



Firearms Act 1968

1968 CHAPTER 27

PART II

FIREARM AND SHOT GUN CERTIFICATES; REGISTRATION OF FIREARMS DEALERS

Registration of firearms dealers

33 Police register.

- (1) For purposes of this Act, the chief officer of police for every area shall keep in the prescribed form a register of firearms dealers.
- (2) Except as provided by section 34 of this Act, the chief officer of police shall enter in the register the name of any person who, having or proposing to have a place of business in the area, applies to be registered as a firearms dealer.
- (3) [^{F1}An applicant for registration as a firearms dealer] must furnish the chief officer of police with the prescribed particulars, which shall include particulars of every place of business at which he proposes to carry on business in the area as a firearms dealer and, except as provided by this Act, the chief officer of police shall [^{F2}(if he registers the applicant as a firearms dealer)] enter every such place of business in the register.
- (4) When a person is registered, the chief officer of police shall grant or cause to be granted to him a certificate of registration.
- (5) A person for the time being registered shall, [^{F3}on or before the expiration of the period of three years from the grant of the certificate of registration for the time being held by him]—
 - (a) surrender his certificate to the chief officer of police; and
 - (b) apply in the prescribed form for a new certificate;and thereupon the chief officer of police shall, subject to sections 35(3) and 38(1) below, grant him a new certificate of registration.

Status: Point in time view as at 31/12/2020.

Changes to legislation: Firearms Act 1968, Cross Heading: Registration of firearms dealers is up to date with all changes known to be in force on or before 03 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)

Textual Amendments

- F1** Words in s. 33(3) substituted (1.7.1997) by 1997 c. 5, s. 42(2)(a); S.I. 1997/1535, art. 3(b), **Sch. Pt. I**
- F2** Words in s. 33(3) inserted (1.7.1997) by 1997 c. 5, s. 42(2)(b); S.I. 1997/1535, art. 3(b), **Sch. Pt. I**
- F3** Words substituted by **Firearms (Amendment) Act 1988 (c. 45, SIF 51:1), s. 13(1)**

34 Grounds for refusal of registration.

- (1) The chief officer of police shall not register an applicant as a firearms dealer if he is prohibited to be so registered by order of a court in Great Britain made under section 45 of this Act, or by order of a court in Northern Ireland under section 8(5) of the ^{M1}Firearms Act 1920 or any enactment of the Parliament of Northern Ireland amending or substituted for that section.
- [^{F4}(1A) The chief officer of police may refuse to register an applicant unless he is satisfied that the applicant will engage in business as a firearms dealer to a substantial extent or as an essential part of another trade, business or profession.]
- (2) Subject to subsection (3) below, the chief officer of police may refuse to register an applicant, if he is satisfied that the applicant cannot be permitted to carry on business as a firearms dealer without danger to the public safety or to the peace.
- (3) In the case of a person for the time being authorised by the Defence Council under section 5 of this Act to manufacture, sell or transfer prohibited weapons or ammunition, the chief officer of police shall not refuse to enter his name in the register on the ground that he cannot be permitted to carry on business as a firearms dealer without danger to the public safety or to the peace.
- (4) The chief officer of police, if he is satisfied that a place of business notified to him under section 33(3) of this Act by an applicant for registration is a place at which the person cannot be permitted to carry on business as a firearms dealer without danger to the public safety or to the peace, may refuse to enter that place of business in the register.
- (5) A person aggrieved by the refusal of a chief officer of police to register him as a firearms dealer, or to enter in the register a place of business of his, may in accordance with section 44 of this Act appeal against the refusal.

Textual Amendments

- F4** S. 34(1A) inserted by **Firearms (Amendment) Act 1988 (c. 45, SIF 51:1), s. 13(2)**

Modifications etc. (not altering text)

- C1** S. 34(3) modified (1.11.1968) by **S.I. 1968/1200, art. 3**

Marginal Citations

- M1** 1920 c. 43.

35 Fee for registration and renewal thereof.

- [^{F5}(1) Subject to this Act, on the registration of a person as a firearms dealer there shall be payable by him a fee of [^{F6}£200].]

