



# Firearms (Amendment) Act 1997

## 1997 CHAPTER 5

### PART I

#### PROHIBITION OF WEAPONS AND AMMUNITION AND CONTROL OF SMALL-CALIBRE PISTOLS

##### *Surrender of firearms, etc. and compensation*

#### **15 Surrender of prohibited small firearms and ammunition.**

- (1) The Secretary of State may make such arrangements as he thinks fit to secure the orderly surrender at designated police stations of firearms or ammunition the possession of which will become or has become unlawful by virtue of section 1 or 9 above.
- (2) The chief officer of police for any area may designate any police station in his area as being suitable for the receipt of surrendered firearms or ammunition or surrendered firearms or ammunition of any description.
- [<sup>F1</sup>(3) This section applies in relation to small-calibre pistols with the substitution for the reference in subsection (1) above to section 1 above of a reference to section 1 of the Firearms (Amendment) (No. 2) Act 1997 (prohibition of small-calibre pistols).]

#### **Textual Amendments**

- F1** S. 15(3) inserted (17.12.1997) by 1997 c. 64, s. 2(2); S.I. 1997/3114, art. 3, Sch. Pt. I

#### **16 Payments in respect of prohibited small firearms and ammunition.**

- (1) The Secretary of State shall, in accordance with a scheme made by him, make payments in respect of firearms and ammunition surrendered at designated police stations in accordance with the arrangements made by him under section 15 above.

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*Changes to legislation: There are currently no known outstanding effects for the Firearms (Amendment) Act 1997, Cross Heading: Surrender of firearms, etc. and compensation. (See end of Document for details)*

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- (2) A scheme under subsection (1) above shall provide only for the making of payments to persons making claims for such payments in respect of firearms or ammunition—
- (a) which they had, and were entitled to have in their possession on or immediately before 16th October 1996 by virtue of firearm certificates held by them or by virtue of their being registered firearms dealers; or
  - (b) which on or before that date they had contracted to acquire and were entitled to have in their possession after that date by virtue of such certificates held by them or by virtue of their being registered firearms dealers,
- and their possession of which will become, or has become, unlawful by virtue of section 1(2) or 9 above.
- (3) A scheme under subsection (1) above may—
- (a) restrict eligibility for receipt of payments to claims made in respect of firearms or ammunition surrendered within a period specified in the scheme;
  - (b) provide for the procedure to be followed (including any time within which claims must be made and the provision of information) in respect of claims under the scheme and for the determination of such claims;
  - (c) make different provision for different descriptions of firearm or ammunition or for different descriptions of claimant.
- [<sup>F2</sup>(4) This section applies in relation to small-calibre pistols surrendered at designated police stations in accordance with the arrangements made under section 15 above with the substitution—
- (a) for the reference in paragraph (a) of subsection (2) above to 16th October 1996 of a reference to 14th May 1997; and
  - (b) for the reference in that subsection to section 1(2) above of a reference to section 1 of the Firearms (Amendment) (No. 2) Act 1997 (prohibition of small-calibre pistols).]

#### **Textual Amendments**

**F2** S. 16(4) inserted (1.2.1998) by 1997 c. 64, s. 2(3); S.I. 1997/3114, arts. 3, 4, **Sch. Pt. II**

#### **Commencement Information**

**II** S. 16 wholly in force at 1.7.1997; s. 16 not in force at Royal Assent see s. 53(3)(4); s. 16 in force for certain purposes at 17.3.1997 by S.I. 1997/1076, art. 2 and in force at 1.7.1997 insofar as not already in force by S.I. 1997/1535, art. 3(b), **Sch. Pt. I**

## **17 Payments in respect of ancillary equipment.**

- (1) The Secretary of State shall, in accordance with any scheme which may be made by him, make payments in respect of ancillary equipment of any description specified in the scheme.
- (2) For the purposes of subsection (1) above “ancillary equipment” means equipment, other than prohibited ammunition, which—
  - (a) is designed or adapted for use in connection with firearms prohibited by virtue of section 1(2) above; and
  - (b) has no practicable use in connection with any firearm which is not a prohibited weapon.

