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STATUTORY INSTRUMENTS

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**1992 No. 2821 (S.239)**

**ARMS AND AMMUNITION**

**The Firearms (Scotland) Amendment Rules 1992**

*Made* - - - - *11th November 1992*

*Coming into force* - - *16th November 1992*

The Secretary of State, in exercise of the powers conferred on him by sections 27(2) and (3), 28(2), 53, 55(1) and 57(4) of the Firearms Act 1968(1), and of all other powers enabling him in that behalf, hereby makes the following Rules:

**Citation, commencement and extent**

1.—(1) These Rules may be cited as the Firearms (Scotland) Amendment Rules 1992 and shall come into force on 16th November 1992.

(2) These Rules extend to Scotland only.

**Interpretation**

2. In these Rules “the 1989 Rules” means the Firearms (Scotland) Rules 1989(2).

**Additional conditions in firearm certificates**

3. Rule 3 of the 1989 Rules shall be amended as follows:—

(a) at the beginning of paragraph (4) for the word “A” there shall be substituted the words “Subject to paragraphs (4A) and (4B) below, a”;

(b) after paragraph (4) there shall be inserted—

“(4A) Where a firearm or ammunition to which the certificate relates is possessed, purchased or acquired by the holder of the certificate for the purpose only of its being kept or exhibited as part of a collection, the certificate shall be subject to one or, depending on whether or not the certificate relates also to any other firearm or ammunition, the other of the following additional conditions, namely:—

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(1) 1968 c. 27, as extended by section 2(1) of the Firearms Act 1982 (c. 31). Section 27(2) was amended by section 23(5) of the Firearms (Amendment) Act 1988 (c. 45), and sections 53 and 55 were extended by section 25(6) of the 1988 Act. Section 57(4) contains a definition of “prescribed”.

(2) S.I. 1989/889.

- (a) “A firearm or ammunition to which the certificate relates must be possessed, purchased or acquired by the holder of the certificate only for the purpose of its being kept or exhibited as part of a collection.” or
- (b) “A firearm or ammunition which is identified by an asterisk (\*) in Part 1 or, as the case may be, Part 2 of the certificate must be possessed, purchased or acquired by the holder of the certificate only for the purpose of its being kept or exhibited as part of a collection.”.

(4B) Where any expanding ammunition to which the certificate relates, that is to say—

- (a) any ammunition which is designed to be used with a pistol and incorporates a missile designed to expand on impact, including a missile which deforms in any predictable manner on or immediately after impact, or
- (b) anything which is designed to be projected as a missile from any weapon and is designed to be, or has been, incorporated in any such ammunition,

is possessed, purchased or acquired by the holder of the certificate for such purposes only as are referred to in the additional conditions set out below, the certificate shall be subject to one or, depending on whether or not the certificate relates also to other ammunition, the other of the following additional conditions, namely:—

- (a) “The ammunition to which the certificate relates must not be used for any purpose other than—
  - (a) use with a slaughtering instrument;
  - (b) sporting purposes;
  - (c) the shooting of vermin or, in the course of carrying on activities in connection with the management of any estate, of other wildlife; or
  - (d) competition purposes or target shooting outside competition.” or
- (b) “The ammunition which is identified by the word “expanding” in Part 2 of the certificate must not be used for any purpose other than—
  - (a) use with a slaughtering instrument;
  - (b) sporting purposes;
  - (c) the shooting of vermin or, in the course of carrying on activities in connection with the management of any estate, of other wildlife; or
  - (d) competition purposes or target shooting outside competition.”; and
- (c) in paragraph (5), after the word “and” there shall be inserted the words “, subject to paragraphs (4A) and (4B) above,”.

#### **Additional condition in shot gun certificates**

4. Rule 4 of the 1989 Rules shall be amended as follows:—

- (a) at the beginning of paragraph (4) for the word “A” there shall be substituted the words “Subject to paragraphs (4A) and (4B) below, a”;
- (b) after paragraph (4) there shall be inserted—

“**4A**) Where a shot gun disguised as another object is possessed, purchased or acquired by the holder of the certificate for the purpose only of its being kept or exhibited as part of a collection, the certificate shall be subject to the following additional condition, namely:—

“a shot gun which is disguised as another object must be possessed by the holder of the certificate only for the purpose of its being kept or exhibited as part of a collection.”.

**4B)** Where a shot gun, other than a shot gun which is disguised as another object, is possessed, purchased or acquired by the holder of the certificate for the purpose only of its being kept or exhibited as part of a collection, the certificate shall be subject to the following additional condition, namely:—

“a shot gun, other than a shot gun which is disguised as another object, which is identified by an asterisk (\*) inserted by the holder of the certificate immediately after the description of the gun in the right hand column of Table 1 in the certificate must be possessed by the holder of the certificate only for the purpose of its being kept or exhibited as part of a collection.”; and

- (c) in paragraph (5), after the word “and” there shall be inserted the words “, subject to paragraphs (4A) and (4B) above,”.

St Andrew's House,  
Edinburgh  
11th November 1992

*Fraser of Carmyllie*  
Minister of State, Scottish Office

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## EXPLANATORY NOTE

*(This note is not part of the Rules)*

These Rules prescribe additional conditions to which a firearm or shot gun certificate under the Firearms Act 1968 (“the 1968 Act”) is to be subject in certain cases. There are conditions which ensure that possession, purchase or acquisition of certain weapons or ammunition by a certificate holder for the purpose only of a collection are restricted to that purpose. There is also a condition which ensures that possession, purchase or acquisition of expanding ammunition by a firearm certificate holder is restricted to certain purposes, namely use with a slaughtering instrument, sporting purposes, estate husbandry, competition purposes (including target shooting) and target shooting outside competition.

Where by virtue of the Firearms Acts (Amendment) Regulations 1992 (which come into force on 1st January 1993) the weapon or ammunition in question becomes a prohibited weapon or prohibited ammunition whose possession, purchase or acquisition requires the authority of the Secretary of State under section 5 of the 1968 Act, or where, by virtue of those Regulations, a British resident’s purchase or acquisition of the weapon in another European Community State must be notified to his local chief officer of police, a certificate holder whose certificate contains the appropriate condition will be able to possess, purchase or acquire, the weapon or ammunition without the authority of the Secretary of State or notification to the chief officer, as the case may be.