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[^{F7}(1A) If the chief officer of police for the area in which the applicant has applied to be registered is satisfied—

- (a) that the only place of business in respect of which the application is made is at a game fair, trade fair or exhibition, agricultural show or an event of a similar character, and
- (b) that the applicant's principal place of business is entered in the register for another area,

the fee payable shall be [^{F8}£13]

(2) No fee shall be payable if the chief officer of police for the area in which the applicant has applied to be registered is satisfied that the only place of business in respect of which the application is made—

- (a) has become situated in that area because of an alteration in the boundary of the area and was previously entered in the register for another area; or
- (b) is one to which the applicant proposes to transfer the business previously carried on by him at a place entered in the register for another area.

[^{F9}(3) Before a person for the time being registered as a firearms dealer can be granted a new certificate of registration under section 33(5) of this Act, he shall pay a fee of [^{F10}£200].]

Textual Amendments

- F5** S. 35(1) amended (E.W.) by virtue of S.I. 1990/290, art. 6(a), **Sch. 2 Pt. I** and (S.) by virtue of S.I. 1990/325, art. 6(a), **Sch. 2 Pt. I**
- F6** Word in s. 35(1) substituted (6.4.2015) by **The Firearms (Variation of Fees) Order 2015** (S.I. 2015/611), arts. 1(1), **3(2)**
- F7** S. 35(1A) inserted by (S.) S.I. 1986/996, **art. 7** and (E.W.) S.I. 1986/986, **art. 7**
- F8** Word in s. 35(1A) substituted (6.4.2015) by **The Firearms (Variation of Fees) Order 2015** (S.I. 2015/611), arts. 1(1), **3(3)**
- F9** Section 35(3) amended (E.W.) by virtue of S.I. 1990/290 art. 6(c), **Sch. 2 Pt. II** and (S.) by virtue of S.I. 1990/325, art. 6(c), **Sch. 2 Pt. II**
- F10** Word in s. 35(3) substituted (6.4.2015) by **The Firearms (Variation of Fees) Order 2015** (S.I. 2015/611), arts. 1(1), **3(4)**

Modifications etc. (not altering text)

- C2** S. 35(1) amended (E.W.) (1.1.1995) by virtue of S.I. 1994/2615, art. 6, **Sch. 2 Pt. I** and (S.) (1.1.1995) by virtue of S.I. 1994/2652, art. 5, **Sch. 2 Pt. I**
- C3** S. 35(1A) continued (E.W.) (1.1.1995) by virtue of S.I. 1994/2615, art. 7, **Sch. 2 Pt. II** and (S.) (1.1.1995) by virtue of S.I. 1994/2652, art. 6, **Sch. 2 Pt. II**
- C4** S. 35(3) continued (E.W.) (1.1.1995) by virtue of S.I. 1994/2615, art. 8, **Sch. 2 Pt. III** and (S.) (1.1.1995) by virtue of S.I. 1994/2652, art. 7, **Sch. 2 Pt. III**

36 Conditions of registration.

- (1) The chief officer of police may at any time impose conditions subject to which the registration of a person as a firearms dealer is to have effect and may at any time, of his own motion or on the application of the dealer, vary or revoke any such condition.
- (2) The chief officer of police shall specify the conditions for the time being in force under this section in the certificate of registration granted to the firearms dealer and, where

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any such condition is imposed, varied or revoked during the currency of the certificate of registration, the chief officer of police—

- (a) shall give to the dealer notice in writing of the condition or variation (giving particulars) or of the revocation, as the case may be; and
 - (b) may by that notice require the dealer to deliver up to him his certificate of registration within twenty-one days from the date of the notice, for the purpose of amending the certificate.
- (3) A person aggrieved by the imposition or variation of, or refusal to vary or revoke, any condition of a firearms dealer's registration may in accordance with section 44 of this Act appeal against the imposition, variation or refusal.

