



Firearms Act 1937

1937 CHAPTER 12

PART I

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

Purchase and Possession of certain Firearms and Ammunition

1 Penalty for purchasing or possessing firearms or ammunition without certificate

- (1) Subject to the provisions of this Act, no person shall purchase, acquire or have in his possession any firearm or ammunition to which this Part of this Act applies unless he holds a firearm certificate in force at the time.
- (2) If any person—
 - (a) purchases, acquires or has in his possession any firearm or ammunition to which this Part of this Act applies without holding a firearm certificate in force at the time, or otherwise than as authorised by such a certificate, or, in the case of ammunition, in quantities in excess of those so authorised; or
 - (b) fails to comply with any condition subject to which a firearm certificate is held by him;

he shall, subject to the provisions of this Act, for each offence be liable, on summary conviction, to imprisonment for a term not exceeding three months or to a fine not exceeding fifty pounds, or to both such imprisonment and fine.

- (3) In Scotland, a contravention of this section which, if it had been triable on indictment, could competently have been libelled as an additional or alternative charge in an indictment charging a person with an offence involving any injury or attempted injury of, or any threat or intent to injure, any person or property by the use or attempted use of a firearm, may, notwithstanding anything in this section, be so libelled and tried.

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2 Grant, renewal, variation, and revocation of certificates

- (1) An application for the grant of a certificate under this section shall be made in the prescribed form to the chief officer of police for the area in which the applicant resides and shall state such particulars as may be required by the said form.
- (2) The certificate shall be granted by the chief officer of police if he is satisfied that the applicant has a good reason for purchasing, acquiring, or having in his possession the firearm or ammunition in respect of which the application is made, and can be permitted to have in his possession that firearm or ammunition without danger to the public safety or to the peace:

Provided that a certificate shall not be granted to a person whom the chief officer of police has reason to believe to be prohibited by this Act from possessing a firearm to which this Part of this Act applies, or to be of intemperate habits or unsound mind, or to be for any reason unfitted to be entrusted with such a firearm.

- (3) A certificate granted under this section shall be in the prescribed form and shall specify the conditions (if any) subject to which it is held, the nature and number of the firearms to which it relates, and, as respects ammunition, the quantities authorised to be purchased and to be held at any one time thereunder.
- (4) A firearm certificate shall, unless previously revoked or cancelled, continue in force for three years from the date when it was granted or last renewed, but shall be renewable for a further period of three years by the chief officer of police for the area in which the holder resides, and so from time to time, and the foregoing provisions of this section shall apply to the renewal of a certificate as they apply to the grant of a certificate:

Provided that, subject to the power of renewal conferred by this subsection, a certificate granted or last renewed in Northern Ireland shall not continue in force for a period longer than that for which it was so granted or last renewed.

- (5) The chief officer of police for the area in which the holder of a firearm certificate resides may at any time by notice in writing vary the conditions subject to which the certificate is held, except such of them as may be prescribed, and may by the notice require the holder to deliver up the certificate to him within twenty-one days from the date of the notice for the purpose of amending the conditions specified therein.
- (6) A firearm certificate may also, on the application of the holder thereof, be varied from time to time by the chief officer of police for the area in which the holder for the time resides.
- (7) A firearm certificate may be revoked by the chief officer of police for the area in which the holder resides if—
 - (a) the chief officer is satisfied that the holder is prohibited by this Act from possessing a firearm to which this Part of this Act applies, or is of intemperate habits or unsound mind, or is otherwise unfitted to be entrusted with such a firearm; or
 - (b) the holder fails to comply with a notice under subsection (5) of this section requiring him to deliver up the certificate.
- (8) Any person aggrieved by a refusal of a chief officer of police to grant him a certificate under this section or to vary or renew a firearm certificate, or by the revocation of a firearm certificate under paragraph (a) of the last foregoing subsection, may appeal—

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- (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 he resides; or
 - (b) in Scotland, in accordance with Act of Sederunt, to the sheriff within whose jurisdiction he resides.
- (9) In any case where a firearm certificate is revoked by a chief officer of police, he shall by notice in writing require the holder to surrender the certificate, and if the holder 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 revocation, this subsection shall not apply to that revocation 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) If any person 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 certificate under this section, or the variation, or renewal of a firearm certificate, 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.

