



Firearms (Amendment) Act 1988

1988 CHAPTER 45

Exemptions

[^{F1}15 Approved rifle clubs and muzzle-loading pistol clubs.

- (1) Subject to subsection (4) below, a member of a rifle club approved by the Secretary of State [^{F2}or the Scottish Ministers (by virtue of provision made under section 63 of the Scotland Act 1998)] may, without holding a firearm certificate, have in his possession a rifle and ammunition when engaged as a member of the club in connection with target shooting.
- (2) Any rifle club may apply for approval, whether or not it is intended that any club members will, by virtue of subsection (1) above, have rifles or ammunition in their possession without holding firearm certificates.
- (3) The Secretary of State may publish such guidance as he considers appropriate for the purpose of informing those seeking approval for a club of criteria that must be met before any application for such approval will be considered.
- (4) The application of subsection (1) above to members of an approved rifle club may—
 - (a) be excluded in relation to the club, or
 - (b) be restricted to target shooting with specified types of rifle,by limitations contained in the approval.
- (5) An approval—
 - (a) may be granted subject to such conditions specified in it as the Secretary of State thinks [^{F3}or, as the case may be, the Scottish Ministers think] fit;
 - (b) may at any time be varied or withdrawn by the Secretary of State [^{F3}or, as the case may be, the Scottish Ministers]; and
 - (c) shall (unless withdrawn) continue in force for six years from the date on which it is granted or last renewed.
- (6) There shall be payable on the grant or renewal of an approval a fee of £84 but this subsection shall be included in the provisions which may be amended by an order under section 43 of the principal Act.

Status: Point in time view as at 06/04/2015.

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- (7) A constable or civilian officer authorised in writing in that behalf may, on producing if required his authority, enter any premises occupied or used by an approved rifle club and inspect those premises, and anything on them, for the purpose of ascertaining whether the provisions of this section, and any limitations or conditions in the approval, are being complied with.
- (8) The power of a constable or civilian officer under subsection (7) above to inspect anything on club premises shall include power to require any information which is kept by means of a computer and is accessible from the premises to be made available for inspection in a visible and legible form.
- (9) It is an offence for a person intentionally to obstruct a constable or civilian officer in the exercise of his powers under subsection (7) above; and that offence shall be punishable on summary conviction with a fine not exceeding level 3 on the standard scale.
- (10) In this section and section 15A below—
 “ approval ”, means an approval under this section; and “ approved ” shall be construed accordingly;
 “ civilian officer ” has the same meaning as in the principal Act; and
 “ rifle club ” includes a miniature rifle club.
- (11) This section applies in relation to a muzzle-loading pistol club and its members as it applies to a rifle club and its members with the substitution for any reference to a rifle of a reference to a muzzle-loading pistol.
- (12) In subsection (11) above—
 “ muzzle-loading pistol club ” means a club where muzzle-loading pistols are used for target shooting; and
 “ muzzle-loading pistol ” means a pistol designed to be loaded at the muzzle end of the barrel or chamber with a loose charge and a separate ball (or other missile).]

Textual Amendments

- F1** S. 15 substituted (1.10.1997) by 1997 c. 5, s. 45(1); S.I. 1997/1535, art. 3(c), **Sch. Pt. II**
F2 Words in s. 15(1) inserted (1.7.1999) by S.I. 1999/1750, art. 6(1), **Sch. 5 para. 7(2)** (with art. 7)
F3 Words in s. 15(5) inserted (1.7.1999) by S.I. 1999/1750, art. 6(1), **Sch. 5 para. 7(2)** (with art. 7)

Modifications etc. (not altering text)

- C1** S. 15 extended (1.10.1997) by 1997 c. 5, s. 45(3); S.I. 1997/1535, art. 3(c), **Sch. Pt. II**
 S. 15: Transfer of certain functions (S.) (1.7.1999) by S.I. 1999/1750, arts. 1(1), 2, **Sch. 1** (with art. 7)

16 Borrowed rifles on private premises.

- (1) A person of or over the age of seventeen may, without holding a firearm certificate, borrow a rifle from the occupier of private premises and use it on those premises in the presence either of the occupier or of a servant of the occupier if—
 (a) the occupier or servant in whose presence it is used holds a firearm certificate in respect of that rifle; and

