or acquire, a prohibited weapon or prohibited ammunition is revoked, the firearm certificate relating to that weapon or ammunition shall be revoked or varied accordingly by the chief officer of police by whom it was granted.

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

**C6** S. 31 modified (1.11.1968) by S.I. 1968/1200, art. 3

### 32 Fee for certificate and exemption from paying it in certain cases.

- [(1) Subject to this Act, there shall be payable—
- (a) on the grant of a firearm certificate a fee of [<sup>F22</sup>£50];
  - (b) on the renewal of a firearm certificate a fee of [<sup>F22</sup>£40];
  - (c) on any variation of a firearm certificate (otherwise than when it is renewed at the same time) so as to increase the number of firearms to which the certificate relates, a fee of £26;
  - (cc) on the replacement of a firearm certificate which has been lost or destroyed a fee of £9;
  - (d) on the grant of a shot gun certificate a fee of [<sup>F22</sup>£50];
  - (e) on the renewal of a shot gun certificate a fee of [<sup>F22</sup>£40];
  - (f) on the replacement of a shot gun certificate which has been lost or destroyed a fee of £8.]

[<sup>F23</sup>(2) No fee shall be payable on the grant to a responsible officer of a rifle club, miniature rifle club or muzzle-loading pistol club which is approved under section 15 of the Firearms (Amendment) Act 1988 of a firearm certificate in respect of rifles, miniature rifles or muzzle-loading pistols, or ammunition, to be used solely for target shooting by the members of the club, or on the variation or renewal of a certificate so granted.

<sup>F23</sup>(2A) Subsection (2) above—

- (a) does not apply if the operation of subsection (1) of section 15 of the Firearms (Amendment) Act 1988 is excluded in relation to the club by a limitation in the approval; or

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- (b) if the operation of subsection (1) of that section in relation to the club is limited by the approval to target shooting with specified types of rifles, miniature rifles or muzzle-loading pistols, only applies to a certificate in respect of rifles, miniature rifles or pistols of those types.

<sup>F24</sup>(2B) . . . . .]

- (3) No fee shall be payable on the grant, variation or renewal of a firearm certificate if the chief officer of police is satisfied that the certificate relates solely to and, in the case of a variation, will continue when varied to relate solely to—

- (a) a firearm or ammunition which the applicant requires as part of the equipment of a ship; or  
 (b) a signalling apparatus, or ammunition therefor, which the applicant requires as part of the equipment of an aircraft or aerodrome; or  
 (c) a slaughtering instrument, or ammunition therefor, which the applicant requires for the purpose of the slaughter of animals.

[(3A) No fee shall be payable on the grant, variation or renewal of a firearm certificate which relates solely to and, in the case of a variation, will continue when varied to relate solely to a signalling device, which, when assembled and ready to fire, is not more than eight inches long and which is designed to discharge a flare, or to ammunition for such a device.]

- (4) No fee shall be payable—

- (a) on the grant or renewal of a firearm certificate relating solely to a firearm which is shown to the satisfaction of the chief officer of police to be kept by the applicant as a trophy of war; or  
 (b) on any variation of a certificate the sole effect of which is to add such a firearm as aforesaid to the firearms to which the certificate relates,

if the certificate is granted, renewed or varied subject to the condition that the applicant shall not use the firearm.

#### Textual Amendments

**F22** Fees in s. 32(1)(a)(b)(d)(e) substituted (1.1.2001) by S.I. 2000/3148, art. 3(2)-(5)

**F23** S. 32(2)(2A)(2B) substituted (1.10.1997) for s. 32(2) by 1997 c. 5, s. 52(1), Sch. 2 para. 5; S.I. 1997/1535, art. 3(c), Sch. Pt. II

**F24** S. 32(2B) repealed (17.12.1997) by 1997 c. 64, s. 2(7), Sch.; S.I. 1997/3114, art. 3(b), Sch. Pt. I

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

**C7** S. 32 modified by Firearms (Amendment) Act 1988 (c. 45, SIF 51:1), s. 11(3)

**C8** S. 32(1) amended (E.W.) (1.1.1995) by virtue of S.I. 1994/2615, art. 4, Sch. 1 Pt. I and (S.) (1.1.1995) by virtue of S.I. 1994/2652, art. 3, Sch. 1 Pt. I

**C9** S. 32(3A) continued (E.W.) (1.1.1995) by virtue of S.I. 1994/2615, art. 5, Sch. 1 Pt. II and (S.) (1.1.1995) by virtue of S.I. 1994/2652, art. 4, Sch. 1 Pt. II



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