

1990 No. 325 (S.31)

ARMS AND AMMUNITION

The Firearms (Variation of Fees) (Scotland) Order 1990

Made - - - - *20th February 1990*

Laid before Parliament *2nd March 1990*

Coming into force *1st June 1990*

The Secretary of State, in exercise of the powers conferred on him by section 43 of the Firearms Act 1968(a) and of all other powers enabling him in that behalf, hereby makes the following Order:

1.—(1) This Order may be cited as the Firearms (Variation of Fees) (Scotland) Order 1990 and shall come into force on 1st June 1990.

(2) This Order extends to Scotland only.

2. References in this Order to “the 1968 Act” are references to the Firearms Act 1968.

3. The Firearms (Variation of Fees) (Scotland) Order 1986(b) (hereafter referred to as “the 1986 Order”) is hereby revoked.

4. Section 32(1) of the 1968 Act (which relates to fees for firearm and shot gun certificates and which was set out, as amended, in Part I of Schedule 1 to the 1986 Order) shall have effect subject to the following amendments:—

- (a) in paragraph (a) for “£33” there shall be substituted “£46”;
- (b) in paragraph (b) for “£33” there shall be substituted “£46”;
- (c) in paragraph (c) for “£19” there shall be substituted “£26”;
- (d) in paragraph (cc) for “£6.50” there shall be substituted “£9”;
- (e) in paragraph (d) for “£12” there shall be substituted “£17”;
- (f) in paragraph (e) for “£8” there shall be substituted “£11”;
- (g) in paragraph (f) for “£5.50” there shall be substituted “£8”;

and accordingly the said section 32(1) shall have effect as set out in Part I of Schedule 1 to this Order.

5. Section 32(3A) of the 1968 Act (which provides that no fee shall be payable in respect of firearm certificates for certain signalling devices and which was set out, as amended, in Part II of Schedule 1 to the 1986 Order) shall continue to have effect as set out in Part II of Schedule 1 to this Order.

6. In section 35 of the 1968 Act—

- (a) subsection (1) (which relates to the fee for registration as a firearms dealer and which was set out, as amended, in Part I of Schedule 2 to the 1986 Order) shall have effect with the substitution of “£94” for “£68”;

(a) 1968 c.27; section 43 was extended by sections 11(4), 15(4) and 17(9) of, and paragraph 3(2) of the Schedule to, the Firearms (Amendment) Act 1988 (c.45) which are not relevant to this Order.

(b) S.I. 1986/996.

- (b) subsection (1A) (which relates to the fee for registration as a firearms dealer for the purposes only of a game fair, trade fair or exhibition, agricultural show or similar event which was inserted by article 7 of the 1986 Order) shall have effect with the substitution for "£9" of "£12";
- (c) subsection (3) (which relates to the fee for a new certificate of registration as a firearms dealer and which was set out, as amended, in Part II of Schedule 2 to the 1986 Order) shall have effect with the substitution for "£36" of "£50";

and accordingly the said subsections (1), (1A) and (3) shall have effect as set out respectively in Parts I, II and III of Schedule 2 to this Order.

St. Andrew's House, Edinburgh
20th February 1990

James Douglas-Hamilton
Parliamentary Under Secretary of State,
Scottish Office

SCHEDULE

Articles 4 and 5

Section 32(1) and (3A) of the 1968 Act

PART I

32.—(1) Subject to this Act, there shall be payable—

- (a) on the grant of a firearm certificate a fee of £46;
- (b) on the renewal of a firearm certificate a fee of £46;
- (c) on any variation of a firearm certificate (otherwise than when it is renewed at the same time) so as to increase the number of firearms to which the certificate relates, a fee of £26;
- (cc) on the replacement of a firearm certificate which has been lost or destroyed a fee of £9;
- (d) on the grant of a shot gun certificate a fee of £17;
- (e) on the renewal of a shot gun certificate a fee of £11; and
- (f) on the replacement of a shot gun certificate which has been lost or destroyed a fee of £8.

PART II

(3A) No fee shall be payable on the grant, variation or renewal of a firearm certificate which relates solely to and, in the case of a variation, will continue when varied to relate solely to a signalling device, which, when assembled and ready to fire, is not more than eight inches long and which is designed to discharge a flare, or to ammunition for such a device.

SCHEDULE 2

Article 6

Section 35(1), 1(A) and (3) of the 1968 Act

PART I

35.—(1) Subject to this Act, on the registration of a person as a firearms dealer there shall be payable by him a fee of £94.

PART II

(1A) If the chief officer of police for the area in which the applicant has applied to be registered is satisfied

- (a) that the only place of business in respect of which the application is made is at a game fair, trade fair or exhibition, agricultural show or an event of a similar character, and
- (b) that the applicant's principal place of business is entered in the register for another area, the fee payable shall be £12.

PART III

(3) Before a person for the time being registered as a firearms dealer can be granted a new certificate of registration under section 33(5) of this Act, he shall pay a fee of £50.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order, which extends only to Scotland, increases the fees payable under the Firearms Act 1968. Article 4 increases the fees payable on the grant, renewal or replacement of firearm and shot gun certificates and the variation of firearm certificates. (There is no increase in the lower fee payable under section 11(3) of the Firearms (Amendment) Act 1988 for the grant or renewal of a shot gun certificate when a firearms certificate is granted or renewed on the same occasion.) Article 5 retains the exemption from payment of fees in respect of firearm certificates for certain signalling devices. Article 6 increases the fees payable in relation to the registration of firearms dealers.

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