



# Firearms Act 1968

## 1968 CHAPTER 27

### PART I

PROVISIONS AS TO POSSESSION, HANDLING AND DISTRIBUTION OF WEAPONS AND AMMUNITION; PREVENTION OF CRIME AND MEASURES TO PROTECT PUBLIC SAFETY

*Prevention of crime and preservation of public safety*

#### 16 Possession of firearm with intent to injure.

It is an offence for a person to have in his possession any firearm or ammunition with intent by means thereof to endanger life [<sup>F1</sup>or cause serious injury to property], or to enable another person by means thereof to endanger life [<sup>F1</sup>or cause serious injury to property], whether any injury [<sup>F1</sup>to person or property] has been caused or not.

#### Textual Amendments

F1 Words repealed by (E.W.) [Criminal Damage Act 1971 \(c. 48\)](#), [Sch. Pt.I](#)

#### [<sup>F2</sup>16A Possession of firearm with intent to cause fear of violence.

It is an offence for a person to have in his possession any firearm or imitation firearm with intent—

- (a) by means thereof to cause, or
- (b) to enable another person by means thereof to cause,

any person to believe that unlawful violence will be used against him or another person.]

#### Textual Amendments

F2 S. 16A inserted (21.9.1994) by [1994 c. 31](#), [ss. 1\(1\), 4\(2\)](#) (with s. 4(3))

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## 17 Use of firearm to resist arrest.

- (1) It is an offence for a person to make or attempt to make any use whatsoever of a firearm or imitation firearm with intent to resist or prevent the lawful arrest or detention of himself or another person.
- (2) If a person, at the time of his committing or being arrested for an offence specified in Schedule 1 to this Act, has in his possession a firearm or imitation firearm, he shall be guilty of an offence under this subsection unless he shows that he had it in his possession for a lawful object.
- (3) . . . . .<sup>F3</sup>
- (4) For purposes of this section, the definition of “firearm” in section 57(1) of this Act shall apply without paragraphs (b) and (c) of that subsection, and “imitation firearm” shall be construed accordingly.
- (5) In the application of this section to Scotland, a reference to Schedule 2 to this Act shall be substituted for the reference in subsection (2) to Schedule 1 . . .<sup>F4</sup>

### Textual Amendments

- F3** S. 17(3) repealed by [Theft Act 1968 \(c. 60\), Sch. 3 Pt. III](#)  
**F4** Words repealed by [Theft Act 1968 \(c. 60\), Sch. 3 Pt. III](#)

### Modifications etc. (not altering text)

- C1** S. 17(2) applied (E.W.)(31.10.1991) by [Criminal Justice Act 1991 \(c. 53, SIF 39:1\), s.90\(2\)](#); [S.I. 1991/2208, art. 2\(4\), Sch.3](#).

## 18 Carrying firearm with criminal intent.

- (1) It is an offence for a person to have with him a firearm or imitation firearm with intent to commit an indictable offence, or to resist arrest or prevent the arrest of another, in either case while he has the firearm or imitation firearm with him.
- (2) In proceedings for an offence under this section proof that the accused had a firearm or imitation firearm with him and intended to commit an offence, or to resist or prevent arrest, is evidence that he intended to have it with him while doing so.
- (3) In the application of this section to Scotland, for the reference to an indictable offence there shall be substituted a reference to any offence specified in paragraphs 1 to 18 of Schedule 2 to this Act.

## 19 Carrying firearm in a public place.

A person commits an offence if, without lawful authority or reasonable excuse (the proof whereof lies on him) he has with him in a public place

- [<sup>F5</sup>(a) a loaded shot gun,  
 (b) an air weapon (whether loaded or not),  
 (c) any other firearm (whether loaded or not) together with ammunition suitable for use in that firearm, or  
 (d) an imitation firearm.]

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### Textual Amendments

- F5** S. 19(a)-(d) substituted for words (20.1.2004) by Anti-social Behaviour Act (2003 c. 38), ss. {37(1)}, 93; S.I. 2003/3300, **art. 2(c)(i)**

## 20 Trespassing with firearm.

- (1) A person commits an offence if, while he has a firearm [<sup>F7</sup>or imitation firearm] with him, he enters or is in any building or part of a building as a trespasser and without reasonable excuse (the proof whereof lies on him).
- (2) A person commits an offence if, while he has a firearm [<sup>F7</sup>or imitation firearm] with him, he enters or is on any land as a trespasser and without reasonable excuse (the proof whereof lies on him).
- (3) In subsection (2) of this section the expression “land” includes land covered with water.

