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STATUTORY INSTRUMENTS

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**2008 No. 3231**

**The Export Control Order 2008**

**PART 2**

**EXPORT AND TRANSFER CONTROLS**

**Exception for firearms – European firearms pass**

**15.**—(1) Nothing in article 3 shall be taken to prohibit the exportation of any firearm falling within category B, C or D of Annex I to the firearms Directive, related ammunition and sight using non-electronic image enhancement for use with such a firearm to any destination in a member State if paragraphs (2) and (3) apply.

(2) This paragraph applies if the firearm, ammunition and sight using non-electronic image enhancement form part of the personal effects of a person (“the holder”) who is in possession of—

- (a) a European firearms pass which has been issued to the holder under section 32A of the Firearms Act 1968<sup>(1)</sup>; or
- (b) a document which has been issued to the holder under the provisions of the law of a member State corresponding to the provisions of that section,

which, in either case, relates to the firearm.

(3) This paragraph applies if either—

- (a) the pass or document referred to in paragraph (2) contains authorisation for the possession of the firearm from the member State of destination and any other member State through which the holder intends that the firearm will pass on its way to that destination; or
- (b) the holder on request satisfies the proper officer of Her Majesty’s Revenue and Customs at the place of exportation that—
  - (i) the exportation of the firearm is necessary to enable the holder to participate in one of the activities specified in Article 12(2) (hunters and marksmen) of the firearms Directive;
  - (ii) the firearm falls within the category appropriate to that activity in accordance with that Article; and
  - (iii) the exportation or passage of the firearm is not to or through a member State which prohibits or requires an authorisation for the acquisition or possession of the firearm.

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(1) 1968 c. 27; section 32A was inserted by the Firearms Acts (Amendment) Regulations (S.I. 1992/2823), regulation 5(1) and amended by the Firearms Amendment Act 1997 (c. 5), Schedule 2, paragraph 6.