



# Firearms Act 1968

## 1968 CHAPTER 27

### PART I

#### PROVISIONS AS TO POSSESSION, HANDLING AND DISTRIBUTION OF WEAPONS AND AMMUNITION; PREVENTION OF CRIME AND MEASURES TO PROTECT PUBLIC SAFETY

##### *Prohibition of certain weapons and control of arms traffic*

#### **5 Weapons subject to general prohibition.**

- (1) A person commits an offence if, without the authority of the Defence Council, he has in his possession, or purchases or acquires, or manufactures, sells or transfers—
- [<sup>F1</sup>(a) any firearm which is so designed or adapted that two or more missiles can be successively discharged without repeated pressure on the trigger;
  - (ab) any self-loading or pump-action rifle other than one which is chambered for .22 rim-fire cartridges;
  - (ac) any self-loading or pump-action smooth-bore gun which is not chambered for .22 rim-fire cartridges and either has a barrel less than 24 inches in length or (excluding any detachable, folding, retractable or other movable butt-stock) is less than 40 inches in length overall;
  - (ad) any smooth-bore revolver gun other than one which is chambered for 9mm. rim-fire cartridges or loaded at the muzzle end of each chamber;
  - (ae) any rocket launcher, or any mortar, for projecting a stabilised missile, other than a launcher or mortar designed for line-throwing or pyrotechnic purposes or as signalling apparatus;]
  - (b) any weapon of whatever description designed or adapted for the discharge of any noxious liquid, gas or other thing; and
  - [<sup>F2</sup>(c) any cartridge with a bullet designed to explode on or immediately before impact, any ammunition containing or designed or adapted to contain any such noxious thing as is mentioned in paragraph (b) above and, if capable of being used with a firearm of any description, any grenade, bomb (or other like missile), or rocket or shell designed to explode as aforesaid.]

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*Status: Point in time view as at 01/10/1994. This version of this provision has been superseded.*

*Changes to legislation: Firearms Act 1968, Section 5 is up to date with all changes known to be in force on or before 20 July 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

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- [<sup>F3</sup>(1A) Subject to section 5A of this Act, a person commits an offence if, without the authority of the Secretary of State, he has in his possession, or purchases or acquires, or sells or transfers—
- (a) any firearm which is disguised as another object;
  - (b) any rocket or ammunition not falling within paragraph (c) of subsection (1) of this section which consists in or incorporates a missile designed to explode on or immediately before impact and is for military use;
  - (c) any launcher or other projecting apparatus not falling within paragraph (ae) of that subsection which is designed to be used with any rocket or ammunition falling within paragraph (b) above or with ammunition which would fall within that paragraph but for its being ammunition falling within paragraph (c) of that subsection;
  - (d) any ammunition for military use which consists in or incorporates a missile designed so that a substance contained in the missile will ignite on or immediately before impact;
  - (e) any ammunition for military use which consists in or incorporates a missile designed, on account of its having a jacket and hard-core, to penetrate armour plating, armour screening or body armour;
  - (f) any ammunition which is designed to be used with a pistol and incorporates a missile designed or adapted to expand on impact;
  - (g) anything which is designed to be projected as a missile from any weapon and is designed to be, or has been, incorporated in—
    - (i) any ammunition falling within any of the preceding paragraphs; or
    - (ii) any ammunition which would fall within any of those paragraphs but for its being specified in subsection (1) of this section.]
- (2) The weapons and ammunition specified in [<sup>F4</sup>subsections (1) and (1A) of this section (including, in the case of ammunition, any missiles falling within subsection (1A)(g) of this section)]are referred to in this Act as “prohibited weapons” and “prohibited ammunition” respectively.
- (3) An authority given to a person by the Defence Council under this section shall be in writing and be subject to conditions specified therein.
- (4) The conditions of the authority shall include such as theDefence Council, having regard to the circumstances of each particular case, think fit to impose for the purpose of securing that the prohibited weapon or ammunition to which the authority relates will not endanger the public safety or the peace.
- (5) It is an offence for a person to whom an authority is given under this section to fail to comply with any condition of the authority.
- (6) The Defence Council may at any time, if they think fit, revoke an authority given to a person under this section by notice in writing requiring him to deliver up the authority to such person as may be specified in the notice within twenty-one days from the date of the notice; and it is an offence for him to fail to comply with that requirement.
- [<sup>F5</sup>(7) For the purposes of this section and section 5A of this Act—
- (a) any rocket or ammunition which is designed to be capable of being used with a military weapon shall be taken to be for military use;

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- (b) references to a missile designed so that a substance contained in the missile will ignite on or immediately before impact include references to any missile containing a substance that ignites on exposure to air; and
- (c) references to a missile's expanding on impact include references to its deforming in any predictable manner on or immediately after impact.]

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#### Textual Amendments

- F1** S. 5(1)(a)–(ae) substituted for s. 5(1)(a) by Firearms (Amendment) Act 1988 (c. 45, SIF 51:1), **s. 1(2)**
- F2** S. 5(1)(c) substituted by Firearms (Amendment) Act 1988 (c. 45, SIF 51:1), **s. 1(3)**
- F3** S. 5(1A) inserted (1.1.1993) by S.I. 1992/2823, **reg. 3(1)**
- F4** Words in s. 5(2) substituted (1.1.1993) by S.I. 1992/2823, **reg. 3(2)**
- F5** S. 5(7) inserted (1.1.1993) by S.I. 1992/2823, **reg. 3(3)**

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

- C1** S. 5: transfer of certain functions (1.11.1968) by S.I. 1968/1200, **art. 2**
- C2** Power to amend s. 5(1) conferred by Firearms (Amendment) Act 1988 (c. 45, SIF 51:1), **s. 1(4)**
- C3** S. 5 amended (1.7.1997) by 1997 c. 5, **s. 1(7)**; S.I. 1997/1535, art. 3, **Sch. Pt. I**

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