

These notes refer to the Anti-Social Behaviour, Crime and Policing Act 2014 (c.12) which received Royal Assent on 13 March 2014

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 8: Firearms

Section 110: Possession of firearms by persons previously convicted of crime

257. *Subsection (1)* amends section 21 of the 1968 Act. Section 21 prohibits persons who have previously served custodial sentences of between three months and three years from possessing firearms for a period of five years. Persons who have served custodial sentences of more than three years are permanently prohibited. Section 110 extends the definition of a prohibited person to include persons with suspended sentences of three months or more. The period of five years will begin on the second day after the date on which sentence has been passed. A suspended sentence can only be for a maximum of two years so the permanent prohibition will not apply. *Subsection (3)* makes a transitional provision that enables a person with a suspended sentence to continue to possess firearms for the remainder of the period of a firearms certificate that was valid immediately before *subsection (1)* comes into force.
258. *Subsection (2)* amends section 58(2) of the 1968 Act. Section 58(2) allows antique firearms to be possessed without a certificate as a “curiosity or ornament”. It ensures that persons prohibited from possessing firearms under section 21 will also be unable to possess antique firearms under section 58(2).