### Textual Amendments

- F7** Words in s. 20 inserted (21.9.1994) by 1994 c. 31, **ss. 2(1), 4(2)** (with s. 4(3))

## 21 Possession of firearms by persons previously convicted of crime.

- (1) A person who has been sentenced [<sup>F8</sup>to custody for life or] to preventive detention, or to imprisonment or to corrective training for a term of three years or more [<sup>F8</sup>or to youth custody [<sup>F9</sup>or detention in a young offender institution] for such a term], or who has been sentenced be detained for such a term in a young offenders institution in Scotland, shall not at any time have a firearm or ammunition in his possession.
- (2) A person who has been sentenced . . . <sup>F10</sup> to imprisonment for a term of three months or more but less than three years [<sup>F11</sup>or to youth custody [<sup>F12</sup>or detention in a young offender institution] for such a term], or who has been sentenced to be detained for such a term in a detention centre or in a young offenders institution in Scotland [<sup>F13</sup>or who has been subject to a secure training order [<sup>F14</sup>or a detention and training order]], shall not at any time before the expiration of the period of five years from the date of his release have a firearm or ammunition in his possession.

[<sup>F15</sup>(2A) For the purposes of subsection (2) above, “the date of his release” means—

- (a) in the case of a person sentenced to imprisonment with an order under section 47(1) of the Criminal Law Act 1977 (prison sentence partly served and partly suspended), the date on which he completes service of so much of the sentence as was by that order required to be served in prison;
- (b) in the case of a person who has been subject to a secure training order—
  - (i) the date on which he is released from detention under the order;
  - (ii) the date on which he is released from detention ordered under section 4 of the Criminal Justice and Public Order Act 1994; or
  - (iii) the date halfway through the total period specified by the court in making the order,

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whichever is the later.]

- [<sup>F16</sup>(c) in the case of a person who has been subject to a detention and training order—
- (i) the date on which he is released from detention under the order;
  - (ii) the date on which he is released from detention ordered under [<sup>F17</sup>section 104 of the Powers of Criminal Courts (Sentencing) Act 2000][<sup>F18</sup>or paragraph 3 of Schedule 12 to the Sentencing Code]; or
  - (iii) the date of the half-way point of the term of the order,
- whichever is the later.]

[<sup>F19</sup>(d) .....

[<sup>F20</sup>(2B) .....

[<sup>F21</sup>(2C) Where—

- (a) a person has been sentenced to imprisonment [<sup>F22</sup>, or detention in a young offender institution,] for a term of three months or more, and
- (b) the sentence is suspended under section 189 of the Criminal Justice Act 2003 [<sup>F23</sup>or section 264 or 277 of the Sentencing Code],

the person shall not have a firearm or ammunition in his possession at any time during the period of five years beginning with the second day after the date on which the sentence is passed.]

(3) A person who—

- (a) is the holder of a licence issued under section 53 of the <sup>M1</sup>Children and Young Persons Act 1933 or section 57 of the <sup>M2</sup>Children and Young Persons (Scotland) Act 1937 (which sections provide for the detention of children and young persons convicted of serious crime, but enable them to be discharged on licence by the Secretary of State); or
- (b) is subject to a recognizance to keep the peace or to be of good behaviour, a condition of which is that he shall not possess, use or carry a firearm, or is subject to a [<sup>F24</sup>community order] containing a requirement that he shall not possess, use or carry a firearm; or
- (c) has, in Scotland, been ordained to find caution a condition of which is that he shall not possess, use or carry a firearm;

shall not, at any time during which he holds the licence or is so subject or has been so ordained, have a firearm or ammunition in his possession.

[<sup>F25</sup>(3ZA) In subsection (3)(b) above, “community order” means—

- (a) a community order within [<sup>F26</sup>the meaning given by section 200 of the Sentencing Code][<sup>F27</sup>, or a youth rehabilitation order within [<sup>F28</sup>the meaning given by section 173 of that Code],] made in England and Wales, or

[<sup>F29</sup>(b) a community payback order under section 227A of the Criminal Procedure (Scotland) Act 1995 (c.46).]

