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STATUTORY INSTRUMENTS

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**2020 No. 1321**

**The Surrender of Offensive Weapons  
(Compensation) Regulations 2020**

**PART 3**

Compensation for surrendered firearms and ancillary equipment: United Kingdom

**Eligibility for compensation**

7.—(1) Compensation is payable in accordance with this Part for firearms and ancillary equipment surrendered in accordance with arrangements made under section 57 (surrender of prohibited firearms etc) of the Act.

(2) Compensation may be claimed by a person for a firearm other than a bump stock, possession of which will become unlawful by virtue of section 54 (prohibition of certain firearms etc: England and Wales and Scotland) or 55 (prohibition of certain firearms etc: Northern Ireland) of the Act where—

(a) that person—

(i) had and was entitled to have the firearm in their possession on or immediately before 20th June 2018 by virtue of a firearm certificate held by them or by virtue of being a registered firearm dealer, or

(ii) on or before 20th June 2018, had contracted to acquire the firearm, and was entitled to have the firearm in their possession after that date by virtue of a firearm certificate held by them or by virtue of being a registered firearms dealer; and

(b) that person has surrendered the firearm in accordance with arrangements made under section 57(1) of the Act within the required period.

(3) Compensation may be claimed by a person in respect of a firearm which is a bump stock, possession of which will become unlawful by virtue of section 54 or 55 of the Act where—

(a) that person—

(i) had the firearm in their possession on or immediately before 20th June 2018, or

(ii) on or before 20th June 2018 had contracted to acquire the firearm;

(b) that person did not import the firearm into the United Kingdom on or after 4th December 2017; and

(c) that person has surrendered the firearm in accordance with arrangements made under section 57(1) of the Act within the required period.

(4) Compensation may be claimed by a person in respect of ancillary equipment—

(a) where that person—

(i) had the ancillary equipment in their possession on or immediately before 20th June 2018, or

- (ii) after that date had it in their possession by virtue of a contract entered into on or before that date;
- (b) where the claim is in respect of ancillary equipment which is ammunition, the possession of that ammunition by that person was at all material times lawful by virtue of a firearm certificate held by them, or by virtue of being a registered firearms dealer;
- (c) where that person has surrendered the ancillary equipment in accordance with arrangements made under section 57(1) of the Act within the required period; and
- (d) where that person provides documentary evidence to show, or a declaration in a form approved by the Secretary of State—
  - (i) that the person is the legal owner of the ancillary equipment, and
  - (ii) that the ancillary equipment was lawfully acquired.

### **Receipt for surrender of firearms or ancillary equipment**

8.—(1) An officer receiving a firearm or ancillary equipment must, if satisfied that the relevant requirements of regulation 7 are satisfied, issue a receipt containing a unique reference number to the person who surrendered the firearm or ancillary equipment.

(2) The officer must ensure that a copy of the receipt is retained with the firearm or ancillary equipment surrendered.

### **Claims for compensation**

9.—(1) The Secretary of State must publish, in such manner as the Secretary of State considers appropriate, a claim form to be used for the purposes of this regulation.

(2) A person who has surrendered a firearm or ancillary equipment in accordance with arrangements made under section 57 of the Act may make a claim to the Secretary of State on the claim form published under paragraph (1).

(3) The claim form, to be forwarded by the officer to the Secretary of State, must be submitted at the same time as the firearm or ancillary equipment is surrendered.

(4) The claim form must contain—

- (a) the claimant's full name, date of birth and address;
- (b) details of the bank account into which any compensation is to be paid;
- (c) the unique reference number contained on the receipt issued under regulation 8(1) for the firearm or ancillary equipment; and
- (d) the amount of compensation sought.

(5) Where no standard level of compensation is specified for a firearm surrendered, or if the amount of compensation sought is higher than the standard level of compensation specified, the claimant must provide sufficient evidence of valuation of the firearm to enable the Secretary of State to determine the claim.

(6) Evidence of valuation of a firearm may include—

- (a) a valuation from a registered firearms dealer;
- (b) a valuation from an auction house;
- (c) evidence of the price paid for the purchase of the firearm and the date of purchase; or
- (d) published evidence of value of the firearm.

(7) If not satisfied that the evidence of valuation supplied under paragraph (5) is sufficient to enable a determination of the claim to be made, the Secretary of State may request additional evidence to be supplied.

(8) Where no standard level of compensation is specified for ancillary equipment surrendered, or if the amount of compensation sought is higher than the standard level of compensation specified, the claimant must provide sufficient evidence of valuation of the ancillary equipment to enable the Secretary of State to determine the claim.

(9) Evidence of valuation of ancillary equipment may include—

- (a) a valuation from a registered firearms dealer;
- (b) a valuation from an auction house;
- (c) evidence of the price paid for the purchase of the ancillary equipment and the date of purchase; or
- (d) published evidence of value of the equipment.

(10) If not satisfied that items meet the definition of ancillary equipment in section 60(2) of the Act, or that the evidence of valuation supplied under paragraph (8) is sufficient to enable a determination of the claim to be made, the Secretary of State may request additional evidence to be supplied.

#### **Determination and payment of claims**

**10.—**(1) The Secretary of State must determine a claim made under regulation 9 as soon as reasonably practicable.

(2) No compensation is payable in respect of a claim which amounts to less than £30, but subject to that, the amount payable is to be determined in accordance with paragraphs (3) and (4).

(3) Where a standard level of compensation is specified, the amount of compensation payable in respect of the firearm or ancillary equipment, is the standard level of compensation specified, unless the claimant has indicated that a higher amount is sought.

(4) Where no standard level of compensation is specified, or where a claimant has sought a higher sum than the standard level of compensation specified, the amount payable, if any, is to be determined by the Secretary of State taking account of the valuation evidence supplied.

(5) If satisfied that compensation is payable under this Part, the Secretary of State must—

- (a) notify the claimant in writing of the amount of compensation that the Secretary of State considers is payable and give reasons for the decision; and
- (b) make payment of the amount determined into the bank account nominated for this purpose on the claim form submitted by the claimant.

(6) If not satisfied that compensation is payable under this Part, the Secretary of State must notify the claimant in writing that no compensation is to be paid and give reasons for the decision.