37 Registration of new place of business.

- (1) A person registered in any area as a firearms dealer and proposing to carry on business as such at a place of business in that area which is not entered in the register, shall notify the chief officer of police for that area and furnish him with such particulars as may be prescribed; and the officer shall, subject to the provisions of this section, enter that place of business in the register.
- (2) The chief officer of police, if he is satisfied that a place of business notified to him by a person under subsection (1) of this section is a place at which that person cannot be permitted to carry on business as a firearms dealer without danger to the public safety or to the peace, may refuse to enter it in the register.
- (3) A person aggrieved by the refusal by a chief officer of police to enter in the register a place of business of his may in accordance with section 44 of this Act appeal against the refusal.

38 Removal from register of dealer's name or place of business.

- (1) If the chief officer of police, after giving reasonable notice to a person whose name is on the register, is satisfied that the person—
 - (a) is no longer carrying on business as a firearms dealer; or
 - (b) has ceased to have a place of business in the area; or
 - (c) cannot be permitted to continue to carry on business as a firearms dealer without danger to the public safety or to the peace,he shall (subject to this section) cause the name of that person to be removed from the register.
- (2) In the case of a person for the time being authorised by the Defence Council under section 5 of this Act to manufacture, sell or transfer prohibited weapons or ammunition, the chief officer of police shall not remove his name from the register on the ground that he cannot be permitted to continue to carry on business as a firearms dealer without danger to the public safety or to the peace.
- (3) If the chief officer of police is satisfied that a person registered as a firearms dealer has failed to comply with any of the conditions of registration in force under section 36 of this Act, he may remove from the register either that person's name or any place of business of his to which the condition relates.
- (4) If the chief officer of police is satisfied that a place entered in the register as a person's place of business is one at which that person cannot be permitted to carry on business

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as a firearms dealer without danger to the public safety or to the peace, he may remove that place from the register.

- (5) The chief officer of police shall cause the name of a person to be removed from the register if the person so desires.
- (6) If a person for the time being registered fails to comply with any requirement of section 33(5) of this Act, the chief officer of police shall by notice in writing require him to comply with that requirement and, if the person fails to do so within twenty-one days from the date of the notice or within such further time as the chief officer may in special circumstances allow, shall cause his name to be removed from the register.
- (7) A person aggrieved by the removal of his name from the register, or by the removal from the register of a place of business of his, may in accordance with section 44 of this Act appeal against the removal.
- (8) Where the chief officer of police causes the name of a firearms dealer to be removed from the register, he shall by notice in writing require the dealer to surrender his certificate of registration [^{F11}and the register of transactions kept by him under section 40 of this Act]^{F12}(or, if the register is kept by means of a computer, a copy of the information comprised in that register in a visible and legible form)]; and it is an offence for the dealer to fail to do so within twenty-one days from the date of the notice:

Provided that, if an appeal is brought against the removal, this subsection shall not apply to that removal unless the appeal is abandoned or dismissed and 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.

Textual Amendments

F11 Words inserted by [Firearms \(Amendment\) Act 1988 \(c. 45, SIF 51:1\), s. 13\(3\)](#)

F12 Words in s. 38(8) inserted (1.7.1997) by 1997 c. 5, s. 52(1), [Sch. 2 para. 7](#); S.I. 1997/1535, art. 3(a), [Sch. Pt. I](#)

Modifications etc. (not altering text)

C5 S. 38(2) modified (1.11.1968) by [S.I. 1968/1200, art. 3](#)

39 Offences in connection with registration.

- (1) A person commits an offence if, for the purpose—
 - (a) of procuring the registration of himself or another person as a firearms dealer; or
 - (b) of procuring, whether for himself or another person, the entry of any place of business in a register of firearms dealers,he [^{F13}knowingly or recklessly makes a statement false in any material particular].
- (2) A person commits an offence if, being a registered firearms dealer, he has a place of business which is not entered in the register for the area in which the place of business is situated and carries on business as a firearms dealer at that place.

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- (3) Without prejudice to section 38(3) above, a person commits an offence if he fails to comply with any of the conditions of registration imposed on him by the chief officer of police under section 36 of this Act.

Textual Amendments

F13 Words in s. 39(1) substituted (1.7.1997) by 1997 c. 5, s. 52(1), **Sch. 2 para. 2(3)**; S.I. 1997/1535, art. 3(b), **Sch. 2 Pt. I**

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