[<sup>F30</sup>(3A) Where by section 19 of the Firearms Act (Northern Ireland) 1969, or by any other enactment for the time being in force in Northern Ireland and corresponding to this section, a person is prohibited in Northern Ireland from having a firearm or ammunition in his possession, he shall also be so prohibited in Great Britain at any time when to have it in his possession in Northern Ireland would be a contravention of the said section 19 or corresponding enactment];

(4) It is an offence for a person to contravene any of the foregoing provisions of this section.

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- (5) It is an offence for a person to sell or transfer a firearm or ammunition to, or to repair, test or prove a firearm or ammunition for, a person whom he knows or has reasonable ground for believing to be prohibited by this section from having a firearm or ammunition in his possession.
- (6) A person prohibited under subsection (1), (2) <sup>F31</sup>... [<sup>F32</sup>(2C),]<sup>F33</sup>(3) or (3A)] of this section from having in his possession a firearm or ammunition may apply to [<sup>F34</sup>the Crown Court] or, in Scotland, in accordance with Act of Sederunt to the sheriff for a removal of the prohibition; and if the application is granted that prohibition shall not then apply to him.
- (7) Schedule 3 to this Act shall have effect with respect to the courts with jurisdiction to entertain an application under this section and to the procedure appertaining thereto.]

### Textual Amendments

- F8** Words inserted by [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), s. 77, **Sch. 14 para. 24(a)**
- F9** Words inserted (E.W.) by [Criminal Justice Act 1988 \(c. 33, SIF 39:1\)](#), ss. 123(6), **Sch. 8 paras. 6, 16**
- F10** Words repealed by [Criminal Justice Act 1988 \(c. 33, SIF 39:1\)](#), ss. 123(6), 170(2), **Sch. 8 para. 16, Sch. 16**
- F11** Words inserted by [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), s. 77, **Sch. 14 para. 24(b)**
- F12** Words inserted (E.W.) by [Criminal Justice Act 1988 \(c. 33, SIF 39:1\)](#), s. 123(6), **Sch. 8 paras. 6, 16**
- F13** Words in s. 21(2) inserted (1.3.1998) by 1994 c. 33, s. 168(2), **Sch. 10 para. 24(2)(a)**; S.I. 1998/277, **art. 3(2)**
- F14** Words in s. 21(2) inserted (1.4.2000) by 1998 c. 37, s. 119, **Sch. 8 para. 14(1)**; S.I. 1999/3426, **art. 3(b)**
- F15** S. 21(2A) substituted (1.3.1998) by 1994 c. 33, s. 168(2), **Sch. 10 para. 24(2)(b)**; S.I. 1998/277, **art. 3(2)**
- F16** S. 21(2A)(c) inserted (1.4.2000) by 1998 c. 37, s. 119, **Sch. 8 para. 14(2)**; S.I. 1999/3426, **art. 3(b)**
- F17** Words in s. 21(2A)(c)(ii) substituted (25.8.2000) by 2000 c. 6, ss. 165, 168, **Sch. 9 para. 31**
- F18** Words in s. 21(2A)(c)(ii) inserted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 24 para. 15(2)** (with [Sch. 27](#)); S.I. 2020/1236, reg. 2
- F19** S. 21(2A)(d) omitted (3.12.2012) by virtue of [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), **Sch. 10 para. 3(a)**; S.I. 2012/2906, art. 2(h)
- F20** S. 21(2B) omitted (3.12.2012) by virtue of [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), **Sch. 10 para. 3(b)**; S.I. 2012/2906, art. 2(h)
- F21** S. 21(2C) inserted (14.7.2014) by [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\)](#), ss. **110(1)**, 185(1) (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/949, art. 6(c)
- F22** Words in s. 21(2C)(a) inserted (1.12.2020 immediately before the consolidation date (see 2020 c. 9, ss. 3, 5(2)(3) and 2020 c. 17, ss. 2, 416)) by [Sentencing \(Pre-consolidation Amendments\) Act 2020 \(c. 9\)](#), s. 5(2)(3), **Sch. 2 para. 115**; S.I. 2012/1236, reg. 2
- F23** Words in s. 21(2C)(b) inserted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 24 para. 15(3)** (with [Sch. 27](#)); S.I. 2020/1236, reg. 2
- F24** Words in S. 21(3)(b) substituted (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), ss. 304, 336, **Sch. 32 para. 12(4)**; S.I. 2005/950, **art. 2(1)** (subject to art. 2(2), Sch. 2)
- F25** S. 21(3ZA) inserted (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), ss. 304, 336, **Sch. 32 para. 12(5)**; S.I. 2005/950, **art. 2(1)** (subject to art. 2(2), Sch. 2)
- F26** Words in s. 21(3ZA)(a) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 24 para. 15(4)(a)** (with [Sch. 27](#)); S.I. 2020/1236, reg. 2
- F27** Words in s. 21(3ZA)(a) inserted (30.11.2009) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), s. 153(7), **Sch. 4 para. 6** (with [Sch. 27 paras. 1, 5](#)); S.I. 2009/3074, art. 2(p)(iii)
- F28** Words in s. 21(3ZA)(a) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), **Sch. 24 para. 15(4)(b)** (with [Sch. 27](#)); S.I. 2020/1236, reg. 2

