



# Gun Barrel Proof Act 1950

## 1950 CHAPTER iii 14 Geo 6

An Act to confer further powers upon the Master Wardens and Society of the Mystery of Gunmakers of the City of London and the Guardians of the Birmingham Proof House to amend the Gun Barrel Proof Act 1868 and for other purposes. [23rd May 1950]

Whereas—

(1) The Master Wardens and Society of the Mystery of Gunmakers of the City of London (hereinafter called “the Gunmakers Company”) and the Guardians of the Birmingham Proof House (hereinafter called “the Guardians”) respectively carry on undertakings in London and Birmingham for the purpose of proving and marking the barrels of hand guns and other small arms with a view to ensuring good workmanship and reducing the risk of accident and for this purpose the Gunmakers Company and the Guardians respectively have provided and maintain and carry on proof houses and employ proof masters and other persons having the necessary qualifications for the work involved:

(2) The Gunmakers Company were constituted and incorporated by royal charter dated the fourteenth day of March sixteen hundred and thirty-seven which charter was amended by a supplemental charter dated the nineteenth day of August eighteen hundred and ninety-two:

(3) The<sup>M1</sup> Guardians were originally constituted and incorporated by an Act passed in 1813 under the name of “the Guardians Trustees and Wardens of the Gun Barrel Proof House of the<sup>M2</sup>Town of Birmingham” and by an Act passed in 1815 they were re-incorporated under that name and certain provisions were enacted with respect to the proving and marking of the barrels of small arms at the proof houses of the Gunmakers Company and the Guardians (together hereinafter referred to as “the two companies”):

<sup>M3</sup>(4) By an Act passed in 1855 the said Acts of 1813 and 1815 were repealed incorporation of the Guardians was continued under the name of “the Guardians of the Birmingham Proof House” and new provisions were enacted with respect to the constitution of the Guardians and with respect to the proving and marking of the barrels of small arms at the proof houses of the two companies:

(5) By the<sup>M4</sup> Gun Barrel Proof Act 1868 (hereinafter called the Act of 1868) the Act of 1855 was repealed the incorporation of the Guardians was continued and new provisions were enacted

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with respect to the constitution of the Guardians and the proving and marking of the barrels of small arms at the proof houses of the two companies:

(6) The Gunmakers Company was formed as an incorporation of the persons using at the time of incorporation or thereafter the art of gunmaking within the city of London and the liberties thereof and within four miles compass thereof The charter authorised the company to meet from time to time and elect a master two wardens and ten or more assistants who were to act together as a court to manage the affairs of the company The master and wardens hold office for a year and new appointments are made by the court from among the assistants. The assistants hold office until death or earlier removal for good cause and vacancies are filled by the court New members or freemen of the company are admitted by the court Persons exercising the art of gunmaking within the city of London or the liberties thereof or within ten miles thereof are placed within the jurisdiction of the court:

(7) The Guardians as reconstituted under the Act of 1868 consist of all justices of the city of Birmingham and three members of the city council appointed annually by that council and fifteen elected Guardians being persons who are or have been master gunmakers or master gun barrel makers carrying on business in or within ten miles of the city of Birmingham at premises of annual value not less than twenty-five pounds such persons being registered under the said Act as members of the Birmingham gun trade and being elected as Guardians at yearly meetings of the Birmingham gun trade In the case of a joint stock company carrying on such business the annual value of the premises must be not less than seventy-five pounds and the company is represented by three directors or two directors and the secretary:

(8) The Act of 1868 requires the Gunmakers Company and the Guardians respectively to maintain proof houses in or near London and Birmingham and authorises them to provide branch proof houses in or within ten miles from the cities of London and Birmingham respectively The Act also confers and imposes various powers and duties on the two companies with respect to the proving and marking of the barrels of small arms and the carrying on of their proof houses and imposes punishments and penalties for offences in relation to the stamping and marking of the barrels of small arms and dealings with small arms not marked as duly proved:

(9) Section 118 of the Act of 1868 provides as follows:— “For all barrels duly proved at the proof house or any branch proof house of the two companies respectively they respectively may demand and take such sums as they respectively may from time to time appoint not exceeding such sums as are specified in Schedule C to this Act annexed.”

