



Firearms Act 1968

1968 CHAPTER 27

PART IV

MISCELLANEOUS AND GENERAL

53 Rules for implementing this Act.

[^{F1}(1)] The Secretary of State may by statutory instrument make rules—

- (a) prescribing the form of certificates under this Act, and the register required to be kept under section 40 of this Act and other documents;
- (b) prescribing any other thing which under this Act is to be prescribed; and
- (c) generally for carrying this Act into effect;

and rules made under this section may make different provision for different cases.

[^{F2}(2)] A statutory instrument containing (whether alone or with other provision) rules under this section which prescribe conditions of the kind mentioned in section 27A(2) (conditions for storage etc of certain firearms) is subject to annulment in pursuance of a resolution of either House of Parliament.]

Textual Amendments

- F1** S. 53(1): s. 53 renumbered as s. 53(1) (16.5.2019) by [Offensive Weapons Act 2019 \(c. 17\)](#), [ss. 61\(3\)\(a\)](#), [70\(5\)\(l\)](#)
- F2** S. 53(2) inserted (16.5.2019) by [Offensive Weapons Act 2019 \(c. 17\)](#), [ss. 61\(3\)\(b\)](#), [70\(5\)\(l\)](#)

Modifications etc. (not altering text)

- C1** Ss. 53–56 amended by [Firearms \(Amendment\) Act 1988 \(c. 45, SIF 51:1\)](#), [s. 25\(6\)](#)
- C2** S. 53 extended (1.7.1997) by [1997 c. 5, s. 50\(5\)](#); [S.I. 1997/1535](#), art. 3(b), [Sch. Pt. I](#)

54 Application of Parts I and II to Crown servants.

- (1) Sections 1, 2, 7 to 13 and [^{F3}26A to 32] of this Act apply, subject to the modifications specified in subsection (2) of this section, to persons in the service of Her Majesty in

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their capacity as such so far as those provisions relate to the purchase and acquisition, but not so far as they relate to the possession, of firearms.

(2) The modifications referred to above are the following:—

- (a) a person in the service of Her Majesty duly authorised in writing in that behalf may purchase or acquire firearms and ammunition for the public service without holding a certificate under this Act;
- (b) a person in the naval, military or air service of Her Majesty shall, if he satisfies the chief officer of police on an application under [F4section 26A] of this Act that he is required to purchase 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 or, as the case may be, to the grant of a shot gun certificate.

[F5(3) For the purposes of this section and of any rule of law whereby any provision of this Act does not bind the Crown, a person shall be deemed to be in the service of Her Majesty if he is—

- (a) a member of a police force, or
- [F6(b) a civilian officer, F7...]
- [F8(ba) a community support volunteer or a policing support volunteer designated under section 38 of the Police Reform Act 2002 by the chief constable of a police force in England and Wales,]
- F7(c)
- F9(d) [F10, or
- (e) a member of the British Transport Police Force, or
- (f) a person employed by the British Transport Police Authority who is under the direction and control of the Chief Constable of the British Transport Police Force.][F11, or
- (g) a community support volunteer or a policing support volunteer designated under section 38 of the Police Reform Act 2002 (as it applies by virtue of section 28 of the Railways and Transport Safety Act 2003) by the Chief Constable of the British Transport Police Force.]

F12(3A)

[For the purposes of this section and of any rule of law whereby any provision of this F13(3AA) Act does not bind the Crown—

- (a) a member of the Civil Nuclear Constabulary shall be deemed to be a person in the service of Her Majesty; and
- (b) references to the public service shall be deemed to include references to use by a person in the exercise and performance of his powers and duties as a member of the Civil Nuclear Constabulary.]

F12(3B)

[For the purposes of this section and any rule of law whereby any provision of this Act F14(4) does not bind the Crown, the persons specified in subsection (5) of this section shall be deemed to be in the naval, military or air service of Her Majesty, insofar as they are not otherwise in, or treated as being in, any such service.

