



Gun Barrel Proof Act 1868

1868 CHAPTER cxiii 31 and 32 Vict

[^{F1}130 Exemption of barrels with convention proof marks.

- (1) Subject to subsections (5) and (6) below, a barrel (wherever manufactured) bearing a convention proof mark shall, if the mark was lawfully impressed upon the barrel in accordance with the law applicable in the State to whose official Proof House the mark is attributed by the register, be exempt from liability to proof under this Act.
- (2) Subject to subsections (4), (5) and (6) below, a barrel which would at any time have been liable to proof under this Act but for subsection (1) above shall not cease to be exempt from liability to proof under this Act, so long as it continues to bear the mark, sign or character by virtue of which it was so exempt under subsection (1), by reason only of the fact that the mark, sign or character in question has since ceased to be a convention proof mark.
- (3) No offence shall be committed under this Act—
 - (a) in respect of any barrel; or
 - (b) by reference to any barrel made up into a small arm,by virtue of the fact that the barrel in question has not been proved under this Act or the ^{M1}Gun Barrel Proof Act 1855, if the barrel is for the time being exempt under subsection (1) or (2) above from liability to proof under this Act.
- (4) The Proof Masters of the Two Companies, acting jointly, may by notice published as mentioned in section 129(3) of this Act withdraw any exemption continuing by virtue of subsection (2) above by reference to any mark, sign or character described in the notice, either generally or in relation to any class or description of barrels bearing the mark, sign or character in question.
- (5) If a barrel of one sort which is exempt under subsection (1) or (2) above from liability to proof under this Act by virtue of any mark, sign or character impressed upon it is in the United Kingdom converted into a barrel of another sort, the barrel shall cease to be so exempt by virtue of that mark, sign or character from the time when the conversion is begun.
- (6) If a barrel which is exempt under subsection (1) or (2) above from liability to proof under this Act by virtue of any mark, sign or character impressed upon it is in the

Changes to legislation: There are currently no known outstanding effects for the Gun Barrel Proof Act 1868, Section 130. (See end of Document for details)

United Kingdom, by any process of manufacture or by any other means except user and wear and tear, so reduced in substance or strength that the mark, sign or character does not represent the proof which the barrel would bear if it were then duly proved in the official Proof House of the State in question, the barrel shall thereupon cease to be so exempt by virtue of that mark, sign or character.]

Textual Amendments

F1 Ss. 129-131 substituted (5.6.1980) for ss. 129-137 (with savings for ss. 129, 132) by [Gun Barrel Proof Act 1978 \(c. 9\)](#), s. 9(3), [Schs. 1, 2](#); [S.I. 1980/640](#), [art. 2](#)

Marginal Citations

M1 1855 c. cxlviii.

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