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- F29** S. 21(3ZA)(b) substituted (1.2.2011) by [Criminal Justice and Licensing \(Scotland\) Act 2010 \(asp 13\)](#), s. 206(1), [sch. 2 para. 30\(2\)](#); S.S.I. 2010/413, art. 2, sch. (with art. 3(1))
- F30** S. 21(3A) inserted by [Criminal Justice Act 1972 \(c. 71\)](#), [ss. 29](#), 66(7)(a)
- F31** Word in s. 21(6) omitted (3.12.2012) by virtue of [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 10 para. 3\(c\)](#); S.I. 2012/2906, art. 2(h)
- F32** Word in s. 21(6) inserted (19.9.2014) by [The Anti-social Behaviour, Crime and Policing Act 2014 \(Consequential Amendments\) Order 2014 \(S.I. 2014/2522\)](#), arts. 1, [2\(2\)](#)
- F33** Words substituted by [Criminal Justice Act 1972 \(c. 71\)](#), [ss. 29](#), 66(7)(a)
- F34** Words substituted by [Courts Act 1971 \(c. 23\)](#), s. 56(2), [Sch. 9 Pt. II](#)

#### Marginal Citations

- M1** 1933 c. 12.  
**M2** 1937 c. 37.

PROSPECTIVE

#### <sup>F35</sup> 21A Firing an air weapon beyond premises

- (1) A person commits an offence if—
- (a) he has with him an air weapon on any premises; and
  - (b) he uses it for firing a missile beyond those premises.

- [ A person commits an offence if the person—
- <sup>F36</sup>(1A) (a) is supervising the use and possession of an air weapon on private premises by a person under the age of 18, and
- (b) allows the supervised person to fire any missile beyond those premises.]

- (2) In proceedings against a person for an offence under this section it shall be a defence for him to show that the only premises into or across which the missile was fired were premises the occupier of which had consented to the firing of the missile (whether specifically or by way of a general consent).]

#### Textual Amendments

- F35** S. 21A inserted (1.10.2007) by [Violent Crime Reduction Act 2006 \(c. 38\)](#), [ss. 34\(2\)](#), 66(2); S.I. 2007/2180, [art. 3\(d\)](#)
- F36** S. 21A(1A) inserted (S.) (31.12.2016) by [Air Weapons and Licensing \(Scotland\) Act 2015 \(asp 10\)](#), s. 88(2), [sch. 2 para. 1\(3\)](#); S.S.I. 2016/130, art. 3(c)

#### <sup>F37</sup> 22 Acquisition and possession of firearms by minors.

- (1) [<sup>F38</sup>It is an offence for a person under the age of eighteen to purchase or hire any firearm or ammunition.]

<sup>F39</sup>(1A) . . . . .

- (2) It is an offence for a person under the age of fourteen to have in his possession any firearm or ammunition to which section 1 of this Act applies, except in circumstances where under section 11(1), (3) or (4) of this Act [<sup>F40</sup>or section 15 of the Firearms

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(Amendment) Act 1988] he is entitled to have possession of it without holding a firearm certificate.