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- (b) the borrower's possession and use of it complies with any conditions as to those matters specified in the certificate^{F5}; and
 - (c) where the borrower is of the age of seventeen, the occupier or servant in whose presence the rifle is used is of or over the age of eighteen.]
- (2) A person who by virtue of subsection (1) above is entitled without holding a firearm certificate to borrow and use a rifle in another person's presence may also, without holding such a certificate, purchase or acquire ammunition for use in the rifle and have it in his possession during the period for which the rifle is borrowed if—
- (a) the firearm certificate held by that other person authorises the holder to have in his possession at that time ammunition for the rifle of a quantity not less than that purchased or acquired by, and in the possession of, the borrower; and
 - (b) the borrower's possession and use of the ammunition complies with any conditions as to those matters specified in the certificate.

Textual Amendments

F5 S. 16(1)(c) and word inserted (28.7.2010) by [Firearms \(Amendment\) Regulations 2010 \(S.I. 2010/1759\)](#), regs. 1(2), 3

[^{F6}16A Possession of firearms on service premises.

- (1) A person under the supervision of a member of the armed forces may, without holding a certificate or obtaining the authority of the Secretary of State under section 5 of the principal Act, have in his possession a firearm and ammunition on service premises.
- (2) Subsection (1) above does not apply to a person while engaged in providing security protection on service premises.
- (3) In this section—
 - “ armed forces ” means any of the naval, military or air forces of Her Majesty; and
 - “ service premises ” means premises, including any ship or aircraft, used for any purpose of the armed forces.]

Textual Amendments

F6 S. 16A inserted (1.4.1997) by [1996 c. 46, s. 28\(2\)](#); [S.I. 1997/304, art. 2](#)

[^{F7}16B Possession of firearms on Ministry of Defence Police premises

- (1) A person who is being trained or assessed in the use of firearms under the supervision of a member of the Ministry of Defence Police may, without holding a certificate or obtaining the authority of the Secretary of State under section 5 of the principal Act, have in his possession a firearm and ammunition on relevant premises for the purposes of the training or assessment.
- (2) In this section “ relevant premises ” means premises used for any purpose of the Ministry of Defence Police.]

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Textual Amendments

F7 S. 16B inserted (1.10.2002) by [Police Reform Act 2002 \(c. 30\)](#), **s. 81(1)**; [S.I. 2002/2306](#), **art. 2(e)**

17 Visitors' permits.

(1) The holder of a visitor's firearm permit may, without holding a firearm certificate, have in his possession any firearm, and have in his possession, purchase or acquire any ammunition, to which section 1 of the principal Act applies; and [^{F8}(subject to subsection (1A) below)] the holder of a visitor's shot gun permit may, without holding a shot gun certificate, have shot guns in his possession and purchase or acquire shot guns.

[^{F9}(1A) A visitor's shot gun permit shall not authorise the purchase or acquisition by any person of any shot gun with a magazine except where—

- (a) that person is for the time being the holder of a licence granted, for the purposes of any order made under section 1 of the Import, Export and Customs Powers (Defence) Act 1939, in respect of the exportation of that shot gun;
- (b) the shot gun is to be exported from Great Britain to a place outside the member States without first being taken to another member State;
- (c) the shot gun is acquired on terms which restrict that person's possession of the gun to the whole or a part of the period of his visit to Great Britain and preclude the removal of the gun from Great Britain; or
- (d) the shot gun is purchased or acquired by that person exclusively in connection with the carrying on of activities in respect of which—
 - (i) that person; or
 - (ii) the person on whose behalf he makes the purchase or acquisition, is recognised, for the purposes of the law of another member State relating to firearms, as a collector of firearms or a body concerned in the cultural or historical aspects of weapons.]

(2) The chief officer of police for an area may, on an application in the prescribed form made by a person resident in that area on behalf of a person specified in the application, grant a permit under this section to the specified person if satisfied that he is visiting or intending to visit Great Britain and—

- (a) in the case of a visitor's firearm permit, that he has a good reason for having each firearm and the ammunition to which the permit relates in his possession, or, as respects ammunition, for purchasing or acquiring it, while he is a visitor to Great Britain;
- (b) in the case of a visitor's shot gun permit, that he has a good reason for having each shot gun to which the permit relates in his possession, or for purchasing or acquiring it, while he is such a visitor.