(5) The persons referred to in subsection (4) of this section are the following—

- (a) members of any foreign force when they are serving with any of the naval, military or air forces of Her Majesty;

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- (b) members of any cadet corps approved by the Secretary of State when—
- (i) they are engaged as members of the corps^{F15}. . . in connection with, drill or [^{F16}target shooting]; and
 - (ii) in the case of possession of prohibited weapons or prohibited ammunition when engaged in [^{F16}target shooting], they are on service premises; and
- (c) persons providing instruction to any members of a cadet corps who fall within paragraph (b).
- (6) In subsection (5) of this section—
- “foreign force” means any of the naval, military or air forces of a country other than the United Kingdom; and
 - “service premises” means premises, including any ship or aircraft, used for any purpose of any of the naval, military or air forces of Her Majesty.]]

Textual Amendments

- F3** Words in s. 54(1) substituted (1.7.1997) by 1997 c. 5, s. 52(1), **Sch. 2 para. 10**; S.I. 1997/1535, art. 3(b), **Sch. Pt. I**
- F4** Words in s. 54(2)(b) substituted (1.7.1997) by 1997 c. 5, s. 52(1), **Sch. 2 para. 11**; S.I. 1997/1535, art. 3(b), **Sch. Pt. I**
- F5** S. 54(3) substituted (1.10.1994) by 1994 c. 29, s. 42; S.I. 1994/2025, **art. 5(2)(g)**
- F6** S. 54(3)(b) substituted (16.1.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), s. 157(1), **Sch. 16 para. 90**; S.I. 2011/3019, art. 3, Sch. 1
- F7** S. 54(3)(c) and preceding word omitted (7.10.2013) by virtue of Crime and Courts Act 2013 (c. 22), s. 61(2), **Sch. 8 para. 19**; S.I. 2013/1682, art. 3(v)
- F8** S. 54(3)(ba) inserted (31.1.2017 for specified purposes, 15.12.2017 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), **ss. 39(2)(a)**, 183(1)(5)(e); S.I. 2017/1139, reg. 2(e) (as amended by S.I. 2017/1162, reg. 2)
- F9** S. 54(3)(d) omitted (1.4.2013) by virtue of The Police and Fire Reform (Scotland) Act 2012 (Consequential Provisions and Modifications) Order 2013 (S.I. 2013/602), art. 1(2), **Sch. 2 para. 5(3)**
- F10** S. 54(3)(e)(f) and word inserted (13.5.2014) by Anti-social Behaviour, Crime and Policing Act 2014 (c. 12), **ss. 112(1)**, 185(1) (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/949, art. 3, Sch. para. 8
- F11** S. 54(3)(g) and word inserted (31.1.2017 for specified purposes, 15.12.2017 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), **ss. 39(2)(b)**, 183(1)(5)(e); S.I. 2017/1139, reg. 2(e) (as amended by S.I. 2017/1162, reg. 2)
- F12** S. 54(3A)(3B) repealed (13.5.2014) by Anti-social Behaviour, Crime and Policing Act 2014 (c. 12), **ss. 112(2)(a)**, 185(1) (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/949, art. 3, Sch. para. 8
- F13** S. 54(3AA) inserted (1.4.2005) by Energy Act 2004 (c. 20), ss. 69, 198(2), **Sch. 14 para. 3**, S.I. 2005/877, {art. 2(1)}, Sch. 1
- F14** S. 54(4)-(6) added (1.4.1997) by 1996 c. 46, s. 28(1); S.I. 1997/304, **art. 2**
- F15** Words in s. 54(5)(b) repealed (1.10.1997) by 1997 c. 5, s. 52(2), **Sch. 3**; S.I. 1997/1535, **art. 3(c)**
- F16** Words in s. 54(5)(b) 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**

Modifications etc. (not altering text)

- C3** Ss. 53–56 amended by Firearms (Amendment) Act 1988 (c. 45, SIF 51:1), s. 25(6)
- C4** S. 54 extended with modification by Atomic Energy Authority (Special Constables) Act 1976 (c. 23), s. 1
- C5** S. 54 extended (1.7.1997) by 1997 c. 5, s. 50(5); S.I. 1997/1535, art. 3(b), **Sch. Pt. I**
- C6** S. 54 amended (1.7.2004) by Railways and Transport Safety Act 2003 (c. 20), ss. 73, 120(1), **Sch. 5 para. 4(1)(a)(2)(b)**; S.I. 2004/1572, **art. 3(ddd)(jjj)**