- (3) It is an offence for a person under the age of fifteen to have with him an assembled shot gun except while under the supervision of a person of or over the age of twenty-one, or while the shot gun is so covered with a securely fastened gun cover that it cannot be fired.
- (4) [<sup>F41</sup>Subject to section 23 below, it is an offence for a person under the age of [<sup>F42</sup>eighteen] to have with him an air weapon or ammunition for an air weapon.]
- (5) <sup>F43</sup>.....]

#### Textual Amendments

- F37** S. 22(1) substituted (1.10.2007) by [Violent Crime Reduction Act 2006 \(c. 38\)](#), **ss. 33(2)**, s. 66(2); S.I. 2007/2180, **art. 3(c)**
- F38** S. 22(1) substituted (28.7.2010) by [Firearms \(Amendment\) Regulations 2010 \(S.I. 2010/1759\)](#), **regs. 1(2), 2(3)**
- F39** S. 22(1A) omitted (31.12.2020) by virtue of [The Law Enforcement and Security \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/742\)](#), **regs. 1, 59(3)**; 2020 c. 1, Sch. 5 para. 1(1)
- F40** S. 22(2): Words inserted by [Firearms \(Amendment\) Act 1988 \(c. 45, SIF 51:1\)](#), **s. 23(4)** [Editorial Note: the amending section provides that the insertion is to be made after the words "of this Act". Those words appear twice in s. 22(2), but the sense of the subsection as amended seems to require that the insertion should be made after the second occurrence of those words.]
- F41** S. 22(4) repealed (S.) (31.12.2016) by [Air Weapons and Licensing \(Scotland\) Act 2015 \(asp 10\)](#), s. 88(2), **sch. 2 para. 1(4)**; S.S.I. 2016/130, **art. 3(c)**
- F42** Word substituted (1.10.2007) by [Violent Crime Reduction Act 2006 \(c. 38\)](#), **ss. 33(3)**, 66(2); S.I. 2007/2180, **art. 3(c)**
- F43** S. 22(5) repealed (20.1.2004) by [Anti-social Behaviour Act 2003 \(2003 c. 38\)](#), **ss. 38(2)(b)**, 93, **Sch. 3: S.I. 2003/3300, art. 2(c)(ii)**

#### [<sup>F44</sup>23 [<sup>F45</sup>Exceptions from s. 22(4)].

- (1) It is not an offence under section 22(4) of this Act for a person to have with him an air weapon or ammunition while he is under the supervision of a person of or over the age of twenty-one; but where a person has with him an air weapon on any premises in circumstances where he would be prohibited from having it with him but for this subsection, it is an offence [<sup>F46</sup>for the person under whose supervision he is to allow him to use it for firing any missile beyond those premises].

[<sup>F47</sup>(1A) In proceedings against a person for an offence under subsection (1) it shall be a defence for him to show that the only premises into or across which the missile was fired were premises the occupier of which had consented to the firing of the missile (whether specifically or by way of a general consent).]

- (2) It is not an offence under section 22(4) <sup>F48</sup>... of this Act for a person to have with him an air weapon or ammunition at a time when—
- (a) being a member of a rifle club or miniature rifle club for the time being approved by the Secretary of State for the purposes of this section or [<sup>F49</sup>section 15 of the Firearms (Amendment) Act 1988], he is engaged as such a member <sup>F50</sup>... in connection with [<sup>F51</sup>target shooting]; or



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- (b) he is using the weapon or ammunition at a shooting gallery where the only firearms used are either air weapons or miniature rifles not exceeding .23 inch calibre.

[<sup>F52</sup>(3) It is not an offence under section 22(4) of this Act for a person of or over the age of fourteen to have with him an air weapon or ammunition on private premises with the consent of the occupier.

<sup>F53</sup>(4) . . . . .]]

