



Violent Crime Reduction Act 2006

2006 CHAPTER 38

PART 2

WEAPONS ETC.

Ammunition

35 Restriction on sale and purchase of primers

- (1) This section applies to a cap-type primer designed for use in metallic ammunition for a firearm.
- (2) It is an offence for a person to sell to another either—
 - (a) a primer to which this section applies,
 - (b) an empty cartridge case incorporating such a primer,unless that other person falls within subsection (3).
- (3) A person falls within this subsection if—
 - (a) he is a registered firearms dealer;
 - (b) he sells by way of any trade or business either primers or empty cartridge cases incorporating primers, or both;
 - (c) he produces a certificate authorising him to possess a firearm of a relevant kind;
 - (d) he produces a certificate authorising him to possess ammunition of a relevant kind;
 - (e) he shows that he is a person in the service of Her Majesty who is entitled under subsection (6) to acquire a primer to which this section applies;
 - (f) he shows that he is entitled, by virtue of the 1968 Act, the Firearms (Amendment) Act 1988 (c. 45) or any other enactment and otherwise than by virtue of being a person in the service of Her Majesty, to have possession, without a certificate, of a firearm of a relevant kind or of ammunition of a relevant kind;

Status: This is the original version (as it was originally enacted).

- (g) he produces a certificate authorising another person to have possession of such a firearm, or of such ammunition, together with that other person's authority to purchase the primer or empty cartridge case on his behalf; or
 - (h) he shows that he is authorised by regulations made by the Secretary of State to purchase primers or cartridge cases of the type in question.
- (4) It is an offence for a person to buy or to attempt to buy—
 - (a) a primer to which this section applies, or
 - (b) an empty cartridge case incorporating such a primer,unless he falls within subsection (5).
- (5) A person falls within this subsection if—
 - (a) he is a registered firearms dealer;
 - (b) he sells by way of any trade or business either primers or empty cartridge cases incorporating primers, or both;
 - (c) he holds a certificate authorising him to possess a firearm of a relevant kind;
 - (d) he holds a certificate authorising him to possess ammunition of a relevant kind;
 - (e) he is a person in the service of Her Majesty who is entitled under subsection (6) to acquire a primer to which this section applies;
 - (f) he is entitled, by virtue of the 1968 Act, the Firearms (Amendment) Act 1988 or any other enactment and otherwise than by virtue of being a person in the service of Her Majesty, to have possession, without a certificate, of a firearm of a relevant kind or of ammunition of a relevant kind;
 - (g) he is in possession of a certificate authorising another person to have possession of such a firearm, or of such ammunition, and has that other person's authority to purchase the primer or empty cartridge case on his behalf; or
 - (h) he is authorised by regulations made by the Secretary of State to purchase primers or cartridge cases of the type in question.
- (6) A person who is in the service of Her Majesty is entitled to acquire a primer to which this section applies if—
 - (a) he is duly authorised in writing to acquire firearms and ammunition for the public service; or
 - (b) he is a person who is authorised to purchase a firearm or ammunition by virtue of a certificate issued in accordance with section 54(2)(b) of the 1968 Act (certificates for persons in naval, military or air service of Her Majesty).
- (7) An offence under this section shall be punishable, on summary conviction—
 - (a) in England and Wales, with imprisonment for a term not exceeding 51 weeks or with a fine not exceeding level 5 on the standard scale, or with both; and
 - (b) in Scotland, with imprisonment for a term not exceeding 6 months or with a fine not exceeding level 5 on the standard scale, or with both.
- (8) In relation to an offence committed before the commencement of section 281(5) of the Criminal Justice Act 2003 (c. 44), the reference in subsection (7)(a) of this section to 51 weeks is to be read as a reference to 6 months.
- (9) The power of the Secretary of State to make regulations for the purposes of subsection (3)(h) or (5)(h) shall be exercisable by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.

(10) That power includes power—

- (a) to make different provision for different cases;
- (b) to make provision subject to such exemptions and exceptions as the Secretary of State thinks fit; and
- (c) to make such incidental, supplemental, consequential and transitional provision as he thinks fit.

(11) In this section—

“ammunition of a relevant kind” means ammunition for a firearm of a relevant kind;

“enactment” includes an enactment passed after the passing of this Act;

“firearm of a relevant kind” means a firearm other than a shot gun, an air weapon or a firearm chambered for rim-fire ammunition.