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- C7** S. 54(3) extended (which shall come into force on the date notified in the London, Edinburgh and Belfast Gazettes) by [S.I. 1993/1813, art. 7\(2\)](#) (as amended (on the date notified in the London, Edinburgh and Belfast Gazettes) by 2001/1544, arts. 1(2), 3(2))
- S. 54(3) extended (which shall come into force on the date notified in the London, Edinburgh and Belfast Gazettes) by [S.I. 2003/2818, art. 9](#)

55 Exercise of police functions.

- (1) Rules made under section 53 of this Act may—
- (a) regulate the manner in which chief officers of police are to carry out their duties under this Act;
 - (b) enable all or any of the functions of a chief officer of police to be discharged by a deputy in the event of his illness or absence, or of a vacancy in the office of chief officer of police.
- (2) Without prejudice to subsection (1)(b) of this section, the functions of a chief officer of police under this Act shall be exercisable on any occasion by a person, or a person of a particular class, authorised by the chief officer of police to exercise that function on that occasion, or on occasions of that class or on all occasions.

Modifications etc. (not altering text)

- C8** Ss. 53–56 amended by [Firearms \(Amendment\) Act 1988 \(c. 45, SIF 51:1\), s. 25\(6\)](#)
- C9** S. 55 extended (1.7.1997) by [1997 c. 5, s. 50\(5\)](#); [S.I. 1997/1535, art. 3\(b\), Sch. Pt. I](#)

[^{F17}55A Guidance as to exercise of police functions

- (1) The Secretary of State may issue guidance to chief officers of police as to the exercise of their functions under, or in connection with, this Act.
- (2) The Secretary of State may revise any guidance issued under this section.
- (3) The Secretary of State must arrange for any guidance issued under this section, and any revision of it, to be published.
- (4) A chief officer of police must have regard to any guidance issued under this section.
- (5) Before issuing guidance under this section, the Secretary of State must consult—
 - (a) the National Police Chiefs' Council, and
 - (b) the chief constable of the Police Service of Scotland.]

Textual Amendments

- F17** S. 55A inserted (31.1.2017 for specified purposes, 3.4.2017 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\), ss. 133\(2\), 183\(1\)\(5\)\(e\)](#); [S.I. 2017/399, reg. 2, Sch. para. 32](#)

[^{F18}56 Service of notices

- (1) Any notice required or authorised by this Act to be given to a person (A) may be sent—
 - (a) by registered post,
 - (b) by the recorded delivery service, or

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- (c) subject to subsections (3) and (4), by electronic means.
- (2) For the purposes of subsection (1)(a) or (b) the notice must be sent in a letter—
 - (a) addressed to A at A's last or usual place of abode, or
 - (b) where A is a registered firearms dealer, addressed to A at any place of business in respect of which A is registered.
- (3) Subsection (1)(c) applies only to notices required or authorised to be given by a chief officer of police, the Secretary of State or the Scottish Ministers.
- (4) A notice may be sent by electronic means only if—
 - (a) the person to whom the notice is to be sent (A) has given a written statement to the chief officer of police, the Secretary of State or the Scottish Ministers (as the case may be) consenting to receive notices under this Act in an electronic form,
 - (b) that statement specifies the electronic form (or forms) that may be used and an electronic address for each form,
 - (c) subject to subsection (7), the statement has not been withdrawn in accordance with subsection (5)(b), and
 - (d) the notice is sent to the electronic address specified in the statement for that form.
- (5) A statement given for the purposes of subsection (4)(a) may—
 - (a) be limited to notices of a description specified in the statement;
 - (b) be withdrawn by giving a further written statement to the person to whom it was given.
- (6) A statement given for the purposes of subsection (4)(a) or (5)(b) may not be given by electronic means.
- (7) Where a statement given for the purposes of subsection (4)(a) has been withdrawn under subsection (5)(b), a notice sent in accordance with that statement before the end of the period of 28 days beginning with the day after the date of the withdrawal is to be treated as complying with subsection (4)(c).]

