
STATUTORY INSTRUMENTS

2011 No. 713

The Firearms (Electronic Communications) Order 2011

Amendments to the Firearms Act 1968

- 2.—(1) The Firearms Act 1968(1) is amended as follows.
- (2) In section 42A (information as to transactions under visitors' permits)—
- (a) in subsection (1), for “by registered post or the recorded delivery service” substitute “by permitted means”;
 - (b) after subsection (2) insert—
 - “(2A) A notice is sent by permitted means for the purposes of subsection (1) if it is sent—
 - (a) by registered post;
 - (b) by the recorded delivery service; or
 - (c) by permitted electronic means (see section 42B).”.
- (3) After section 42A insert—

“42B. Permitted electronic means

- (1) A notice is sent by permitted electronic means for the purposes of section 42A if—
 - (a) it is sent by an electronic form of communication which the Secretary of State has directed may be used for those purposes,
 - (b) it is sent to an electronic address which has been published pursuant to subsection (4), and
 - (c) subject to subsection (6), the electronic address has not been withdrawn in accordance with subsection (5).
- (2) Before giving a direction under subsection (1)(a), the Secretary of State must consult—
 - (a) the Scottish Ministers,
 - (b) the Association of Chief Police Officers,
 - (c) the Association of Chief Police Officers in Scotland, and
 - (d) such other persons as the Secretary of State is satisfied should be consulted.
- (3) The Secretary of State must publish directions given under subsection (1)(a).
- (4) A chief officer of police must publish at least one electronic address for each form of electronic communication specified in a direction under subsection (1)(a).
- (5) A chief officer of police may withdraw an electronic address published under subsection (4) by publishing a statement to that effect in the same manner as that in which the electronic address was published under subsection (4); but a chief officer of police may exercise the power to withdraw only if, after the withdrawal, there will still be at least one electronic address available for the form of electronic communication concerned.

(1) 1968 c. 27; section 42A was inserted by regulation 6(2) of S.I. 1992/2823.

(6) Where an electronic address has been withdrawn under subsection (5), a notice sent to that electronic address before the end of the period of 28 days beginning with the day after the date of withdrawal is to be treated as complying with subsection (1)(b).”.

(4) For section 56 (service of notices) substitute—

“Service of notices

56.—(1) Any notice required or authorised by this Act to be given to a person (A) may be sent—

- (a) by registered post,
- (b) by the recorded delivery service, or
- (c) subject to subsections (3) and (4), by electronic means.

(2) For the purposes of subsection (1)(a) or (b) the notice must be sent in a letter—

- (a) addressed to A at A’s last or usual place of abode, or
- (b) where A is a registered firearms dealer, addressed to A at any place of business in respect of which A is registered.

(3) Subsection (1)(c) applies only to notices required or authorised to be given by a chief officer of police, the Secretary of State or the Scottish Ministers.

(4) A notice may be sent by electronic means only if—

- (a) the person to whom the notice is to be sent (A) has given a written statement to the chief officer of police, the Secretary of State or the Scottish Ministers (as the case may be) consenting to receive notices under this Act in an electronic form,
- (b) that statement specifies the electronic form (or forms) that may be used and an electronic address for each form,
- (c) subject to subsection (7), the statement has not been withdrawn in accordance with subsection (5)(b), and
- (d) the notice is sent to the electronic address specified in the statement for that form.

(5) A statement given for the purposes of subsection (4)(a) may—

- (a) be limited to notices of a description specified in the statement;
- (b) be withdrawn by giving a further written statement to the person to whom it was given.

(6) A statement given for the purposes of subsection (4)(a) or (5)(b) may not be given by electronic means.

(7) Where a statement given for the purposes of subsection (4)(a) has been withdrawn under subsection (5)(b), a notice sent in accordance with that statement before the end of the period of 28 days beginning with the day after the date of the withdrawal is to be treated as complying with subsection (4)(c).”.