
STATUTORY INSTRUMENTS

2011 No. 713

The Firearms (Electronic Communications) Order 2011

Amendments to the Firearms (Amendment) Act 1997

- 4.—(1) The Firearms (Amendment) Act 1997(1) is amended as follows.
- (2) In section 33 (notification of transfers involving firearms)—
- (a) in subsection (3), for “by registered post or the recorded delivery service” substitute “by permitted means”;
 - (b) after subsection (3) insert—
 - “(3A) A notice is sent by permitted means for the purposes of subsection (3) if it is sent—
 - (a) by registered post;
 - (b) by the recorded delivery service; or
 - (c) by permitted electronic means (see section 35A).”.
- (3) In section 34 (notification of de-activation, destruction or loss of firearms etc)—
- (a) in subsection (3), for “by registered post or the recorded delivery service” substitute “by permitted means”;
 - (b) after subsection (3) insert—
 - “(3A) A notice is sent by permitted means for the purposes of subsection (3) if it is sent—
 - (a) by registered post;
 - (b) by the recorded delivery service; or
 - (c) by permitted electronic means (see section 35A).”.
- (4) In section 35 (notification of events taking place outside Great Britain involving firearms etc), for subsection (6) substitute—
- “(6) A notice required by this section must be sent within 14 days of the disposal or other event and must be sent—
 - (a) by registered post,
 - (b) by the recorded delivery service,
 - (c) in a case where it is sent from outside the United Kingdom otherwise than by electronic means, in such manner as most closely corresponds to that described in paragraph (a) or (b), or
 - (d) by permitted electronic means (see section 35A).”.
- (5) After section 35 insert—

“35A. Permitted electronic means

(1) A notice is sent by permitted electronic means for the purposes of section 33, 34 or 35 if—

- (a) it is sent by an electronic form of communication which the Secretary of State has directed may be used for the purposes of the section concerned,
- (b) it is sent to the electronic address which has been published pursuant to subsection (4), and
- (c) subject to subsection (6), the electronic address has not been withdrawn in accordance with subsection (5).

(2) Before giving a direction under subsection (1)(a), the Secretary of State must consult—

- (a) the Scottish Ministers,
- (b) the Association of Chief Police Officers,
- (c) the Association of Chief Police Officers in Scotland, and
- (d) such other persons as the Secretary of State is satisfied should be consulted.

(3) The Secretary of State must publish directions given under subsection (1)(a).

(4) A chief officer of police must publish at least one electronic address for each form of electronic communication specified in a direction under subsection (1)(a).

(5) A chief officer of police may withdraw an electronic address published under subsection (4) by publishing a statement to that effect in the same manner as that in which the electronic address was published under subsection (4); but a chief officer of police may exercise the power to withdraw only if, after the withdrawal, there will still be at least one electronic address available for the form of electronic communication concerned.

(6) Where an electronic address has been withdrawn under subsection (5), a notice sent to that electronic address before the end of the period of 28 days beginning with the day after the date of withdrawal is to be treated as complying with subsection (1)(b).”.