



Firearms Act 1968

1968 CHAPTER 27

PART II

FIREARM AND SHOT GUN CERTIFICATES; REGISTRATION OF FIREARMS DEALERS

Supplementary

40 Compulsory register of transactions in firearms.

- (1) Subject to section 41 of this Act, every person who by way of trade or business manufactures, sells or transfers firearms or ammunition shall provide and keep a register of transactions and shall enter or cause to be entered therein the particulars specified in Schedule 4 to this Act.
 - (2) In subsection (1) above and in the said Schedule 4, any reference ^{F1} . . . to ammunition is to be construed as not including—
 - (a) cartridges containing five or more shot, none of which exceeds .36 inch in diameter;
 - (b) ammunition for an air gun, air rifle or air pistol; or
 - (c) blank cartridges not more than one inch in diameter measured immediately in front of the rim or cannellure of the base of the cartridge.
 - (3) Every entry required by subsection (1) of this section to be made in the register shall be made within twenty-four hours after the transaction to which it relates took place and, in the case of a sale or transfer, every person to whom that subsection applies shall at the time of the transaction require the purchaser or transferee, if not known to him, to furnish particulars sufficient for identification and shall immediately enter the said particulars in the register.
- [^{F2}(3A) Every person keeping a register in accordance with this section shall (unless required to surrender the register under section 38(8) of this Act) keep it for such a period that each entry made after the coming into force of this subsection will be available for inspection for at least five years from the date on which it was made.]

Changes to legislation: Firearms Act 1968, Section 40 is up to date with all changes known to be in force on or before 19 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. (See end of Document for details) View outstanding changes

- (4) Every person keeping a register in accordance with this section shall on demand allow [^{F3}a constable][^{F4}or a civilian officer], duly authorised in writing in that behalf by the chief officer of police, to enter and inspect all stock in hand and shall on request by an officer of police so authorised or by an officer of customs and excise produce the register [^{F5}(or if the register is kept by means of a computer, a copy of the information comprised in that register in a visible and legible form);] for inspection:

Provided that, where a written authority is required by this subsection, the authority shall be produced on demand.

- [^{F6}(4A) Every person keeping a register in accordance with this section by means of a computer shall secure that the information comprised in the register can readily be produced in a form in which it is visible and legible and can be taken away.]
- (5) It is an offence for a person to fail to comply with any provision of this section or knowingly to make any false entry in the register required to be kept thereunder.
- (6) Nothing in this section applies to the sale of firearms or ammunition by auction in accordance with the terms of a permit issued under section 9(2) of this Act.
- (7) Rules made by the Secretary of State under section 53 of this Act may vary or add to Schedule 4 to this Act, and references in this section to that Schedule shall be construed as references to the Schedule as for the time being so varied or added to.

Textual Amendments

- F1** Words in s. 40(2) repealed (1.10.2007) by Violent Crime Reduction Act 2006 (c. 38), ss. 31(2), 65, 66(2), Sch. 5; S.I. 2007/2180, arts. 3(i), 4(e)(f)(i)
- F2** S. 40(3A) inserted by Firearms (Amendment) Act 1988 (c. 45, SIF 51:1), s. 13(4)
- F3** Words substituted by Firearms (Amendment) Act 1988 (c. 45, SIF 51:1), s. 23(3)
- F4** Words in s. 40(4) inserted (1.7.1997) by 1997 c. 5, s. 52(1), Sch. 2 para. 8(a)(i); S.I. 1997/1535, art. 3(b), Sch. Pt. I
- F5** Words in s. 40(4) inserted (1.7.1997) by 1997 c. 5, s. 52(1), Sch. 2 para. 8(a)(ii); S.I. 1997/1535, art. 3(b), Sch. Pt. I
- F6** S. 40(4A) inserted (1.7.1997) by 1997 c. 5, s. 52(1), Sch. 2 para. 8(b); S.I. 1997/1535, art. 3(b), Sch. Pt. I

Changes to legislation:

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

- Act amended by [1997 c. 5 s. 12\(2\)](#) (This amendment not applied to legislation.gov.uk. S. 12 was repealed (17.12.1997) by 1997 c. 64, s. 2(7), Sch.; S.I. 1997/3114, art. 3, Sch. Pt. I)
- Blanket amendment words substituted by [S.I. 2011/1043 art. 34](#)

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

- s. 3A inserted by [2023 c. 49 s. 2](#)
- s. 11(3A)-(4A) substituted for s. 11(4) by [2023 c. 49 s. 1\(2\)](#)
- s. 51(2A) added by [1997 c. 48 s. 62\(1\)Sch. 1 para. 3](#)