



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

Prevention of crime and preservation of public safety

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;

Status: This is the original version (as it was originally enacted).

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.