



Firearms Act 1937

1937 CHAPTER 12

PART I

REGULATION OF PURCHASE, POSSESSION, MANUFACTURE AND SALE OF CERTAIN FIREARMS AND AMMUNITION AND OTHER TRANSACTIONS

Manufacture and sale of certain firearms and ammunition and other transactions

7 Penalty for manufacturing or dealing in firearms or ammunition without being registered

- (1) Subject to the provisions of this section, no person shall, by way of trade or business—
- (a) manufacture, sell, transfer, repair, test or prove; or
 - (b) expose for sale or transfer, or have in his possession for sale, transfer, repair, test or proof;

any firearm or ammunition to which this Part of this Act applies, unless he is registered as a firearms dealer:

Provided that it shall be lawful for an auctioneer to sell by auction, expose for sale by auction and have in his possession for sale by auction any such firearm or ammunition without being registered as aforesaid, if he has obtained from the chief officer of police for the area in which the auction is held a permit for that purpose in the prescribed form and complies with the terms of the permit.

- (2) If any person contravenes the provisions of this section, or makes any statement which he knows to be false for the purpose of procuring, whether for himself or any other person, the grant of a permit under this section, he shall, for each offence, be liable on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding twenty pounds, or to both such imprisonment and fine.

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8 Registration of firearms dealers

- (1) For the purposes of this Act, the chief officer of police for every area shall keep in the prescribed form a register of firearms dealers and, subject as hereinafter provided, shall enter therein the name of any person who, having or proposing to have a place of business in his area, applies to be registered as a firearms dealer and furnishes him with the prescribed particulars:

Provided that—

- (a) the chief officer of police shall not register an applicant who is prohibited to be registered by order of a court in Great Britain made under section thirteen of this Act or subsection (5) of section eight of the Firearms Act, 1920, or by order of a court in Northern Ireland made under the said subsection (5) or any enactment passed by the Parliament of Northern Ireland amending or substituted for that section; and
 - (b) the chief officer of police may refuse to register an applicant, if he is satisfied that the applicant cannot be permitted to carry on business as a firearms dealer without danger to the public safety or to the peace.
- (2) On the registration of an applicant as a firearms dealer in any area there shall be payable a fee of five pounds:

Provided that no fee shall be payable if the chief officer of police for the area in which the applicant has applied to be registered is satisfied that the only place of business in respect of which the application is made—

- (a) has become situated in that area by reason of an alteration in the boundary of the area and was previously entered in the register for another area; or
 - (b) is one to which the applicant proposes to transfer the business previously carried on by him at a place entered in the register for another area.
- (3) If the chief officer of police, after giving reasonable notice to any person whose name is on the register, is satisfied that that person—
- (a) is no longer carrying on business as a firearms dealer; or
 - (b) has ceased to have a place of business in the area; or
 - (c) cannot be permitted to continue to carry on business as a firearms dealer without danger to the public safety or to the peace.:

he shall cause the name of that person to be removed from the register.

- (4) The chief officer of police shall also cause the name of any person to be removed from the register if that person so desires.
- (5) Any person aggrieved by a refusal of a chief officer of police to register him as a firearms dealer, or by the removal of his name from the register by a chief officer of police, may appeal—
- (a) in England, in accordance with so much of the provisions of the First Schedule to this Act as relates to appeals, to the court of quarter sessions having jurisdiction in the county, borough or place in which there is situated any place of business in respect of which the appellant has applied to be, or (in the case of an appeal against removal from the register) has been, registered; or
 - (b) in Scotland, in accordance with Act of Sederunt, to the sheriff within whose jurisdiction any such place of business is situated.
- (6) If any person, for the purpose of procuring the registration of himself or any other person as a firearms dealer, makes any statement which he knows to be false, he shall,

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for each offence, be liable on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding twenty pounds, or to both such imprisonment and fine.

