

Changes to legislation: There are currently no known outstanding effects for the Firearms (Amendment) Act 1988, Cross Heading: Offences and enforcement. (See end of Document for details)

SCHEDULE

FIREARMS AND AMMUNITION IN MUSEUMS

Modifications etc. (not altering text)

- C1** Sch. (except para. 3(1)(a)): Transfer of functions (S.) (1.7.1999) by S.I. 1999/1750, arts. 1(1), 2, **Sch. 1** (with art. 7)

Offences and enforcement

- 4 (1) It is an offence—
- (a) for a person [^{F1}knowingly or recklessly to make a statement false in any material particular] for the purpose of procuring the grant, renewal or variation of a licence;
 - (b) for the persons or any of the persons responsible for the management of a museum to fail to comply or to cause or permit another person to fail to comply with any condition specified in the licence held in respect of that museum.
- (2) An offence under sub-paragraph (1) above shall be punishable on summary conviction with imprisonment for a term not exceeding six months or a fine not exceeding level 5 on the standard scale or both.
- (3) It is an offence for a person to fail to comply with a notice under paragraph 2(4) above; and that offence shall be punishable on summary conviction with a fine not exceeding level 3 on the standard scale.
- (4) In proceedings against any person for an offence under sub-paragraph (1)(b) above it is a defence for him to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.
- (5) Where an offence under this paragraph committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate, or any person who was purporting to act in any such capacity, he, as well as the body corporate, shall be guilty of that offence and be liable to be proceeded against and punished accordingly.
- (6) Where the affairs of a body corporate are managed by its members sub-paragraph (5) above shall apply in relation to the acts and defaults of a member in connection with his functions of management as if he were a director of the body corporate.

Textual Amendments

- F1** Words in Sch. para. 4(1) substituted (1.7.1997) by 1997 c. 5, s. 52(1), **Sch. 2 para. 19**; S.I. 1997/1535, art. 3(b), **Sch. Pt. I**

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