

**Changes to legislation:** Criminal Justice and Public Order Act 1994, Part III is up to date with all changes known to be in force on or before 13 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## SCHEDULE 8

### INCREASE IN PENALTIES

#### Commencement Information

- II** Sch. 8 wholly in force at 3.2.1995; Sch. 8 not in force at Royal Assent see s. 172; Sch. 8 in force at 3.2.1995 subject to savings by [S.I. 1995/127](#), [art. 2\(1\)](#), [Sch. 1](#) (with [art. 3](#))

## PART III

### INCREASE IN PENALTIES FOR CERTAIN FIREARMS OFFENCES

#### Commencement Information

- II** Sch. 8 Pt. III wholly in force at 3.2.1995; Sch. 8 Pt. III not in force at Royal Assent see s. 172; Sch. 8 Pt. III in force at 3.2.1995 subject to savings by [S.I. 1995/127](#), [art. 2\(1\)](#), [Sch. 1](#) (with [art. 3](#))

| (1)<br>Enactment<br>creating offence  | (2)<br>Penalty enactment | (3)<br>Old maximum<br>term of<br>imprisonment | (4)<br>New maximum<br>term of<br>imprisonment |
|---|--------------------------|---|---|
| FIREARMS ACT 1968 (c.27).   |                          |   |   |
| Offences under section 1(1) committed in an aggravated form within the meaning of section 4(4) (possessing etc. shortened shot gun or converted firearm without firearm certificate). | Schedule 6, column 4.    | 5 years.                                      | 7 years.                                      |
| Offences under section 1(1) in any other case (possessing etc. firearms or ammunition without firearm certificate).   | Schedule 6, column 4.    | 3 years.                                      | 5 years.                                      |
| Offences under section 2(1) (possessing etc. shot gun without shot gun certificate).  | Schedule 6, column 4.    | 3 years.                                      | 5 years.                                      |
| Offences under section 3(1) (trading  | Schedule 6, column 4.    | 3 years.                                      | 5 years.                                      |

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in firearms without being registered as a firearms dealer).

|   |                       |          |          |
|---|-----------------------|----------|----------|
| Offences under section 3(2) (selling firearms to person without a certificate). | Schedule 6, column 4. | 3 years. | 5 years. |
|---|-----------------------|----------|----------|

|   |                       |          |          |
|---|-----------------------|----------|----------|
| Offences under section 3(3) (repairing, testing etc. firearm for person without a certificate). | Schedule 6, column 4. | 3 years. | 5 years. |
|---|-----------------------|----------|----------|

|  |                       |          |          |
|--|-----------------------|----------|----------|
| Offences under section 3(5) (falsifying certificate, etc., with view to acquisition of firearm). | Schedule 6, column 4. | 3 years. | 5 years. |
|--|-----------------------|----------|----------|

|  |                       |          |          |
|--|-----------------------|----------|----------|
| Offences under section 4(1) (shortening a shot gun). | Schedule 6, column 4. | 5 years. | 7 years. |
|--|-----------------------|----------|----------|

|   |                       |          |          |
|---|-----------------------|----------|----------|
| Offences under section 4(3) (conversion of firearms). | Schedule 6, column 4. | 5 years. | 7 years. |
|---|-----------------------|----------|----------|

|  |                       |          |           |
|--|-----------------------|----------|-----------|
| Offences under section 5(1) (possessing or distributing prohibited weapons or ammunition). | Schedule 6, column 4. | 5 years. | 10 years. |
|--|-----------------------|----------|-----------|

|   |                       |   |  |
|---|-----------------------|---|--|
| Offences under section 5(1A) (possessing or distributing other prohibited weapons). | Schedule 6, column 4. | (a) On summary conviction, 3 months.<br>(b) On conviction on indictment, 2 years. | (a) On summary conviction, 6 months.<br>(b) On conviction on indictment, 10 years. |
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| Offences under section 20(1) (trespassing with firearm other than air weapon in a building). | Schedule 6, column 4. | 5 years. | 7 years. |
|--|-----------------------|----------|----------|

|                              |                       |          |          |
|------------------------------|-----------------------|----------|----------|
| Offences under section 21(4) | Schedule 6, column 4. | 3 years. | 5 years. |
|------------------------------|-----------------------|----------|----------|

