

SCHEDULES

SCHEDULE 6

PROSECUTION AND PUNISHMENT OF OFFENCES

PART II

SUPPLEMENTARY PROVISIONS AS TO TRIAL AND PUNISHMENT OF OFFENCES

- 1 In Scotland, a contravention of section 1(1) or (2) or section 2(1) or (2) of this Act 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 those sections or in Part I of this Schedule, be so libelled and tried.
- 2 In the case of an offence against section 6(3) or 49(3) of this Act, the court before which the offender is convicted may, if the offender is the owner of the firearms or ammunition, make such order as to the forfeiture of the firearms or ammunition as the court thinks fit.
- 3 Where in England or Wales a person who has attained the age of seventeen is charged before a magistrates' court with an offence specified in Schedule 1 to the Magistrates' Courts Act 1952 and is also charged before that court with an offence under section 17(1) or (2) of this Act, then, notwithstanding anything in section 19 of the said Act of 1952, the court shall not proceed to the summary trial of the first-mentioned offence if the accused is committed for trial in respect of the offence under section 17(1) or (2) of this Act.
- 4 Where a person commits an offence under section 17(1) of this Act in respect of the lawful arrest or detention of himself for any other offence committed by him, he shall be liable to the penalty provided by Part I of this Schedule in addition to any penalty to which he may be sentenced for the other offence.
- 5 If on the trial of a person for an offence under section 17(1) of this Act the jury are not satisfied that he is guilty of that offence but are satisfied that he is guilty of an offence under section 17(2), the jury may find him guilty of the offence under section 17(2) and he shall then be punishable accordingly.
- 6 The punishment to which a person is liable for an offence under section 17(2) of this Act shall be in addition to any punishment to which he may be liable for the offence first referred to in section 17(2).
- 7 The court by which a person is convicted of an offence under section 22(4) or (5), 23(1) or 24(4) of this Act may make such order as it thinks fit as to the forfeiture or disposal of the air weapon or ammunition in respect of which the offence was committed.

Status: This is the original version (as it was originally enacted).

- 8 The court by which a person is convicted of an offence under section 22(3), (4) or (5), 23(1) or 24(4) may make such order as it thinks fit as to the forfeiture or disposal of any firearm or ammunition found in his possession.
- 9 The court by which a person is convicted of an offence under section 24(3) of this Act may make such order as it thinks fit as to the forfeiture or disposal of the shot gun or ammunition in respect of which the offence was committed.