Textual Amendments

F18 S. 56 substituted (1.4.2011) by [Firearms \(Electronic Communications\) Order 2011 \(S.I. 2011/713\)](#), arts. 1(1), 2(4)

57 Interpretation.

- (1) ^{F19}In this Act, the expression “firearm” means—
 - (a) a lethal barrelled weapon (see subsection (1B));
 - (b) a prohibited weapon;
 - (c) a relevant component part in relation to a lethal barrelled weapon or a prohibited weapon (see subsection (1D));
 - (d) an accessory to a lethal barrelled weapon or a prohibited weapon where the accessory is designed or adapted to diminish the noise or flash caused by firing the weapon;]

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and so much of section 1 of this Act as excludes any description of firearm from the category of firearms to which that section applies shall be construed as also excluding component parts of, and accessories to, firearms of that description.

[^{F20}(1A)]

[^{F21}(1B) In subsection (1)(a), “lethal barrelled weapon” means a barrelled weapon of any description from which a shot, bullet or other missile, with kinetic energy of more than one joule at the muzzle of the weapon, can be discharged.

(1C) Subsection (1) is subject to section 57A (exception for airsoft guns).]

[^{F22}(1D) For the purposes of subsection (1)(c), each of the following items is a relevant component part in relation to a lethal barrelled weapon or a prohibited weapon—

- (a) a barrel, chamber or cylinder,
- (b) a frame, body or receiver,
- (c) a breech block, bolt or other mechanism for containing the pressure of discharge at the rear of a chamber,

but only where the item is capable of being used as a part of a lethal barrelled weapon or a prohibited weapon.]

(2) In this Act, the expression “ammunition” means ammunition for any firearm and includes grenades, bombs and other like missiles, whether capable of use with a firearm or not, and also includes prohibited ammunition.

[^{F23}(2A) In this Act “self-loading” and “pump-action” in relation to any weapon mean respectively that it is designed or adapted (otherwise than as mentioned in section 5(1) (a)) so that it is automatically re-loaded or that it is so designed or adapted that it is re-loaded by the manual operation of the fore-end or forestock of the weapon.

(2B) In this Act “revolver”, in relation to a smooth-bore gun, means a gun containing a series of chambers which revolve when the gun is fired.]

(3) For purposes of sections 45, 46, 50, 51(4) and 52 of this Act, the offences under this Act relating specifically to air weapons are those under sections [^{F24}21A(1A)] [^{F25}, 24(4) and 24ZA(1)] .

(4) In this Act—

“acquire” means hire, accept as a gift or borrow and “acquisition” shall be construed accordingly;

“air weapon” has the meaning assigned to it by section 1(3)(b) of this Act;

^{F26}[“another member State” means a member State other than the United Kingdom, and “other member States” shall be construed accordingly;]

“area” means a police area;

^{F27}[“Article 7 authority” means a document issued by virtue of section 32A(1)(b) or (2) of this Act;]

[^{F28}“British Transport Police Force” means the constables appointed under section 53 of the British Transport Commission Act 1949;]

“certificate” (except in a context relating to the registration of firearms dealers) and “certificate under this Act” mean a firearm certificate or a shot gun certificate and—

- (a) “firearm certificate” means a certificate granted by a chief officer of police under this Act in respect of any firearm or ammunition to

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which section 1 of this Act applies and includes a certificate granted in Northern Ireland under section 1 of the ^{M1}Firearms Act 1920 or under an enactment of the Parliament of Northern Ireland amending or substituted for that section; and

(b) “shot gun certificate” means a certificate granted by a chief officer of police under this Act and authorising a person to possess shot guns;

^{F29}“civilian officer” means—

(a) as respects England and Wales—

(i) a person employed by a chief constable established under section 2 of the Police Reform and Social Responsibility Act 2011,

(ii) a person employed by the Commissioner of Police of the Metropolis, or

(iii) a person employed by the Corporation of the City of London who is under the direction and control of the Commissioner of Police for the City of London;

(b) as respects Scotland, a ^{F30}member of police staff within the meaning of the Police and Fire Reform (Scotland) Act 2012];]

^{F31}“European firearms pass” means a document to which the holder of a certificate under this Act is entitled by virtue of section 32A(1)(a) of this Act;

^{M2}“European weapons directive” means the directive of the Council of the European Communities No.91/477/EEC (directive on the control of the acquisition and possession of weapons);]

“firearms dealer” means a person who, by way of trade or business,

(a) ^{F32}manufactures, sells, transfers, repairs, tests or proves firearms or ammunition to which section 1 of this Act applies or shot guns; or

(b) ^{F33}manufactures, sells, transfers, repairs or tests] air weapons.]