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(contravention of provisions denying firearms to ex-prisoners and the like).

|   |                       |          |          |
|---|-----------------------|----------|----------|
| Offences under section 21(5) (supplying firearms to person denied them under section 21). | Schedule 6, column 4. | 3 years. | 5 years. |
|---|-----------------------|----------|----------|

|   |                       |          |          |
|---|-----------------------|----------|----------|
| Offences under section 42 (failure to comply with instructions in firearm certificate when transferring firearm to person other than registered dealer; failure to report transaction to police). | Schedule 6, column 4. | 3 years. | 5 years. |
|---|-----------------------|----------|----------|

#### FIREARMS (NORTHERN IRELAND) ORDER 1981 (SI 1981/155 (NI 2))

|   |                       |          |          |
|---|-----------------------|----------|----------|
| Offences under Article 3(1) (possessing etc. firearms or ammunition without firearm certificate). | Schedule 2, column 4. | 3 years. | 5 years. |
|---|-----------------------|----------|----------|

|  |                       |          |          |
|--|-----------------------|----------|----------|
| Offences under Article 4(1) (trading in firearms without being registered as a firearms dealer). | Schedule 2, column 4. | 3 years. | 5 years. |
|--|-----------------------|----------|----------|

|   |                       |          |          |
|---|-----------------------|----------|----------|
| Offences under Article 4(2) (selling firearms to person without a certificate). | Schedule 2, column 4. | 3 years. | 5 years. |
|---|-----------------------|----------|----------|

|   |                       |          |          |
|---|-----------------------|----------|----------|
| Offences under Article 4(3) (repairing, testing etc. firearm for person without a certificate). | Schedule 2, column 4. | 3 years. | 5 years. |
|---|-----------------------|----------|----------|

|  |                       |          |          |
|--|-----------------------|----------|----------|
| Offences under Article 4(4) (falsifying certificate, etc., with view to acquisition of firearm). | Schedule 2, column 4. | 3 years. | 5 years. |
|--|-----------------------|----------|----------|

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|   |                       |   |  |
|---|-----------------------|---|--|
| Offences under Article 5(1) (shortening a shot gun).  | Schedule 2, column 4. | 5 years.  | 7 years.   |
| Offences under Article 5(3) (conversion of firearms).   | Schedule 2, column 4. | 5 years.  | 7 years.   |
| Offences under Article 6(1) (possessing or distributing prohibited weapons or ammunition).  | Schedule 2, column 4. | 5 years.  | 10 years.  |
| Offences under Article 6(1A) (possessing or distributing other prohibited weapons).   | Schedule 2, column 4. | (a) On summary conviction, 3 months.<br>(b) On conviction on indictment, 2 years. | (a) On summary conviction, 6 months.<br>(b) On conviction on indictment, 10 years. |
| Offences under Article 22(5) (contravention of provisions denying firearms to ex-prisoners and the like).   | Schedule 2, column 4. | 3 years.  | 5 years.   |
| Offences under Article 22(7) (supplying firearms to person denied them under Article 22).   | Schedule 2, column 4. | 3 years.  | 5 years.   |
| Offences under Article 43 (failure to comply with instructions in firearm certificate when transferring firearm to person other than registered dealer; failure to report transaction to police). | Schedule 2, column 4. | 3 years.  | 5 years.   |

#### Textual Amendments

- F1** Sch. 8 Pt. 3 Table: entry relating to "offences under section 19" repealed (1.10.2007) by [Violent Crime Reduction Act 2006 \(c. 38\)](#), ss. 65, 66(2)(3), [Sch. 5](#); S.I. 2007/2518, [art. 3\(d\)](#)

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 51(10)(a)(ia) inserted by [2003 c. 44 Sch. 36 para. 11\(3\)](#)