9 Certificates of registration

- (1) The chief officer of police shall grant or cause to be granted to any person who is registered under the last foregoing section a certificate of registration.
- (2) On or before the first day of June in each year, every person for the time being registered as a firearms dealer in any area shall—
 - (a) surrender to the chief officer of police for that area his certificate of registration; and
 - (b) apply in the prescribed form for a new certificate of registration; and
 - (c) pay a fee of one pound;and thereupon that officer shall, subject to the provisions of subsection (3) of the last foregoing section, grant him a new certificate of registration.
- (3) If any such person as aforesaid fails to comply with all or any of the requirements of the last foregoing subsection on or before the first day of June in any year, the chief officer of police shall by notice in writing require him to comply therewith, and, if he fails to do so within twenty-one days from the date of the notice, or within such further time as that officer may in special circumstances allow, shall cause his name to be removed from the register.
- (4) In any case where a chief officer of police causes the name of any firearms dealer to be removed from the register, he shall by notice in writing require the dealer to surrender his certificate of registration, and if the dealer fails to do so within twenty-one days from the date of the notice he shall be liable on summary conviction to a fine not exceeding twenty pounds :

Provided that, where an appeal is brought against the removal, this subsection shall not apply to that removal unless the appeal is abandoned or dismissed, and shall in that case have effect as if for the reference to the date of the notice there were substituted a reference to the date on which the appeal was abandoned or dismissed.

10 Registration of places of business of firearms dealers

- (1) The prescribed particulars which a person applying to be registered in any area as a firearms dealer under section eight of this Act is required to furnish shall include particulars of every place of business at which he proposes to carry on business within the area as a firearms dealer, and the chief officer of police for that area shall, subject as hereinafter provided, enter in the register every such place of business.
- (2) Every person registered as a firearms dealer in any area (whether before or after the commencement of this Act) who proposes to carry on business as such at any place of business in that area which is not entered in the register, shall notify the chief officer of police for that area" and furnish him with such particulars as may be prescribed, and the officer shall, subject as hereinafter provided, enter that place of business in the register.
- (3) A chief officer of police, if he is satisfied that any place of business notified to him by any person under either of the last two foregoing subsections, or any place entered as the place of business of any person in the register of firearms dealers, is a place at

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which that person cannot be permitted to carry on business as a firearms dealer without danger to the public safety or to the peace, may refuse to enter that place of business in the register or remove it from the register, as the case may be.

- (4) Any person aggrieved by any such refusal or removal may appeal—
- (a) in England, in accordance with so much of the provisions of the First Schedule to this Act as relates to appeals, to the court of quarter sessions having jurisdiction in the county, borough or place in which there is situated the place of business to which the appeal relates; or
 - (b) in Scotland, in accordance with Act of Sederunt, to the sheriff within whose jurisdiction the said place of business is situated.
- (5) If—
- (a) any person, being a registered firearms dealer, has a place of business which is not entered on the register for the area in which that place is situated, and carries on business as a firearms dealer at that place; or
 - (b) any person makes any statement which he knows to be false for the purpose of procuring, whether for himself or any other person, the entry of any place of business in a register of firearms dealers;

he shall, for each offence, be liable on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding twenty pounds or to both such imprisonment and fine.

11 Restrictions on sale, repair, &c. of firearms and ammunition

- (1) No person shall sell or transfer to any other person in the United Kingdom, other than a registered firearms dealer, any firearm or ammunition to which this Part of this Act applies, unless that other person produces a firearm certificate authorising him to purchase or acquire it or shows that he is by virtue of this Act entitled to purchase or acquire it without holding such a certificate :

Provided that this subsection shall not prevent—

- (a) a person parting with the possession of a firearm or ammunition, otherwise than in pursuance of a contract of sale or hire or by way of gift or loan, to a person who shows that he is by virtue of this Act entitled to have possession of the firearm or ammunition without holding such a certificate; or
 - (b) the delivery of a firearm or ammunition by a carrier or warehouseman, or a servant of a carrier or warehouseman, in the ordinary course of his business or employment as such.
- (2) Every person who sells, lets on hire, gives or lends a firearm or ammunition to which this Part of this Act applies to any other person in the United Kingdom, other than a registered firearms dealer, shall, unless that other person shows that he is by virtue of this Act entitled to purchase or acquire the firearm or ammunition without holding a firearm certificate, comply with any instructions contained in the certificate produced, and in the case of a firearm shall, within forty-eight hours from the transaction, send by registered post notice of the transaction to the chief officer of police by whom the certificate was issued.
- (3) No person shall undertake the repair, test or proof of a firearm or ammunition to which this Part of this Act applies for any other person in the United Kingdom, other than a registered firearms dealer as such, unless that other person produces or causes to be produced a firearm certificate authorising him to have possession of the firearm or

