



# Firearms (Amendment) Act 1988

## 1988 CHAPTER 45

### *Firearm and shot gun certificates*

#### **9 Photographs on certificates.**

<sup>F1</sup> . . . The power conferred by sections 27(2) and 28(2) of <sup>X1</sup>that Act to prescribe the form of a firearm or shot gun certificate shall include power to require the certificate to bear a photograph of the holder.

#### **Editorial Information**

**X1** The repealed words at the beginning of s. 9 contained a reference to the principal Act.

#### **Textual Amendments**

**F1** Words in s. 9 repealed (1.7.1997) by 1997 c. 5, s. 52(2), **Sch. 3**; S.I. 1997/1535, art. 3(b), **Sch. Pt. I**

<sup>F2</sup>**10** .....

#### **Textual Amendments**

**F2** **S. 10** repealed (1.7.1997) by 1997 c. 5, s. 52(2), **Sch. 3**; S.I. 1997/1535, art. 3(b), **Sch. Pt. I**

#### **11 Grant of co-terminous certificates.**

- (1) Where a person who holds a firearm certificate applies for the grant or renewal of a shot gun certificate that certificate may, if he so requests, be granted or renewed for such period less than that specified in [<sup>F3</sup>subsection (1), or in an order made under subsection (3) of section 28A] of the principal Act as will secure that it ceases to be in force at the same time as the firearm certificate.
- (2) Where a person who holds a shot gun certificate, or both such a certificate and a firearm certificate, applies for the grant of a firearm certificate, or for the renewal of the firearm

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certificate held by him, he may, on surrendering his shot gun certificate, apply for a new shot gun certificate to take effect on the same day as that on which the firearm certificate is granted or renewed.

[<sup>F4</sup>(3) The following fees shall be payable in the following cases—

- (a) where a shot gun certificate is granted to a person and on the same occasion the person is granted a firearm certificate, the fee payable on the grant of the shot gun certificate shall be £2 instead of that specified in section 32 of the principal Act;
- (b) where a shot gun certificate is granted to a person and on the same occasion a firearm certificate held by the person is renewed, the fee payable on the grant of the shot gun certificate shall be £28 instead of that specified in section 32 of the principal Act;
- (c) where a shot gun certificate held by a person is renewed and on the same occasion the person is granted a firearm certificate, the fee payable on the renewal of the shot gun certificate shall be £2 instead of that specified in section 32 of the principal Act;
- (d) where a shot gun certificate held by a person is renewed and on the same occasion a firearm certificate held by the person is renewed, the fee payable on the renewal of the shot gun certificate shall be £3 instead of that specified in section 32 of the principal Act.]

(4) Subsection (3) above shall be included in the provisions that may be amended by an order under section 43 of the principal Act.

#### Textual Amendments

- F3** Words in s. 11(1) substituted (1.7.1997) by virtue of 1997 c. 5, s. 52(1), **Sch. 2 para. 17**; S.I. 1997/1535, art. 3(b), **Sch. Pt. I**
- F4** S. 11(3) substituted (6.4.2015) by **The Firearms (Variation of Fees) Order 2015 (S.I. 2015/611)**, arts. 1(1), 4

## 12 Revocation of certificates.

- (1) Where a certificate is revoked by the chief officer of police [<sup>F5</sup>under section 30A(2), (3) or (4) or 30C] of the principal Act he may by notice in writing require the holder of the certificate to surrender forthwith the certificate and any firearms and ammunition which are in the holder's possession by virtue of the certificate.
- (2) It is an offence to fail to comply with a notice under subsection (1) above; and that offence shall be punishable on summary conviction with imprisonment for a term not exceeding three months or a fine not exceeding level 4 on the standard scale or both.
- (3) Where a firearm or ammunition is surrendered in pursuance of a notice under subsection (1) above, then—
  - (a) if an appeal against the revocation of the certificate succeeds, the firearm or ammunition shall be returned;
  - (b) if such an appeal is dismissed, the court may make such order for the disposal of the firearm or ammunition as it thinks fit;
  - (c) if no such appeal is brought or such an appeal is abandoned, the firearm or ammunition shall be disposed of—

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- (i) in such manner as the chief officer of police and the owner may agree;  
or  
(ii) in default of agreement, in such manner as the chief officer may decide;
- but subject, in a case within sub-paragraph (ii), to the provisions of subsection (4) below.
- (4) The chief officer of police shall give the owner notice in writing of any decision under subsection (3)(c)(ii) above, the owner may appeal against that decision in accordance with section 44 of the principal Act and on such an appeal the court may either dismiss the appeal or make such order as to the disposal of the firearm or ammunition as it thinks fit.
- (5) <sup>F6</sup> . . . ; and paragraph 1 of Part I and paragraphs 1 to 5 of Part II of Schedule 5 to that Act (appeal jurisdiction and procedure) shall apply to an appeal under subsection (4) above as they apply to an appeal against the revocation of a certificate.

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**Textual Amendments**

**F5** Words in s. 12(1) substituted (1.7.1997) by 1997 c. 5, s. 52(1), **Sch. 2 para. 18**; S.I. 1997/1535, art. 3(b), **Sch. Pt. I**

**F6** Words in s. 12(5) repealed (1.7.1997) by 1997 c. 5, s. 52(2), **Sch. 3**; S.I. 1997/1535, art. 3(b), **Sch. Pt. I**

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