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STATUTORY INSTRUMENTS

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**1996 No. 1576**

**DEREGULATION**

**The Deregulation (Gun Barrel Proving) Order 1996**

*Made* - - - - - *17th June 1996*

*Coming into force* - - - - - *15th July 1996*

Whereas:

- (a) the Secretary of State is of the opinion that certain provisions of the Gun Barrel Proof Acts 1868(1) and 1950(2) impose burdens affecting persons in the carrying on of a trade, business, profession or otherwise and that by amending or repealing the provisions concerned and by making certain other provision it is possible to remove or reduce the burdens, without removing any necessary protection;
- (b) the Secretary of State has consulted such organisations as appear to him to be representative of interests substantially affected by his proposals and such other persons as he considers appropriate;
- (c) it appears to the Secretary of State that it is appropriate, following that consultation, to proceed with the making of this Order;
- (d) a document setting out the Secretary of State's proposals has been laid before Parliament in accordance with section 3 of the Deregulation and Contracting Out Act 1994(3) and the period for Parliamentary consideration under section 4 of that Act has expired; and
- (e) a draft of this Order has been laid before Parliament and has been approved by resolution of each House.

Now, therefore, the Secretary of State, in exercise of the power conferred on him by section 1 of the 1994 Act, hereby makes the following Order:

**Citation, commencement and extent**

1.—(1) This Order may be cited as the Deregulation (Gun Barrel Proving) Order 1996 and shall come into force 28 days after the day on which it is made.

(2) This Order extends to Northern Ireland.

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(1) 1868 c. cxiii.  
(2) 1950 c. iii.  
(3) 1994 c. 40.

## **Interpretation**

2. In this Order “the 1868 Act” means the Gun Barrel Proof Act 1868, “the 1950 Act” means the Gun Barrel Proof Act 1950 and “the 1978 Act” means the Gun Barrel Proof Act 1978(4).

## **Charges for proving and marking barrels**

3.—(1) In section 118 of the 1868 Act (charges for proving and marking barrels) the words from “not exceeding” to the end are hereby repealed.

(2) The following provisions (which are spent in consequence of paragraph (1) above), namely—

- (a) sections 3 and 4 of, and the Schedule to, the 1950 Act, and
- (b) paragraph 20 of Schedule 3 to the 1978 Act, are also hereby repealed.

Department of Trade and Industry  
17th June 1996

*John M. Taylor,*  
Parliamentary Under-Secretary of State for  
Competition and Consumer Affairs,

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(4) 1978 c. 9.

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## EXPLANATORY NOTE

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

This Order amends the Gun Barrel Proof Acts 1868 to 1978.

Firstly, it amends section 118 of the Gun Barrel Proof Act 1868 (“the 1868 Act” by removing the requirement that the sums charged by the London and Birmingham Proof Houses for the proving of civilian small arms should not exceed the sums laid down in one of the Schedules to the 1868 Act, as amended most recently by the Gun Barrel Proof (Alteration of Maximum Prices) Order 1994 (“the 1994 Order”. In consequence the Proof Houses are free to appoint such sums as they wish and until the time of any appointment by them the maximum sums which may be taken are those laid down in the 1994 Order.

A number of provisions which are spent in consequence of the amendment are also repealed. This includes section 3 of the Gun Barrel Proof Act 1950 (“the 1950 Act”, section 4 of that Act which lays down the procedure for seeking Ministerial approval and an order for the increase of maximum prices for proof and the Schedule to that Act which provided what were for a period the maximum prices. Further, paragraph (20) of Schedule 3 of the Gun Barrel Proof Act 1978 is repealed as its sole function is the amendment of section 4 of the 1950 Act.