“imitation firearm” means any thing which has the appearance of being a firearm (other than such a weapon as is mentioned in section 5(1)(b) of this Act) whether or not it is capable of discharging any shot, bullet or other missile;

^{F34}“member of a police force” means—

(a) as respects England and Wales, a constable who is a member of a police force or a special constable appointed under section 27 of the Police Act 1996;

(b) as respects Scotland, a constable within the meaning of section 99 of the Police and Fire Reform (Scotland) Act 2012 (2012 asp 8);

“member of the British Transport Police Force” includes a special constable appointed under section 25 of the Railways and Transport Safety Act 2003;]

^{F35}

“premises” includes any land;

“prescribed” means prescribed by rules made by the Secretary of State under section 53 of this Act;

“prohibited weapon” and “prohibited ammunition” have the meanings assigned to them by section 5(2) of this Act;

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“public place” includes any [^{F36}highway][^{F36}road within the meaning of the Roads (Scotland) Act 1984] and any other premises or place to which at the material time the public have or are permitted to have access, whether on payment or otherwise;

“registered”, in relation to a firearms dealer, means registered either—

- (a) in Great Britain, under section 33 of this Act, or
- (b) ^{M3}in Northern Ireland, under section 8 of the Firearms Act 1920 or any enactment of the Parliament of Northern Ireland amending or substituted for that section,

and references to “the register”, “registration” and a “certificate of registration” shall be construed accordingly, except in section 40;

[^{F37}“rifle” includes carbine;]

“shot gun” has the meaning assigned to it by section 1(3)(a) of this Act and, in sections 3(1) and 45(2) of this Act and in the definition of “firearms dealer”, includes any component part of a shot gun and any accessory to a shot gun designed or adapted to diminish the noise or flash caused by firing the gun;

“slaughtering instrument” means a firearm which is specially designed or adapted for the instantaneous slaughter of animals or for the instantaneous stunning of animals with a view to slaughtering them; and

“transfer” includes let on hire, give, lend and part with possession, and “transferee” and “transferor” shall be construed accordingly.

^{F38}[(4A) For the purposes of any reference in this Act to the use of any firearm or ammunition for a purpose not authorised by the European weapons directive, the directive shall be taken to authorise the use of a firearm or ammunition as or with a slaughtering instrument and the use of a firearm and ammunition—

- (a) for sporting purposes;
- (b) for the shooting of vermin, or, in the course of carrying on activities in connection with the management of any estate, of other wildlife; and
- (c) for competition purposes and target shooting outside competitions.]

(5) The definitions in subsections (1) to (3) above apply to the provisions of this Act except where the context otherwise requires.

(6) For purposes of this Act—

- (a) the length of the barrel of a firearm shall be measured from the muzzle to the point at which the charge is exploded on firing; and
- (b) a shot gun or an air weapon shall be deemed to be loaded if there is ammunition in the chamber or barrel or in any magazine or other device which is in such a position that the ammunition can be fed into the chamber or barrel by the manual or automatic operation of some part of the gun or weapon.

Textual Amendments

F19 Words in s. 57(1) substituted (31.1.2017 for specified purposes, 2.5.2017 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), [ss. 125\(2\)](#), [183\(1\)\(5\)\(e\)](#); [S.I. 2017/399](#), [reg. 4\(b\)](#)

F20 S. 57(1A) repealed (1.2.1998) by [1997 c. 64](#), [s. 2\(7\)](#), [Sch.](#); [S.I. 1997/3114](#), [art. 4](#), [Sch. Pt. II](#)

F21 S. 57(1B)(1C) inserted (31.1.2017 for specified purposes, 2.5.2017 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), [ss. 125\(3\)](#), [183\(1\)\(5\)\(e\)](#); [S.I. 2017/399](#), [reg. 4\(b\)](#)

