



# Firearms Act 1968

## 1968 CHAPTER 27

### PART II

#### FIREARM AND SHOT GUN CERTIFICATES ; REGISTRATION OF FIREARMS DEALERS

##### *Grant, renewal, variation and revocation of firearm and shot gun certificates*

#### **26 Application for, and grant of, certificates**

- (1) An application for the grant of a firearm or shot gun certificate 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 form.
- (2) Rules made by the Secretary of State under section 53 of this Act may—
  - (a) require any application for a certificate to be accompanied by a photograph of the applicant;
  - (b) require the verification in the prescribed manner of any prescribed particulars and of the likeness of any such photograph to the applicant.
- (3) Subject to the special provision made for shot gun certificates by section 28(3) below, a certificate shall, unless previously revoked or cancelled, continue in force for three years, or such shorter period as may be prescribed, from the date when it was granted or last renewed, but shall be renewable for a further period of three years, or a further prescribed period, by the chief officer of police for the area in which the holder resides, and so on from time to time; and the foregoing provisions of this section apply to the renewal of a certificate as they apply to a grant:

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.

- (4) A person aggrieved by the refusal of a chief officer of police to grant or to renew a certificate under this Act may in accordance with section 44 of this Act appeal against the refusal.

- (5) It is an offence for a person to make any statement which he knows to be false for the purpose of procuring, whether for himself or any other person, the grant or renewal of a certificate under this Act.

## **27 Special provisions about firearm certificates**

- (1) A firearm certificate shall be granted by the chief officer of police if he is satisfied that the applicant has a good reason for having in his possession, or for purchasing or acquiring, the firearm or ammunition in respect of which the application is made, and can be permitted to have it in his possession without danger to the public safety or to the peace:

Provided that a firearm 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 section 1 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.

- (2) A firearm certificate 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.
- (3) This section applies to the renewal of a firearm certificate as it applies to a grant.

## **28 Special provisions about shot gun certificates**

- (1) A shot gun certificate shall be granted or, as the case may be, renewed by the chief officer of police unless he has reason to believe that the applicant—
- (a) is prohibited by this Act from possessing a shot gun; or
  - (b) cannot be permitted to possess a shot gun without danger to the public safety or to the peace.
- (2) A shot gun certificate shall be in the prescribed form and shall—
- (a) be granted or renewed subject to any prescribed conditions and no others; and
  - (b) specify the conditions, if any, subject to which it is granted or renewed.
- (3) Notwithstanding section 26(3) of this Act, a shot gun certificate issued before the expiration of six months from the date of the commencement of this Act shall continue in force for such period from that date or from the date when it is granted, whichever is the later, as may be specified in the certificate by the chief officer of police (being a period of not less than one year but not more than five years).

## **29 Variation of firearm certificates**

- (1) 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.
- (2) A firearm certificate may also, on the application of the holder, be varied from time to time by the chief officer of police for the area in which the holder for the time being resides; and a person aggrieved by the refusal of a chief officer of police to vary a

firearm certificate may in accordance with section 44 of this Act appeal against the refusal.

- (3) It is an offence for a person to make any statement which he knows to be false for the purpose of procuring, whether for himself or another person, the variation of a firearm certificate.

### **30 Revocation of certificates**

- (1) 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 section 1 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 section 29(1) of this Act requiring him to deliver up the certificate.
- (2) A shot gun certificate may be revoked by the chief officer of police if he is satisfied that the holder is prohibited by this Act from possessing a shot gun or cannot be permitted to possess a shot gun without danger to the public safety or to the peace.
- (3) A person aggrieved by the revocation of a certificate under subsection (1)(a) or (2) of this section may in accordance with section 44 of this Act appeal against the refusal.
- (4) Where a certificate is revoked by the chief officer of police under this section, he shall by notice in writing require the holder to surrender the certificate; and it is an offence for the holder to fail to do so within twenty-one days from the date of the notice:

Provided that, if an appeal is brought against the revocation, this subsection shall not apply to that revocation unless the appeal is abandoned or dismissed, and shall then apply with the substitution, for the reference to the date of the notice, of a reference to the date on which the appeal was abandoned or dismissed.

### **31 Certificate for prohibited weapon**

- (1) A chief officer of police shall not refuse to grant or renew, and shall not revoke, a firearm certificate in respect of a prohibited weapon or prohibited ammunition if the applicant for the certificate is for the time being authorised by the Defence Council under section 5 of this Act to have possession of that weapon or ammunition.
- (2) Where an authority of the Defence Council under that section to have possession of, or to purchase or acquire, a prohibited weapon or prohibited ammunition is revoked, the firearm certificate relating to that weapon or ammunition shall be revoked or varied accordingly by the chief officer of police by whom it was granted.

### **32 Fee for certificate and exemption from paying it in certain cases**

- (1) Subject to this Act, there shall be payable—
  - (a) on the grant of a firearm or shot gun certificate a fee of 5s. 0d.;
  - (b) on the renewal of a certificate or on the replacement of a certificate which has been lost or destroyed, a fee of 2s. 6d.; and

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*Status: This is the original version (as it was originally enacted).*

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- (c) on any variation of a firearm certificate (otherwise than when it is renewed or replaced at the same time) so as to increase the number of firearms to which the certificate relates, a fee of 2s. 6d.
- (2) No fee shall be payable on the grant to a responsible officer of a rifle club, miniature rifle club, or cadet corps approved for the purpose by the Secretary of State, of a firearm 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 firearm 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—
  - (a) on the grant or renewal of a firearm 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 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.