3 Fees in respect of certificates

- (1) Subject to the provisions of this section and of section five of this Act, there shall be payable—

- (a) on the grant of a firearm certificate (in this section referred to as a "certificate") a fee of five shillings; and
- (b) on the renewal of a certificate, or on any variation of a certificate which increases the number of firearms to which the certificate relates, or on the replacement of a certificate which has been lost or destroyed, a fee of two shillings and sixpence:

Provided that, where a certificate is varied as aforesaid and renewed or replaced at the same time, no fee shall be payable on the variation.

- (2) No fee shall be payable on the grant, to any responsible officer of a rifle club, miniature rifle club or cadet corps approved for the purpose by a Secretary of State, of a certificate in respect of firearms or ammunition to be used solely for target practice or drill by the members of the club or corps, or on the variation or renewal of a certificate so granted.
- (3) No fee shall be payable on the grant, variation or renewal of a certificate if the chief officer of police is satisfied that the certificate relates solely to and, in the case of a variation, will continue when varied to relate solely to—
- (a) a firearm or ammunition which the applicant requires as part of the equipment of a ship; or
 - (b) a signalling apparatus, or ammunition therefor, which the applicant requires as part of the equipment of an aircraft or aerodrome; or
 - (c) a slaughtering instrument, or ammunition therefor, which the applicant requires for the purpose of the slaughter of animals.
- (4) No fee shall be payable—

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- (a) on the grant or renewal of a certificate relating solely to a firearm which is shown to the satisfaction of the chief officer of police to be kept by the applicant as a trophy of a war; or
 - (b) on any variation of a certificate the sole effect of which is to add such a firearm as aforesaid to the firearms to which the certificate relates;
- if the certificate is granted, renewed or varied subject to the condition that the applicant shall not use the firearm.

4 Exemptions from holding a certificate

- (1) The following provisions of this section shall have effect notwithstanding anything in section one of this Act.
- (2) A person carrying on the business of a firearms dealer and registered as such, or a servant of such a person, may, without holding a firearm certificate (in this section referred to as a "certificate ") purchase, acquire or have in his possession a firearm or ammunition in the ordinary course of that business.
- (3) A person carrying on the business of an auctioneer, carrier or warehouseman, or a servant of such a person, may, without holding a certificate, have in his possession a firearm or ammunition in the ordinary course of that business.
- (4) A person licensed under section three of the Slaughter of Animals Act, 1933, or section two of the Slaughter of Animals (Scotland) Act, 1928, may, without holding a certificate, have in his possession a slaughtering instrument and ammunition therefor in any slaughter house or knacker's yard in which he is employed.
- (5) The proprietor of a slaughter house or knacker's yard or a person appointed by him to take charge of slaughtering instruments and ammunition therefor for the purpose of storing them in safe custody at that slaughter house or knacker's yard may, without holding a certificate, have in his possession a slaughtering instrument or ammunition therefor for that purpose.
- (6) Any person may, without holding a certificate,
 - (a) have in his possession a firearm or ammunition on board a ship, or a signalling apparatus or ammunition therefor on board an aircraft or at an aerodrome, as part of the equipment of the ship, aircraft or aerodrome; and
 - (b) remove a signalling apparatus or ammunition therefor, being part of the equipment of an aircraft, from one aircraft to another at an aerodrome, or from or to an aircraft at an aerodrome to or from a place appointed for the storage thereof in safe custody at that aerodrome, and keep any such apparatus or ammunition at such a place; and
 - (c) if he has obtained from an officer of police a permit for the purpose in the prescribed form, remove a firearm from or to a ship, or a signalling apparatus from or to an aircraft or aerodrome, to or from such place and for such purpose as may be specified in the permit.
- (7) A person carrying a firearm or ammunition belonging to another person holding a certificate may, without himself holding a certificate, have in his possession that firearm or ammunition under instructions from and for the use of that other person for sporting purposes only.
- (8) A member of a rifle club or miniature rifle club or cadet corps approved by a Secretary of State may, without holding a certificate, have in his possession a firearm and

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ammunition when engaged as such a member in, or in connection with, drill or target practice.