(3) No permit shall be granted under this section to a person if the chief officer of police has reason to believe—

- (a) that his possession of the weapons or ammunition in question would represent a danger to the public safety or to the peace; or
- (b) that he is prohibited by the principal Act from possessing them.

[^{F10}(3A) No permit shall be granted under this section as respects any firearm unless—

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- (a) there is produced to the chief officer of police a document^[F11] or a copy of the same] which—
 - (i) has been issued in another member State under provisions corresponding to the provisions of the principal Act for the issue of European firearms passes;
 - (ii) identifies that firearm as a firearm to which it relates; and
 - (iii) is for the time being valid;
 - (b) the applicant shows that the person specified in the application is a person who, by reason of his place of residence or any other circumstances, is not entitled to be issued with such a document in any of the other member States; or
 - (c) the applicant shows that the person specified in the application requires the permit exclusively in connection with the carrying on of activities in respect of which—
 - (i) that person; or
 - (ii) the person on whose behalf he is proposing to make use of the authorisation conferred by the permit,is recognised, for the purposes of the law of another member State relating to firearms, as a collector of firearms or a body concerned in the cultural or historical aspects of weapons;
- and a chief officer of police who grants a permit under this section in a case where a document^[F12] or copy] has been produced to him in pursuance of paragraph (a) above shall endorse on the document^[F13] or, where a copy has been produced, on the copy] a statement which identifies the permit and the firearm to which it relates and briefly describes the effect of the permit.]
- (4) A permit under this section shall be in the prescribed form, shall specify the conditions subject to which it is held and—
 - (a) in the case of a visitor's firearm permit, shall specify the number and description of the firearms to which it relates, including their identification numbers, and, as respects ammunition, the quantities authorised to be purchased or acquired and to be held at any one time;
 - (b) in the case of a visitor's shot gun permit, shall specify the number and description of the shot guns to which it relates, including, if known, their identification numbers.
 - (5) The chief officer of police by whom a permit under this section is granted may by notice in writing to the holder vary the conditions subject to which the permit is held but, in the case of a visitor's shot gun permit, no condition shall be imposed or varied so as to restrict the premises where the shot gun or guns to which the permit relates may be used.
 - (6) A permit under this section shall come into force on such date as is specified in it and continue in force for such period, not exceeding twelve months, as is so specified.
 - (7) A single application (a "group application") may be made under this section for the grant of not more than twenty permits to persons specified in the application if it is shown to the satisfaction of the chief officer of police that their purpose in having the weapons in question in their possession while visiting Great Britain is—
 - (a) using them for sporting purposes on the same private premises during the same period; or

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- (b) participating in the same competition or other event or the same series of competitions or other events.
- (8) There shall be payable on the grant of a permit under this section a fee of [^{F14}£20] except that where six or more permits are granted on a group application the fee shall be [^{F15}£100] in respect of those permits taken together.
- (9) Subsection (8) above shall be included in the provisions that may be amended by an order under section 43 of the principal Act.
- (10) It is an offence for a person—
- (a) [^{F16}knowingly or recklessly to make a statement false in any material particular] for the purpose of procuring the grant of a permit under this section; or
 - (b) to fail to comply with a condition subject to which such a permit is held by him;
- and each of those offences shall be punishable on summary conviction with imprisonment for a term not exceeding six months or a fine not exceeding level 5 on the standard scale or both.

Textual Amendments

- F8** Words in s. 17(1) inserted (1.1.1993) by S.I. 1992/2823, **reg. 6(1)**
- F9** S. 17(1A) inserted (1.1.1993) by S.I. 1992/2823, **reg. 6(1)**
- F10** S. 17(3A) inserted (1.1.1993) by S.I. 1992/2823, **reg. 7(1)**
- F11** Words in s. 17(3A)(a) inserted (1.10.2011) by *The Firearms (Amendment) Act 1988 (Amendment) Regulations 2011* (S.I. 2011/2175), regs. 1(1), **2(a)**
- F12** Words in s. 17(3A) inserted (1.10.2011) by *The Firearms (Amendment) Act 1988 (Amendment) Regulations 2011* (S.I. 2011/2175), regs. 1(1), **2(b)**
- F13** Words in s. 17(3A) inserted (1.10.2011) by *The Firearms (Amendment) Act 1988 (Amendment) Regulations 2011* (S.I. 2011/2175), regs. 1(1), **2(c)**
- F14** Word in s. 17(8) substituted (6.4.2015) by *The Firearms (Variation of Fees) Order 2015* (S.I. 2015/611), arts. 1(1), **5(2)**
- F15** Word in s. 17(8) substituted (6.4.2015) by *The Firearms (Variation of Fees) Order 2015* (S.I. 2015/611), arts. 1(1), **5(3)**
- F16** Words in s. 17(10) substituted (1.7.1997) by 1997 c. 5, s. 52(1), **Sch. 2 para. 19**; S.I. 1997/1535, art. 3(b), **Sch. Pt. I**