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ammunition, or shows that he is by virtue of this Act entitled to have possession of the firearm or ammunition without holding such a certificate.

(4) If any person—

- (a) contravenes or fails to comply with any of the provisions of this section; or
- (b) with a view to purchasing or acquiring, or procuring the repair, test or proof of, a firearm or ammunition to which this Part of this Act applies, produces a false firearm certificate or a firearm certificate in which any false entry has been made, or personates a person to whom a firearm certificate has been granted, or makes any false statement;

he shall, for each offence, be liable on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding twenty pounds, or to both such imprisonment and fine.

12 Register of transactions in firearms

- (1) Every person who by way of trade or business manufactures, sells or transfers firearms or ammunition to which this Part of this Act applies shall provide and keep a register of transactions, and shall enter or cause to be entered therein the particulars set forth in the Second Schedule to this Act.
- (2) Every such entry shall be made within twenty-four hours after the transaction to which it relates took place, and, in the case of a sale or transfer, every such person as aforesaid shall at the time of the transaction require the purchaser or transferee, if not known to him, to furnish particulars sufficient for identification, and shall immediately enter the said particulars in the register.
- (3) Every such person as aforesaid shall on demand allow any officer of police, duly authorised in writing in that behalf by the chief officer of police, to enter and inspect all stock in hand, and shall on request—
 - (a) by any officer of police duly authorised in writing in that behalf by the chief officer of police; or
 - (b) by an officer of customs and excise; or
 - (c) in England, by any officer of the county council duly authorised in writing in that behalf;

produce for inspection the register so required to be kept as aforesaid :

Provided that, in each case where a written authority is required by this subsection, the authority shall be produced on demand.

(4) If any person—

- (a) fails to comply with any of the provisions of this section; or
- (b) knowingly makes any false entry in the register required to be kept under this section;

he shall, for each offence, be liable on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding twenty pounds, or to both such imprisonment and fine.

- (5) Nothing in this section shall apply to the sale of firearms or ammunition by auction in accordance with the terms of a permit issued under the proviso to subsection (1) of section seven of this Act.

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- (6) A Secretary of State may, by rules made under this Act, vary or add to the Second Schedule to this Act and references in this Act to that Schedule shall be construed as references to the Schedule as for the time being so varied or added to.

13 Powers of court in case of offences by registered firearms dealers

Where a registered firearms dealer is convicted of an offence under this Act or of an offence against the enactments relating to Customs in respect of the import or export of firearms or ammunition to which this Part of this Act applies, the court may order—

- (a) that the name of the registered firearms dealer be removed from the register; and
- (b) that neither the dealer nor any person who acquires the business of that dealer, nor any person who took part in the management of the business and was knowingly a party to the offence, shall be registered as a firearms dealer; and
- (c) that any person who, after the date of the order, knowingly employs in the management of his business the dealer convicted of the offence, or any person who was knowingly a party to the offence, shall not be registered as a firearms dealer or, if so registered, shall be liable to be removed from the register; and
- (d) that any stock in hand of the business shall be disposed of by sale or otherwise in accordance with such directions as may be contained in the order:

Provided that a person aggrieved by an order made under this section may appeal against the order in the same manner as against the conviction, and the court may, if they think fit, suspend the operation of the order pending the appeal.

14 Penalty for taking in pawn firearms or ammunition

- (1) No pawnbroker shall take in pawn from any person any firearm or ammunition to which this Part of this Act applies.
- (2) If any pawnbroker contravenes the provisions of this section he shall, for each offence, be liable on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding twenty pounds, or to both such imprisonment and fine.