



# Firearms Act 1968

## 1968 CHAPTER 27

### PART II

#### FIREARM AND SHOT GUN CERTIFICATES; REGISTRATION OF FIREARMS DEALERS

##### *Supplementary*

#### [<sup>F1</sup>44 Appeals against police decisions.

- (1) An appeal against a decision of a chief officer of police under section 28A, 29, 30A, 30B, 30C, 34, 36, 37 or 38 of this Act lies—
  - (a) in England and Wales, to the Crown Court; and
  - (b) in Scotland, to the sheriff.

(2) An appeal shall be determined on the merits (and not by way of review).

(3) The court or sheriff hearing an appeal may consider any evidence or other matter, whether or not it was available when the decision of the chief officer was taken.

[ The court or sheriff hearing an appeal must have regard to any guidance issued under <sup>F2</sup>(3A) section 55A that is relevant to the appeal.]

(4) In relation to an appeal specified in the first column of Part I of Schedule 5 to this Act, the third column shows the sheriff having jurisdiction to entertain the appeal.

(5) In Schedule 5 to this Act—

- (a) Part II shall have effect in relation to appeals to the Crown Court; and
- (b) Part III shall have effect in relation to appeals to the sheriff.]

#### Textual Amendments

**F1** S. 44 substituted (1.7.1997) by 1997 c. 5, s. 41(1); S.I. 1997/1535, art. 3(b), Sch. Pt. 1

**F2** S. 44(3A) inserted (31.1.2017 for specified purposes, 3.4.2017 in so far as not already in force) by Policing and Crime Act 2017 (c. 3), ss. 133(3), 183(1)(5)(e); S.I. 2017/399, reg. 2, Sch. para. 32

**Changes to legislation:**

Firearms Act 1968, Section 44 is up to date with all changes known to be in force on or before 10 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 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 S. 12 was repealed (17.12.1997) by 1997 c. 64, s. 2(7), Sch.; S.I. 1997/3114, art. 3, Sch.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](#)