18 Firearms acquired for export.

- (1) A person may, without holding a firearm or shot gun certificate, purchase a firearm from a registered firearms dealer if—
- (a) that person has not been in Great Britain for more than thirty days in the preceding twelve months; and
 - (b) the firearm is purchased for the purpose only of being exported from Great Britain without first coming into that person's possession.
- [^{F17}(1A) A person shall not be entitled under subsection (1) above to purchase any firearm which falls within category B for the purposes of Annex I to the European weapons directive unless he—
- (a) produces to the dealer from whom he purchases it a document which—

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- (i) has been issued under provisions which, in the member State where he resides, correspond to the provisions of the principal Act for the issue of Article 7 authorities; and
 - (ii) contains the prior agreement to the purchase of that firearm which is required by Article 7 of the European weapons directive;
- (b) shows that he is purchasing the firearm exclusively in connection with the carrying on of activities in respect of which he, or the person on whose behalf he is purchasing the firearm, is recognised, for the purposes of the law of another member State relating to firearms, as a collector of firearms or a body concerned in the cultural or historical aspects of weapons; or
- (c) shows that he resides in the United Kingdom or outside the member States.]
- (2) A registered firearms dealer who sells a firearm to a person who shows that he is entitled by virtue of subsection (1) above to purchase it without holding a certificate shall within forty-eight hours from the transaction send a notice of the transaction to the chief officer of police in whose register the premises where the transaction took place are entered.
- (3) The notice of a transaction under subsection (2) above shall contain the particulars of the transaction which the dealer is required to enter in the register kept by him under section 40 of the principal Act and every such notice shall be sent ^{F18}by permitted means].
- (4) In the case of a transaction to which subsection (2) above applies the particulars to be entered in the register kept under section 40 of the principal Act (and accordingly contained in a notice under subsection (3) above) shall include the number and place of issue of the purchaser's passport, if any ^{F19}and, in a case where the transaction is one for the purposes of which a document such as is mentioned in subsection (1A) (a) above is required to be produced, particulars of the agreement contained in that document.].
- ^{F20}(4A) A notice is sent by permitted means for the purposes of subsection (3) if it is sent—
- (a) by registered post;
 - (b) by the recorded delivery service; or
 - (c) by permitted electronic means (see section 18B).]
- (5) It is an offence for a registered firearms dealer to fail to comply with subsection (2) above; and that offence shall be punishable on summary conviction with imprisonment for a term not exceeding six months or a fine not exceeding level 5 on the standard scale or both.
- ^{F21}[(6) In the case of any failure to comply with subsection (2) above which is confined to the omission from a notice of the particulars of an agreement contained in a document such as is mentioned in subsection (1A)(a) above, subsection (5) above shall have effect as if for “six months” there were substituted “three months”.]

Textual Amendments

F17 S. 18(1A) inserted (1.1.1993) by [S.I. 1992/2823](#), [reg. 8\(1\)](#)

F18 Words in [s. 18\(3\)](#) substituted (1.4.2011) by [Firearms \(Electronic Communications\) Order 2011 \(S.I. 2011/713\)](#), [arts. 1\(1\), 3\(2\)\(a\)](#)

F19 Words in [s. 18\(4\)](#) inserted (1.1.1993) by [S.I. 1992/2823](#), [reg. 8\(2\)](#)

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F20 S. 18(4A) inserted (1.4.2011) by Firearms (Electronic Communications) Order 2011 (S.I. 2011/713), arts. 1(1), 3(2)(b)

F21 S. 18(6) inserted (1.1.1993) by S.I. 1992/2823, reg. 8(3)

[^{F22}18A Purchase or acquisition of firearms in other member States.