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- F22** S. 57(1D) inserted (31.1.2017 for specified purposes, 2.5.2017 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), **ss. 125(4)**, 183(1)(5)(e); S.I. 2017/399, reg. 4(b)
- F23** Ss. 57(2A)(2B) inserted by [Firearms \(Amendment\) Act 1988 \(c. 45, SIF 51:1\)](#), **s. 25(2)**
- F24** Words in s. 57(3) substituted (S.) (31.12.2016) by [Air Weapons and Licensing \(Scotland\) Act 2015 \(asp 10\)](#), s. 88(2), **sch. 2 para. 1(8)(a)**; S.S.I. 2016/130, art. 3(c)
- F25** Words in s. 57(3) substituted (10.2.2011) by [Crime and Security Act 2010 \(c. 17\)](#), **ss. 46(3)**, 59(1); S.I. 2011/144, art. 2
- F26** Definition in s. 57(4) inserted (1.1.1993) by S.I. 1992/2823, **reg. 5(2)(a)**
- F27** Definition in s. 57(4) inserted (1.1.1993) by S.I. 1992/2823, **reg. 5(2)(b)**
- F28** Definition of “British Transport Police Force” in s. 57(4) inserted (14.12.2001) by 2001 c. 24, s. 101, **Sch. 7 para. 10**
- F29** Words in s. 57(4) substituted (S.) (16.1.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), s. 157(1), **Sch. 16 para. 91**; S.I. 2011/3019, art. 3, Sch. 1 (with Sch. 2 para. 22)
- F30** Words in s. 57(4) substituted (S.) (1.4.2013) by [The Police and Fire Reform \(Scotland\) Act 2012 \(Consequential Provisions and Modifications\) Order 2013 \(S.I. 2013/602\)](#), art. 1(2), **Sch. 2 para. 5(4)**
- F31** Definitions in s. 57(4) inserted (1.1.1993) by S.I. 1992/2823, **reg. 5(2)(c)**
- F32** S. 57(4): words in definition of “firearms dealer” substituted (6.4.2007 for certain purposes and 1.10.2007 otherwise) by [Violent Crime Reduction Act 2006 \(c. 38\)](#), **ss. 31(3)**, 66(2); S.I. 2007/858, **art. 2(e)**; S.I. 2007/2180, **art. 4(a)**
- F33** Words in s. 57(4) substituted (S.) (31.12.2016) by [Air Weapons and Licensing \(Scotland\) Act 2015 \(asp 10\)](#), s. 88(2), **sch. 2 para. 1(8)(b)**; S.S.I. 2016/130, art. 3(c)
- F34** Words in s. 57(4) inserted (31.1.2017 for specified purposes, 15.12.2017 in so far as not already in force) by [Policing and Crime Act 2017 \(c. 3\)](#), **ss. 39(3)**, 183(1)(5)(e); S.I. 2017/1139, reg. 2(e) (as amended by S.I. 2017/1162, reg. 2)
- F35** Definition of “indictable offence” repealed by [Criminal Law Act 1977 \(c. 45\)](#), **Sch. 13**
- F36** Words “road (within the meaning of the Roads (Scotland) Act 1984)” substituted (S.) for “highway” by [Roads \(Scotland\) Act 1984 \(c. 54, SIF 108\)](#), s. 156(1), **Sch. 9 para. 62**
- F37** Words inserted by [Firearms \(Amendment\) Act 1988 \(c. 45, SIF 51:1\)](#), **s. 25(3)**
- F38** S. 57(4A) inserted (1.1.1993) by S.I. 1992/2823, **reg. 3(5)**

Modifications etc. (not altering text)

- C10** S. 57 amended (1.7.2004) by [Railways and Transport Safety Act 2003 \(c. 20\)](#), ss. 73, 120(1), **Sch. 5 para. 4(1)(a)(2)(b)**; S.I. 2004/1572, **art. 3(ddd)(jjj)**

Marginal Citations

- M1** 1920 c. 43.
M2 OJ No. L256, 13.9.91, p.51.
M3 1920 c. 43.

