



# Firearms (Amendment) Act 1988

## 1988 CHAPTER 45

### *Exemptions*

#### **15 Rifle and pistol clubs.**

- (1) A member of a rifle club, miniature rifle club or pistol club approved by the Secretary of State may, without holding a firearm certificate, have in his possession a firearm and ammunition when engaged as a member of the club in, or in connection with, target practice.
- (2) Any approval under this section may be limited so as to apply to target practice with only such types of rifles or pistols as are specified in the approval.
- (3) An approval under this section shall, unless withdrawn, continue in force for six years from the date on which it is granted but may be renewed for further periods of six years at a time.
- (4) There shall be payable on the grant or renewal of an approval under this section a fee of £33 but this subsection shall be included in the provisions that may be amended by an order under section 43 of the principal Act.
- (5) A constable duly authorised in writing in that behalf by a chief officer of police may, on producing if required his authority, enter any premises occupied or used by a club approved under this section and inspect those premises, and anything on them, for the purpose of ascertaining whether the provisions of this section and any limitations in the approval are being complied with.
- (6) It is an offence for a person intentionally to obstruct a constable in the exercise of his powers under subsection (5) above; and that offence shall be punishable on summary conviction with a fine not exceeding level 3 on the standard scale.
- (7) In section 11(3) of the principal Act (which, as respects rifle clubs and miniature rifle clubs, is superseded by this section) the words “rifle club or miniature rifle club or” and “club or” (in the second place) shall be omitted.
- (8) In section 32(2) of that Act (exemption from fee for firearm certificate for responsible officer of a rifle club or miniature rifle club) after the words “miniature rifle club” there

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shall be inserted the words “pistol club” and at the end there shall be added the words “but in the case of a club whose approval is limited to target practice with specified types of rifles or pistols this subsection shall apply only to a certificate in respect of rifles or pistols of those types”.

- (9) Any approval of a rifle or miniature rifle club under section 11(3) of the principal Act shall have effect as if it were an approval under this section except that (without prejudice to renewal) it shall expire at the end of the period of three years beginning with the day on which this section comes into force.

### [<sup>F1</sup>15A Coterminous pistol club licences and rifle club approvals.

- (1) Where an application is made on behalf of a club which is approved under section 15 above for the grant or renewal of a pistol club licence, the officer of the club making the application may also apply for the club’s approval to be withdrawn and replaced by a new approval taking effect on the same day as that on which the licence is granted or renewed.
- (2) Where an application is made on behalf of a club which has a pistol club licence for the grant or renewal of approval under section 15 above, that approval may, if the club so requests, be granted or renewed for such period less than six years as will secure that it expires at the same time as the licence.
- (3) The fee payable on the grant or renewal of an approval which—
- (a) takes effect, whether by virtue of subsection (1) above or otherwise, at the same time as a pistol club licence granted or renewed in respect of that club, or
  - (b) is granted or renewed by virtue of subsection (2) above for a period less than six years,
- shall be £21 instead of that specified in section 15(6) above.  
This subsection shall be included in the provisions that may be amended by an order under section 43 of the principal Act.
- (4) In this section “pistol club licence” means a licence under section 21 of the Firearms (Amendment) Act 1997.]

#### Textual Amendments

- F1** S. 15A inserted (prosp.) by 1997 c. 5, ss. 46, 53(3) and repealed (17.12.1997) by 1997 c. 64, s. 2(7), Sch.; S.I. 1997/3114, art. 3(b), Sch. Pt. I

### 16 Borrowed rifles on private premises.

- (1) A person of or over the age of seventeen may, without holding a firearm certificate, borrow a rifle from the occupier of private premises and use it on those premises in the presence either of the occupier or of a servant of the occupier if—
- (a) the occupier or servant in whose presence it is used holds a firearm certificate in respect of that rifle; and
  - (b) the borrower’s possession and use of it complies with any conditions as to those matters specified in the certificate.
- (2) A person who by virtue of subsection (1) above is entitled without holding a firearm certificate to borrow and use a rifle in another person’s presence may also, without

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holding such a certificate, purchase or acquire ammunition for use in the rifle and have it in his possession during the period for which the rifle is borrowed if—

- (a) the firearm certificate held by that other person authorises the holder to have in his possession at that time ammunition for the rifle of a quantity not less than that purchased or acquired by, and in the possession of, the borrower; and
- (b) the borrower's possession and use of the ammunition complies with any conditions as to those matters specified in the certificate.

VALID FROM 01/04/1997

### **[<sup>F2</sup>16A Possession of firearms on service premises.**

- (1) A person under the supervision of a member of the armed forces may, without holding a certificate or obtaining the authority of the Secretary of State under section 5 of the principal Act, have in his possession a firearm and ammunition on service premises.
- (2) Subsection (1) above does not apply to a person while engaged in providing security protection on service premises.
- (3) In this section—
  - “armed forces” means any of the naval, military or air forces of Her Majesty; and
  - “service premises” means premises, including any ship or aircraft, used for any purpose of the armed forces.]

