

SCHEDULE 5

MODIFICATIONS OF ENACTMENTS

Firearms Act 1968 (c. 27)

- 3.—(1) The Firearms Act 1968 is amended as follows.
- (2) In section 5 (weapons subject to general prohibition)—
- (a) in subsection (1)(1), after “Defence Council” there is inserted “or the Scottish Ministers (by virtue of provision made under section 63 of the Scotland Act 1998)”;
 - (b) in subsection (1A)(2), after “Secretary of State”, there is inserted “or the Scottish Ministers (by virtue of provision made under section 63 of the Scotland Act 1998)”;
 - (c) in subsection (3)(3), after “Defence Council”, there is inserted “or the Scottish Ministers (by virtue of provision made under section 63 of the Scotland Act 1998)”;
 - (d) in subsection (4)(4) after “Defence Council”, there is inserted “or, where the authority is given by them (by virtue of provision made under section 63 of the Scotland Act 1998), the Scottish Ministers”.
- (3) In section 5A (exemption from requirement of authority under section 5)(5)—
- (a) in subsections (1), (2), (3), (4)(6), (5) and (7)(7), after “Secretary of State” in each place where they occur, insert “or the Scottish Ministers (by virtue of provision made under section 63 of the Scotland Act 1998)”;
 - (b) in subsection (6)—
 - (i) after “Secretary of State” in the first place where it occurs there is inserted “or the Scottish Ministers (by virtue of provision made under section 63 of the Scotland Act 1998)”;
 - (ii) after “Secretary of State” in the second place where it occurs there is inserted “or, in the case of an authority which they may give (by virtue of provision made under section 63 of the Scotland Act 1998), the Scottish Ministers”.

Commencement Information

- II** Sch. 5 para. 3 in force at 1.7.1999, see [art. 1\(1\)](#)

- (1) Section 5(1) is to be read with S.I.1968/1200; section 5(1) was amended by the Firearms (Amendment) 1988 (c. 45), section 1(2) and (3), by the Firearms (Amendment) Act 1997 (c. 5), section 1(2), (3), (4) and (5) and Schedule 3 and by the Firearms Amendment (No.2) Act 1997 (c. 64), section 1.
- (2) Section 5(1A) was inserted by S.I. 1992/2823 and amended by the Firearms (Amendment) Act 1997 (c. 5), section 9.
- (3) Section 5(3) is to be read with S.I. 1968/1200.
- (4) Section 5(4) is to be read with S.I. 1968/1200.
- (5) Section 5A was inserted by S.I. 1992/2823.
- (6) Section 5A(4) was amended by the Firearms (Amendment) Act 1997 (c. 5), section 10(2).
- (7) Section 5A(7) was substituted by the Firearms (Amendment) Act 1997 (c. 5), section 10(3).

Changes to legislation:

The Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) Order 1999, Paragraph 3 is up to date with all changes known to be in force on or before 06 April 2024. 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.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Sch. 5 para. 3 omitted by [2014 c. 12 s. 109\(4\)\(b\)](#)

Commencement Orders yet to be applied to the The Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) Order 1999

Commencement Orders bringing legislation that affects this Instrument into force:

- [S.I. 2007/598 art. 2Sch. 1](#) commences ([2006 c. 34](#))