The scale of maximum prices prescribed in the said Schedule C is not appropriate to modern conditions and it is expedient to substitute the scale set forth in the schedule to this Act:

(10) It is expedient that the other provisions contained in this Act be enacted:

(11) The purposes of this Act cannot be effected without the authority of Parliament:

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**Modifications etc. (not altering text)**

**C1** Act extended to Scotland and Northern Ireland by [Gun Barrel Proof Act 1978 \(c. 9\), ss. 6, 9\(3\)](#)

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**Marginal Citations**

**M1** 1813 c. cxv.

**M2** [1815 c. lix.](#)

**M3** 1855 c. cxlviii.

**M4** 1868 c. cxiii.

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## 1 Short and collective titles and commencement.

- (1) This Act may be cited as the Gun Barrel Proof Act 1950.
- (2) The <sup>M5</sup>Gun Barrel Proof Act 1868 and this Act may be cited together as the Gun Barrel Proof Acts 1868 and 1950.
- (3) This Act shall come into operation on the first day of October nineteen hundred and fifty.

### Marginal Citations

**M5** 1868 c. cxiii.

## 2 Interpretation.

In this Act unless the context otherwise requires—

“The <sup>M6</sup>Act of 1868” means the Gun Barrel Proof Act 1868;

“The Gunmakers Company” means the Master Wardens and Society of the Mystery of Gunmakers of the City of London;

“The Guardians” means the Guardians of the Birmingham Proof House;

“The two companies” means the Gunmakers Company and the Guardians;

“The Minister” means the [<sup>F1</sup>Secretary of State];

Other words and expressions to which meanings are assigned by section 4 of the Act of 1868 have the same respective meanings.

### Textual Amendments

**F1** Words substituted by virtue of [S.I. 1959/1768](#) (1959 I, p. 1793), art. 3(1), 1959/1828 (1959 I, p. 1802), art. 2 and [Defence \(Transfer of Functions\) Act 1964](#) (c. 15), [ss. 1\(2\), 3\(2\)](#)

### Marginal Citations

**M6** 1868 c. cxiii.

## 3 Increase of authorised maximum prices for proof.

<sup>F2</sup> .....

### Textual Amendments

**F2** [S. 3](#) repealed (15.7.1996) by the [Deregulation \(Gun Barrel Proving\) Order 1996](#) (S.I. 1996/1576), [art. 3\(2\)\(a\)](#)

## 4 Power for Minister to revise maximum prices for proof.

<sup>F3</sup> .....

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#### **Textual Amendments**

- F3** S. 4 repealed (15.7.1996) by the [Deregulation \(Gun Barrel Proving\) Order 1996 \(S.I. 1996/1576\)](#), **art. 3(2)(a)**

### **5 Amendment of provision as to application of money by Guardians.**

Section 94 (Application of monies by Guardians) of the Act of 1868 is hereby amended as follows:—

- (a) the words “and whenever such fund exceeds ten thousand pounds the Guardians shall” shall be omitted; and
- (b) the words “ reduce the prices ” shall be substituted for the words “reduce the charges”.

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#### **Modifications etc. (not altering text)**

- C2** The text of ss. 3(2), 5 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

### **6 Expenses of Act.**

All the costs charges and expenses of and incident to the obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Gunmakers Company and the Guardians respectively in equal shares and any moneys from time to time belonging to the Gunmakers Company or the Guardians may be applied in payment of the share of the said costs charges and expenses payable by that body.

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F4F4 SCHEDULE

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Textual Amendments

- F4** Sch. repealed (15.7.1996) by the Deregulation (Gun Barrel Proving) Order 1996 (S.I. 1996/1576), **art. 3(2)(a)**

F5F5 SCHEDULE

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Textual Amendments

- F5** Sch. repealed (15.7.1996) by the Deregulation (Gun Barrel Proving) Order 1996 (S.I. 1996/1576), **art. 3(2)(a)**

**Status:**

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**Changes to legislation:**

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