#### Textual Amendments

- F44** S. 23 repealed (S.) (31.12.2016) by [Air Weapons and Licensing \(Scotland\) Act 2015 \(asp 10\)](#), s. 88(2), [sch. 2 para. 1\(5\)](#); S.S.I. 2016/130, art. 3(c)
- F45** S. 23 heading substituted (20.1.2004) by virtue of [Anti-social Behaviour Act 2003 \(c. 38\)](#), [ss. 38\(3\)](#), 93; S.I. 2003/3300, [art. 2\(c\)\(ii\)](#)
- F46** S. 23(1): words substituted (1.10.2007) for s. 23(1)(a)(b) by [Violent Crime Reduction Act 2006 \(c. 38\)](#), ss. {34(3)(a)}, 66(2); S.I. 2007/2180, [art. 3\(d\)](#)
- F47** S. 23(1A) inserted (1.10.2007) by [Violent Crime Reduction Act 2006 \(c. 38\)](#), [ss. 34\(3\)\(b\)](#), 66(2); S.I. 2007/2180, [art. 3\(d\)](#)
- F48** Words in s. 23(2) repealed (20.1.2004) by [Anti-social Behaviour Act 2003 \(c. 38\)](#), ss. 38(3)(a), 92, 93, [Sch. 3](#); S.I. 2003/3300, [art. 2\(g\)\(ii\)\(a\)](#)
- F49** Words substituted by [Firearms \(Amendment\) Act 1988 \(c. 45, SIF 51:1\)](#), [s. 23\(4\)](#)
- F50** Words in s. 23(2)(a) repealed (1.7.1997) by 1997 c. 5, s. 52(2), [Sch. 3](#); S.I. 1997/1535, art. 3(b), [Sch. Pt. I](#)
- F51** Words in s. 23(2) substituted (1.10.1997) by 1997 c. 5, s. 52(1), [Sch. 2 para. 3](#); S.I. 1997/1535, art. 3(c), [Sch. Pt. II](#)
- F52** S. 23(3)(4) inserted (20.1.2004) by [Anti-social Behaviour Act 2003 \(c. 38\)](#), [ss. 38\(3\)\(b\)](#), 93; S.I. 2003/3300, [art. 2\(c\)\(ii\)](#)
- F53** S. 23(4) repealed (1.10.2007) by [Violent Crime Reduction Act 2006 \(c. 38\)](#), ss. 34(3)(c), 65, 66(2), [Sch. 5](#); S.I. 2007/2180, [arts. 3\(d\)](#), 4(f)(i)

#### [<sup>F54</sup>24 Supplying firearms to minors.

- (1) [<sup>F55</sup>It is an offence to sell or let on hire any firearm or ammunition to a person under the age of eighteen.]
- (2) It is an offence—
- (a) to make a gift of or lend any firearm or ammunition to which section 1 of this Act applies to a person under the age of fourteen; or
  - (b) to part with the possession of any such firearm or ammunition to a person under that age, except in circumstances where that person is entitled under section 11(1), (3) or (4) of this Act [<sup>F56</sup>or section 15 of the Firearms (Amendment) Act 1988] to have possession thereof without holding a firearm certificate.
- (3) It is an offence to make a gift of a shot gun or ammunition for a shot gun to a person under the age of fifteen.
- (4) It is an offence—
- (a) to make a gift of an air weapon or ammunition for an air weapon to a person under the age of [<sup>F57</sup>eighteen]; or



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- (b) to part with the possession of an air weapon or ammunition for an air weapon to a person under the age of [<sup>F57</sup>eighteen] except where [<sup>F58</sup>by virtue of section 23 of this Act the person is not prohibited from having it with him.][<sup>F58</sup>the person holds an air weapon certificate granted under section 5 of the Air Weapons and Licensing (Scotland) Act 2015 or the possession is otherwise in accordance with Part 1 of that Act.]
- (5) In proceedings for an offence under any provision of this section it is a defence to prove that the person charged with the offence believed the other person to be of or over the age mentioned in that provision and had reasonable ground for the belief.]

