



Violent Crime Reduction Act 2006

2006 CHAPTER 38

PART 2

WEAPONS ETC.

Air weapons

31 Prohibition on sale or transfer of air weapons except by registered dealers

- (1) In subsection (1) of section 3 of the 1968 Act (offence for a person other than a registered firearms dealer to sell etc. a firearm or ammunition by way of trade or business), at the end of paragraph (b) insert “or
 - (c) sells or transfers an air weapon, exposes such a weapon for sale or transfer or has such a weapon in his possession for sale or transfer,”.
- (2) In section 40(2) of that Act (which excludes air weapons from the requirements to keep a register of transactions), omit the words from “to firearms” to “therein”.
- (3) In section 57(4) of that Act (interpretation), in the definition of “firearms dealer”, for the words from “manufactures” onwards substitute—
 - “(a) manufactures, sells, transfers, repairs, tests or proves firearms or ammunition to which section 1 of this Act applies or shot guns; or
 - (b) sells or transfers air weapons.”

Commencement Information

- II** S. 31(3) in force for specified purposes at 6.4.2007 by S.I. 2007/858, art. 2(e)

Status: Point in time view as at 06/04/2007. This version of this cross heading contains provisions that are not valid for this point in time.

Changes to legislation: There are currently no known outstanding effects for the Violent Crime Reduction Act 2006, Cross Heading: Air weapons. (See end of Document for details)

VALID FROM 31/12/2016

32 Sales of air weapons by way of trade or business to be face to face

- (1) This section applies where a person sells an air weapon by way of trade or business to an individual in Great Britain who is not registered as a firearms dealer.
- (2) A person is guilty of an offence if, for the purposes of the sale, he transfers possession of the air weapon to the buyer otherwise than at a time when both—
 - (a) the buyer, and
 - (b) either the seller or a representative of his,
 are present in person.
- (3) The reference in subsection (2) to a representative of the seller is a reference to—
 - (a) a person who is employed by the seller in his business as a registered firearms dealer;
 - (b) a registered firearms dealer who has been authorised by the seller to act on his behalf in relation to the sale; or
 - (c) a person who is employed by a person falling within paragraph (b) in his business as a registered firearms dealer.
- (4) A person guilty of an offence under this section shall be liable—
 - (a) on summary conviction in England and Wales, to imprisonment for a term not exceeding 51 weeks or to a fine not exceeding level 5 on the standard scale, or to both; and
 - (b) on summary conviction in Scotland, to imprisonment for a term not exceeding 12 months or to a fine not exceeding level 5 on the standard scale, or to both.
- (5) In relation to an offence committed before the commencement of section 281(5) of the Criminal Justice Act 2003 (c. 44), the reference in subsection (4)(a) of this section to 51 weeks is to be read as a reference to 6 months.

PROSPECTIVE

33 Age limits for purchase etc. of air weapons

- (1) The 1968 Act is amended as follows.
- (2) For section 22(1) (acquisition and possession of firearms by minors) substitute—

“(1) It is an offence—

 - (a) for a person under the age of eighteen to purchase or hire an air weapon or ammunition for an air weapon;
 - (b) for a person under the age of seventeen to purchase or hire a firearm or ammunition of any other description.”
- (3) In subsection (4) of that section, for “seventeen” substitute “eighteen”.
- (4) For section 24(1) (supplying firearms to minors) substitute—

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“(1) It is an offence—

- (a) to sell or let on hire an air weapon or ammunition for an air weapon to a person under the age of eighteen;
- (b) to sell or let on hire a firearm or ammunition of any other description to a person under the age of seventeen.”

(5) In subsection (4) of that section in paragraphs (a) and (b), for “seventeen” substitute “eighteen”.

(6) In the table in Part 1 of Schedule 6 (punishment)—

- (a) in the entry for section 22(1), in the second column, at the end insert “ or person under 18 acquiring air weapon ”;
- (b) in the entry for section 22(4), in the second column, for “17” substitute “ 18 ”;
- (c) in the entry for section 24(1), in the second column, at the end insert “ or an air weapon to a person under 18 ”;
- (d) in the entry for section 24(4), in the second column, for “17” substitute “ 18 ”.

PROSPECTIVE

34 Firing an air weapon beyond premises

- (1) The 1968 Act is amended as follows.
- (2) After section 21 (possession of firearms by persons previously convicted of crime) insert—

“21A Firing an air weapon beyond premises

- (1) A person commits an offence if—
 - (a) he has with him an air weapon on any premises; and
 - (b) he uses it for firing a missile beyond those premises.
- (2) In proceedings against a person for an offence under this section it shall be a defence for him to show that the only premises into or across which the missile was fired were premises the occupier of which had consented to the firing of the missile (whether specifically or by way of a general consent).”

(3) In section 23 (exceptions from section 22(4))—

- (a) in subsection (1), for paragraphs (a) and (b) substitute “ for the person under whose supervision he is to allow him to use it for firing any missile beyond those premises. ”;
- (b) after that subsection insert—

“(1A) In proceedings against a person for an offence under subsection (1) it shall be a defence for him to show that the only premises into or across which the missile was fired were premises the occupier of which had consented to the firing of the missile (whether specifically or by way of a general consent).”;

- (c) omit subsection (4).

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(4) In the table in Part 1 of Schedule 6 (punishment), after the entry for section 21(5) insert—

“Section 21A	Person making improper use of air weapon	Summary	A fine of level 3 on the standard scale	Paragraphs 7 and 8 of Part II of this Schedule apply.”
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(5) In that table, in the entry for section 23(1), for the words in the second column substitute “ Person supervising a person under 18 and allowing him to make improper use of air weapon ”.

(6) In Part 2 of that Schedule (supplementary)—

- (a) in paragraph 7, after “under section” insert “ 21A, ”;
- (b) in paragraph 8, after “under section” insert “ 21A, ”.

Status:

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