- (1) Subject to subsections (2) and (3) below, where—
- (a) a person who resides in Great Britain purchases or acquires a firearm in another member State; and
 - (b) that firearm is a firearm which falls within category C for the purposes of Annex I to the European weapons directive,
- he shall, within fourteen days of the transaction, send notice of the transaction to the chief officer of police for the area where he resides.
- (2) A person shall not be required to give notice under subsection (1) above of a transaction under which he acquires a firearm on terms which—
- (a) restrict his possession of the firearm to the whole or a part of the period of a visit to the member State where the transaction takes place; and
 - (b) preclude the removal of the firearm from that member State.
- (3) A person shall not be required to give notice under subsection (1) above of a transaction under which he purchases or acquires a firearm if—
- (a) he is for the time being the holder of a certificate under the principal Act relating to that firearm and containing, in relation to that firearm, a condition that he may have the firearm in his possession only for the purpose of its being kept or exhibited as part of a collection; or
 - (b) he would, if in Great Britain, be authorised by virtue of a licence under the Schedule to this Act to have that firearm in his possession.
- (4) A notice under subsection (1) above shall contain a description of the firearm (giving the identification number if any) and state the nature of the transaction and the name and address in Great Britain of the person giving the notice.
- [^{F23}(5) A notice under subsection (1) must be sent—**
- (a) by registered post,
 - (b) by the recorded delivery service,
 - (c) in a case where it is sent from outside Great Britain otherwise than by electronic means, in such manner as most closely corresponds to that described in paragraph (a) or (b), or
 - (d) by permitted electronic means (see section 18B).]

(6) It is an offence for a person to fail to comply with this section; and that offence shall be punishable on summary conviction with imprisonment for a term not exceeding three months or a fine not exceeding level 5 on the standard scale or both.]

Textual Amendments

F22 S. 18A inserted (1.1.1993) by S.I. 1992/2823, reg.9

F23 S. 18A(5) substituted (1.4.2011) by Firearms (Electronic Communications) Order 2011 (S.I. 2011/713), arts. 1(1), 3(3)

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[^{F24}18B. Permitted electronic means

- (1) A notice is sent by permitted electronic means for the purposes of section 18 or 18A if—
 - (a) it is sent by an electronic form of communication which the Secretary of State has directed may be used for the purposes of the section concerned,
 - (b) it is sent to the electronic address which has been published pursuant to subsection (4), and
 - (c) subject to subsection (6), the electronic address has not been withdrawn in accordance with subsection (5).
- (2) Before giving a direction under subsection (1)(a), the Secretary of State must consult—
 - (a) the Scottish Ministers,
 - (b) the Association of Chief Police Officers,
 - [^{F25}(c) the chief constable of the Police Service of Scotland, and]
 - (d) such other persons as the Secretary of State is satisfied should be consulted.
- (3) The Secretary of State must publish directions given under subsection (1)(a).
- (4) A chief officer of police must publish at least one electronic address for each form of electronic communication specified in a direction under subsection (1)(a).
- (5) A chief officer of police may withdraw an electronic address published under subsection (4) by publishing a statement to that effect in the same manner as that in which the electronic address was published under subsection (4); but a chief officer of police may exercise the power to withdraw only if, after the withdrawal, there will still be at least one electronic address available for the form of electronic communication concerned.
- (6) Where an electronic address has been withdrawn under subsection (5), a notice sent to that electronic address before the end of the period of 28 days beginning with the day after the date of withdrawal is to be treated as complying with subsection (1)(b).]

Textual Amendments

- F24** S. 18B inserted (1.4.2011) by [Firearms \(Electronic Communications\) Order 2011 \(S.I. 2011/713\)](#), arts. 1(1), **3(4)**
- F25** S. 18B(2)(c) substituted (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. 21**

19 Firearms and ammunition in museums.

The Schedule to this Act shall have effect for exempting firearms and ammunition in museums from certain provisions of the principal Act.

Modifications etc. (not altering text)

- C2** S. 19: Transfer of functions (S.) (1.7.1999) by [S.I. 1999/1750](#), arts. 1(1), 2, **Sch. 1** (with art. 7)

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