#### Textual Amendments

- F54** S. 24(1) substituted (1.10.2007) by [Violent Crime Reduction Act 2006 \(c. 38\)](#), **ss. 33(4)**, 66(2); S.I. 2007/2180, **art. 3(c)**
- F55** S. 24(1) substituted (28.7.2010) by [Firearms \(Amendment\) Regulations 2010 \(S.I. 2010/1759\)](#), regs. 1(2), **2(4)**
- F56** Words inserted by [Firearms \(Amendment\) Act 1988 \(c. 45, SIF 51:1\)](#), **s. 23(4)**
- F57** Words in s. 24(4)(a)(b) substituted (1.10.2007) by [Violent Crime Reduction Act 2006 \(c. 38\)](#), **ss. 33(5)**, 66(2); S.I. 2007/2180, **art. 3(c)**
- F58** Words in s. 24(4)(b) substituted (S.) (31.12.2016) by [Air Weapons and Licensing \(Scotland\) Act 2015 \(asp 10\)](#), s. 88(2), **sch. 2 para. 1(6)**; S.S.I. 2016/130, art. 3(c)

#### [<sup>F59</sup>24ZA] **Failing to prevent minors from having air weapons**

- (1) It is an offence for a person in possession of an air weapon to fail to take reasonable precautions to prevent any person under the age of eighteen from having the weapon with him.
- [ Subsection (1) does not apply where—
- <sup>F60</sup>(2) (a) the person under the age of 18 holds an air weapon certificate granted under section 5 of the Air Weapons and Licensing (Scotland) Act 2015, or
- (b) the use or possession of the weapon by the person under the age of 18 is otherwise in accordance with Part 1 of that Act.]
- (3) In proceedings for an offence under subsection (1) it is a defence to show that the person charged with the offence—
- (a) believed the other person to be aged eighteen or over; and
- (b) had reasonable ground for that belief.
- (4) For the purposes of this section a person shall be taken to have shown the matters specified in subsection (3) if—
- (a) sufficient evidence of those matters is adduced to raise an issue with respect to them; and
- (b) the contrary is not proved beyond a reasonable doubt.]

#### Textual Amendments

- F59** S. 24ZA inserted (10.2.2011) by [Crime and Security Act 2010 \(c. 17\)](#), **ss. 46(2)**, 59(1); S.I. 2011/144, **art. 2**

*Status: This version of this cross heading contains provisions that are prospective.*

*Changes to legislation: Firearms Act 1968, Cross Heading: Prevention of crime and preservation of public safety is up to date with all changes known to be in force on or before 09 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

**F60** S. 24ZA(2) substituted (S.) (31.12.2016) by [Air Weapons and Licensing \(Scotland\) Act 2015 \(asp 10\)](#), s. 88(2), [sch. 2 para. 1\(7\)](#); S.S.I. 2016/130, art. 3(c)

PROSPECTIVE

**[<sup>F61</sup>24A Supplying imitation firearms to minors**

- (1) It is an offence for a person under the age of eighteen to purchase an imitation firearm.
- (2) It is an offence to sell an imitation firearm to a person under the age of eighteen.
- (3) In proceedings for an offence under subsection (2) it is a defence to show that the person charged with the offence—
  - (a) believed the other person to be aged eighteen or over; and
  - (b) had reasonable ground for that belief.
- (4) For the purposes of this section a person shall be taken to have shown the matters specified in subsection (3) if—
  - (a) sufficient evidence of those matters is adduced to raise an issue with respect to them; and
  - (b) the contrary is not proved beyond a reasonable doubt.]

**Textual Amendments**

**F61** S. 24A inserted (1.10.2007) by [Violent Crime Reduction Act 2006 \(c. 38\)](#), [ss. 40\(1\)](#), 66(2); S.I. 2007/2180, [art. 3\(i\)](#)

**25 Supplying firearm to person drunk or insane.**

It is an offence for a person to sell or transfer any firearm or ammunition to, or to repair, prove or test any firearm or ammunition for, another person whom he knows or has reasonable cause for believing to be drunk or of unsound mind.

**Status:**

This version of this cross heading contains provisions that are prospective.

**Changes to legislation:**

Firearms Act 1968, Cross Heading: Prevention of crime and preservation of public safety is up to date with all changes known to be in force on or before 09 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act amended by [1997 c. 5 s. 12\(2\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 12 was repealed (17.12.1997) by 1997 c. 64, s. 2(7), Sch.; S.I. 1997/3114, art. 3, Sch. Pt. I)
- Blanket amendment words substituted by [S.I. 2011/1043 art. 34](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 3A inserted by [2023 c. 49 s. 2](#)
- s. 11(3A)-(4A) substituted for s. 11(4) by [2023 c. 49 s. 1\(2\)](#)
- s. 51(2A) added by [1997 c. 48 s. 62\(1\)Sch. 1 para. 3](#)