[^{F39}57A Exception for airsoft guns

- (1) An “airsoft gun” is not to be regarded as a firearm for the purposes of this Act.
- (2) An “airsoft gun” is a barrelled weapon of any description which—
 - (a) is designed to discharge only a small plastic missile (whether or not it is also capable of discharging any other kind of missile), and
 - (b) is not capable of discharging a missile (of any kind) with kinetic energy at the muzzle of the weapon that exceeds the permitted level.
- (3) “Small plastic missile” means a missile that—
 - (a) is made wholly or partly from plastics,
 - (b) is spherical, and

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- (c) does not exceed 8 millimetres in diameter.
- (4) The permitted kinetic energy level is—
 - (a) in the case of a weapon which is capable of discharging two or more missiles successively without repeated pressure on the trigger, 1.3 joules;
 - (b) in any other case, 2.5 joules.]

Textual Amendments

F39 S. 57A inserted (31.1.2017 for specified purposes, 2.5.2017 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), ss. 125(5), 183(1)(5)(e); S.I. 2017/399, reg. 4(b)

[^{F40}57B Power to amend section 57(1D)]

- (1) The Secretary of State may by regulations made by statutory instrument amend section 57(1D) so as to make different provision for the purposes of section 57(1)(c) about the meaning of a relevant component part in relation to a lethal barrelled weapon or a prohibited weapon.
- (2) Regulations under this section may include—
 - (a) incidental, supplementary or consequential provision;
 - (b) transitional, transitory or saving provision.
- (3) A statutory instrument containing regulations under this section may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.]

Textual Amendments

F40 S. 57B inserted (31.1.2017 for specified purposes, 2.5.2017 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), ss. 125(6), 183(1)(5)(e); S.I. 2017/399, reg. 4(b)

58 Particular savings.

- (1) Nothing in this Act shall apply to the proof houses of the Master, Wardens and Society of the Mystery of Gunmakers of the City of London and the guardians of the Birmingham proof house or the rifle range at Small Heath in Birmingham where firearms are sighted and tested, so as to interfere in any way with the operations of those two companies in proving firearms under the provisions of the ^{M4}Gun Barrel Proof Act 1868 or any other Acts for the time being in force, or to any person carrying firearms to or from any such proof house when being taken to such proof house for the purposes of proof or being removed therefrom after proof.
- (2) [^{F41}Apart from—
 - (a) [^{F42}sections 19, 20 and 21] and Schedule 3, and
 - (b) any other provision of this Act so far as it applies in relation to an offence under [^{F43}section 19, 20 or 21],
 nothing in this Act] relating to firearms shall apply to an antique firearm which is sold, transferred, purchased, acquired or possessed as a curiosity or ornament.

[^{F44}(2A) For the purposes of subsection (2), a firearm is an “antique firearm” if—

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- (a) either the conditions in subsection (2B) are met or the condition in subsection (2C) is met, and
 - (b) if an additional condition is specified in regulations under subsection (2D), that condition is also met.
- (2B) The conditions in this subsection are that—
- (a) the firearm's chamber or, if the firearm has more than one chamber, each of its chambers is either—
 - (i) a chamber that the firearm had when it was manufactured, or
 - (ii) a replacement for such a chamber that is identical to it in all material respects;
 - (b) the firearm's chamber or (as the case may be) each of the firearm's chambers is designed for use with a cartridge of a description specified in regulations made by statutory instrument by the Secretary of State (whether or not it is also capable of being used with other cartridges).
- (2C) The condition in this subsection is that the firearm's propulsion system is of a description specified in regulations made by statutory instrument by the Secretary of State.
- (2D) The Secretary of State may by regulations made by statutory instrument specify either of the following conditions for the purposes of subsection (2A)(b)—
- (a) a condition that a number of years specified in the regulations has elapsed since the date on which the firearm was manufactured;
 - (b) a condition that the firearm was manufactured before a date specified in the regulations.
- (2E) In its application to Scotland, subsection (2C) does not apply in relation to a firearm that is an air weapon.
- (2F) Regulations under subsection (2B), (2C) or (2D) may make different provision for different purposes.
- (2G) Subject to subsection (2H), a statutory instrument containing regulations under subsection (2B), (2C) or (2D) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.
- (2H) A statutory instrument containing regulations under subsection (2B) or (2C) which contain only provision amending regulations previously made under that subsection so as to remove a description of cartridge or a description of propulsion system from the descriptions specified in those regulations is subject to annulment in pursuance of a resolution of either House of Parliament.]
- (3) The provisions of this Act relating to ammunition shall be in addition to and not in derogation of any enactment relating to the keeping and sale of explosives.
 - (4) The powers of arrest and entry conferred by Part III of this Act shall be without prejudice to any power of arrest or entry which may exist apart from this Act; and section 52(3) of this Act is not to be taken as prejudicing the power of a constable, when arresting a person for an offence, to seize property found in his possession or any other power of a constable to seize firearms, ammunition or other property, being a power exercisable apart from that subsection.
 - (5) Nothing in this Act relieves any person using or carrying a firearm from his obligation to take out a licence to kill game under the enactments requiring such a licence.