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**Changes to legislation:** There are currently no known outstanding effects for the Firearms (Amendment) Act 1997, Cross Heading: Surrender of firearms, etc. and compensation. (See end of Document for details)

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- (3) A scheme under subsection (1) above shall provide only for the making of payments to persons making claims for such payments in respect of ancillary equipment—
- (a) which they had in their possession on 16th October 1996; or
  - (b) which they had in their possession after that date, having purchased it by virtue of a contract entered into before that date.
- (4) No payment shall be made under a scheme under subsection (1) above in relation to any ammunition unless its possession or, as the case may be, purchase by any person claiming a payment in respect of it was, at all material times, lawful by virtue of a firearm certificate held by him or by virtue of his being a registered firearms dealer.
- (5) A scheme under subsection (1) above may require, as a condition of eligibility for receipt of payments under the scheme in respect of any equipment—
- (a) the surrender (whether to the police or any other person) of that equipment in accordance with the scheme within a period specified by the scheme; or
  - (b) the disposal of that equipment by way of sale within a period so specified; or
  - (c) either such surrender or such disposal of the equipment within a period so specified.
- (6) A scheme under subsection (1) above may—
- (a) provide for the procedure to be followed (including any time within which claims must be made and the provision of information) in respect of claims under the scheme and for the determination of such claims;
  - (b) make different provision for different descriptions of equipment or for different descriptions of claimant.
- [<sup>F3</sup>(7) This section applies in relation to equipment designed or adapted for use in connection with small-calibre pistols with the substitution—
- (a) for the reference in subsection (2)(a) above to firearms prohibited by virtue of section 1(2) above of a reference to small-calibre pistols; and
  - (b) for the reference in subsection (3)(a) above to 16th October 1996 of a reference to 14th May 1997.]

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#### Textual Amendments

**F3** S. 17(7) inserted (1.2.1998) by 1997 c. 64, s. 2(4); S.I. 1997/3114, arts. 3, 4, Sch. Pt. II

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#### Commencement Information

**I2** S. 17 wholly in force at 1.7.1997; s. 17 not in force at Royal Assent see s. 53(3)(4); s. 17 in force for certain purposes at 17.3.1997 by S.I. 1997/1076, art. 2 and in force at 1.7.1997 insofar as not already in force by S.I. 1997/1535, art. 3(b), Sch. Pt. I

## 18 Parliamentary control of compensation schemes.

- (1) Before making a compensation scheme the Secretary of State shall lay a draft of it before Parliament.
  - (2) The Secretary of State shall not make the scheme unless the draft has been approved by resolution of each House.
- [<sup>F4</sup>(3) Subsections (1) and (2) above apply to an alteration to a compensation scheme as they apply to a compensation scheme.]

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*Changes to legislation: There are currently no known outstanding effects for the Firearms (Amendment) Act 1997, Cross Heading: Surrender of firearms, etc. and compensation. (See end of Document for details)*

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(4) In this section “compensation scheme” means a scheme under section 16 or 17 above.

**Textual Amendments**

**F4** S. 18(3) substituted (17.12.1997) by 1997 c. 64, s. 2(5); S.I. 1997/ 3114. art. 3, Sch. Pt. I

**Commencement Information**

**I3** S. 18 wholly in force at 1.7.1997; s. 18 not in force at Royal Assent see s. 53(3)(4); s. 18 in force for certain purposes at 17.3.1997 by S.I. 1997/1076, art. 2 and in force at 1.7.1997 insofar as not already in force by S.I. 1997/1535, art. 3(b), Sch. Pt. I

**Changes to legislation:**

There are currently no known outstanding effects for the Firearms (Amendment) Act 1997, Cross  
Heading: Surrender of firearms, etc. and compensation.