- (9) A person conducting or carrying on a miniature rifle range (whether for a rifle club or otherwise) or shooting gallery at which no firearms are used other than miniature rifles not exceeding .23 calibre may, without holding a certificate, purchase, acquire or have in his possession such miniature rifles and ammunition suitable therefor; and any person may, without holding a certificate, use any such rifle and ammunition at such a range or gallery.
- (10) A person taking part in a theatrical performance or any rehearsal thereof, or in the production of a cinematograph film, may, without holding a certificate, have a firearm in his possession during and for the purpose of the performance, rehearsal or production.
- (11) Any person may, without holding a certificate, have a firearm in his possession at an athletic meeting for the purpose of starting races at that meeting.
- (12) A person who has obtained from the chief officer of police for the area in which he resides a permit for the purpose in the prescribed form may, without holding a certificate, have in his possession a firearm and ammunition in accordance with the terms of the permit.
- (13) If any person 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.

5 Application of foregoing provisions to Crown servants

Notwithstanding any rule of law whereunder the provisions of this Act do not bind the Crown, so much of the foregoing provisions of this Act as relates to the purchase and acquisition, but not so much thereof as relates to the possession, of firearms and ammunition to which this Part of this Act applies shall apply to persons in the service of His Majesty in their capacity as such, subject however to the following modifications :

- (a) a person in the service of His Majesty duly authorised in writing in that behalf may purchase or acquire such firearms and ammunition for the public service without holding a firearm certificate;
- (b) a person in the naval, military or air service of His Majesty shall, if he satisfies the chief officer of police on an application under section two of this Act that he is required to purchase or acquire such a firearm or ammunition for his own use in his capacity as such, be entitled without payment of any fee to the grant of a firearm certificate authorising the purchase or acquisition.

6 Production of certificates

- (1) Any constable may demand from any person, whom he believes to be in possession of a firearm or ammunition to which this Part of this Act applies, the production of his firearm certificate.
- (2) If any person upon whom a demand is so made fails to produce the certificate, or to permit the constable to read the certificate, or to show that he is entitled by virtue of

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this Act to have the firearm or ammunition in his possession without holding a firearm certificate, the constable may seize and detain the firearm or ammunition, and may require that person to declare to him immediately his name and address.

- (3) If any person refuses so to declare his name and address, or fails to give his true name and address, he shall be liable on summary conviction to a fine not exceeding twenty pounds, and the constable may apprehend without warrant any person who refuses so to declare his name or address, or whom he suspects of giving a false name or address, or of intending to abscond.

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.

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.

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- (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, 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.

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- (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 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

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- (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 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.

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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.
- (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

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- (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.

Savings and application

15 Savings

- (1) Nothing in this Part of this Act shall relieve any person using or carrying a firearm from the obligation to take out a licence to use or carry a gun under the Gun Licence Act, 1870, or a licence to kill game under the law with respect to such a licence.
- (2) The provisions of this Part of this Act shall be in addition to and not in derogation of any provisions of this or any other Act which prohibit or restrict the sale or transfer of firearms and ammunition.

16 Firearms and ammunition to which Part I applies

- (1) This Part of this Act applies to all firearms as defined in section thirty-two of this Act, except the following weapons and component parts thereof and accessories thereto, namely—
 - (a) a smooth bore gun having a barrel not less than twenty inches in length;
 - (b) an air gun, air rifle or air pistol not being of a type declared by rules made by a Secretary of State under this Act to be specially dangerous.
- (2) This Part of this Act applies to all ammunition as defined in section thirty-two of this Act, except the following articles, namely—
 - (a) cartridges containing five or more shot, none of which exceeds nine twenty-fifths of an inch in diameter;
 - (b) ammunition for an air gun or air rifle or air pistol;
 - (c) blank cartridges not exceeding one inch in diameter.
- (3) For the purpose of this section the diameter of a cartridge shall be measured immediately in front of the rim or cannellure of the base of the cartridge.