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Textual Amendments

- F41** Words in s. 58(2) substituted (14.7.2014) by [Anti-social Behaviour, Crime and Policing Act 2014](#) (c. 12), [ss. 110\(2\)](#), [185\(1\)](#) (with [ss. 21, 33, 42, 58, 75, 93](#)); S.I. 2014/949, art. 6(c)
- F42** Words in s. 58(2)(a) substituted (31.1.2017 for specified purposes) by [Policing and Crime Act 2017](#) (c. 3), [ss. 126\(3\)\(a\)](#), [183\(1\)\(5\)\(e\)](#)
- F43** Words in s. 58(2)(b) substituted (31.1.2017 for specified purposes) by [Policing and Crime Act 2017](#) (c. 3), [ss. 126\(3\)\(b\)](#), [183\(1\)\(5\)\(e\)](#)
- F44** S. 58(2A)-(2H) inserted (31.1.2017 for specified purposes) by [Policing and Crime Act 2017](#) (c. 3), [ss. 126\(2\)](#), [183\(1\)\(5\)\(e\)](#)

Modifications etc. (not altering text)

- C11** S. 58 amended by [Firearms \(Amendment\) Act 1988](#) (c. 45, SIF 51:1), [s. 25\(6\)](#)
- C12** S. 58 applied with modifications (6.4.2007) by [Violent Crime Reduction Act 2006](#) (c. 38), [ss. 50\(3\)\(d\)](#), [66\(2\)](#); S.I. 2007/858, [art. 2\(h\)\(ii\)](#)
- C13** S. 58 extended (1.7.1997) by [1997 c. 5](#), [s. 50\(5\)](#); S.I. 1997/1535, art. 3(b), [Sch. Pt. I](#)

Marginal Citations

- M4** 1868 c. cxiii.

59 Repeals and general savings.

- (1) The enactments specified in the second column of Schedule 7 to this Act are hereby repealed to the extent specified in the third column of that Schedule.
- (2) In so far as any certificate, authority or permit granted, order or rule made, registration effected, or other thing done under an enactment repealed by this Act could have been granted, made, effected or done under a corresponding provision of this Act, it shall not be invalidated by the repeal of that enactment but shall have effect as if granted, made, effected or done under that corresponding provision; and for the purposes of this provision anything which under section 33(1) or (2) of the ^{M5}Firearms Act 1937 had effect as if done under any enactment in that Act shall, so far as may be necessary for the continuity of the law, be treated as done under the corresponding enactment in this Act.
- (3) Any document referring to an enactment repealed by this Act or by the ^{M6}Firearms Act 1937 shall, so far as may be necessary for preserving its effect, be construed as referring, or as including a reference, to the corresponding enactment in this Act.
- (4) The mention of particular matters in this section shall not be taken to affect the general application of section 38 of the ^{M7}Interpretation Act 1889 with regard to the effect of repeals.

Modifications etc. (not altering text)

- C14** The text of s. 59(1) and Sch. 7 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

- M5** 1937 c. 12.
M6 1937 c. 12.

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M7 [1889 c. 63.](#)

60 Short title, commencement and extent.

- (1) This Act may be cited as the Firearms Act 1968.
- (2) This Act shall come into force on 1st August 1968.
- (3) This Act shall not extend to Northern Ireland.

Status:

Point in time view as at 16/05/2019.

Changes to legislation:

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