#### **Textual Amendments**

**F2** S. 16A inserted (1.4.1997) by 1996 c. 46, s. 28(2); S.I. 1997/304, art. 2

VALID FROM 01/10/2002

### **[<sup>F3</sup>16B Possession of firearms on Ministry of Defence Police premises**

- (1) A person who is being trained or assessed in the use of firearms under the supervision of a member of the Ministry of Defence Police may, without holding a certificate or obtaining the authority of the Secretary of State under section 5 of the principal Act, have in his possession a firearm and ammunition on relevant premises for the purposes of the training or assessment.
- (2) In this section “relevant premises” means premises used for any purpose of the Ministry of Defence Police.]

#### **Textual Amendments**

**F3** S. 16B inserted (1.10.2002) by Police Reform Act 2002 (c. 30), s. 81(1); S.I. 2002/2306, art. 2(e)

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## 17 Visitors' permits.

- (1) The holder of a visitor's firearm permit may, without holding a firearm certificate, have in his possession any firearm, and have in his possession, purchase or acquire any ammunition, to which section 1 of the principal Act applies; and the holder of a visitor's shot gun permit may, without holding a shot gun certificate, have shot guns in his possession and purchase or acquire shot guns.
- (2) The chief officer of police for an area may, on an application in the prescribed form made by a person resident in that area on behalf of a person specified in the application, grant a permit under this section to the specified person if satisfied that he is visiting or intending to visit Great Britain and—
  - (a) in the case of a visitor's firearm permit, that he has a good reason for having each firearm and the ammunition to which the permit relates in his possession, or, as respects ammunition, for purchasing or acquiring it, while he is a visitor to Great Britain;
  - (b) in the case of a visitor's shot gun permit, that he has a good reason for having each shot gun to which the permit relates in his possession, or for purchasing or acquiring it, while he is such a visitor.
- (3) No permit shall be granted under this section to a person if the chief officer of police has reason to believe—
  - (a) that his possession of the weapons or ammunition in question would represent a danger to the public safety or to the peace; or
  - (b) that he is prohibited by the principal Act from possessing them.
- (4) A permit under this section shall be in the prescribed form, shall specify the conditions subject to which it is held and—
  - (a) in the case of a visitor's firearm permit, shall specify the number and description of the firearms to which it relates, including their identification numbers, and, as respects ammunition, the quantities authorised to be purchased or acquired and to be held at any one time;
  - (b) in the case of a visitor's shot gun permit, shall specify the number and description of the shot guns to which it relates, including, if known, their identification numbers.
- (5) The chief officer of police by whom a permit under this section is granted may by notice in writing to the holder vary the conditions subject to which the permit is held but, in the case of a visitor's shot gun permit, no condition shall be imposed or varied so as to restrict the premises where the shot gun or guns to which the permit relates may be used.
- (6) A permit under this section shall come into force on such date as is specified in it and continue in force for such period, not exceeding twelve months, as is so specified.
- (7) A single application (a "group application") may be made under this section for the grant of not more than twenty permits to persons specified in the application if it is shown to the satisfaction of the chief officer of police that their purpose in having the weapons in question in their possession while visiting Great Britain is—
  - (a) using them for sporting purposes on the same private premises during the same period; or
  - (b) participating in the same competition or other event or the same series of competitions or other events.

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- (8) There shall be payable on the grant of a permit under this section a fee of £12 except that where six or more permits are granted on a group application the fee shall be £60 in respect of those permits taken together.
- (9) Subsection (8) above shall be included in the provisions that may be amended by an order under section 43 of the principal Act.
- (10) It is an offence for a person—
- (a) to make any statement which he knows to be false for the purpose of procuring the grant of a permit under this section; or
  - (b) to fail to comply with a condition subject to which such a permit is held by him;
- and each of those offences shall be punishable on summary conviction with imprisonment for a term not exceeding six months or a fine not exceeding level 5 on the standard scale or both.

## **18 Firearms acquired for export.**

- (1) A person may, without holding a firearm or shot gun certificate, purchase a firearm from a registered firearms dealer if—
- (a) that person has not been in Great Britain for more than thirty days in the preceding twelve months; and
  - (b) the firearm is purchased for the purpose only of being exported from Great Britain without first coming into that person's possession.
- (2) A registered firearms dealer who sells a firearm to a person who shows that he is entitled by virtue of subsection (1) above to purchase it without holding a certificate shall within forty-eight hours from the transaction send a notice of the transaction to the chief officer of police in whose register the premises where the transaction took place are entered.
- (3) The notice of a transaction under subsection (2) above shall contain the particulars of the transaction which the dealer is required to enter in the register kept by him under section 40 of the principal Act and every such notice shall be sent by registered post or the recorded delivery service.
- (4) In the case of a transaction to which subsection (2) above applies the particulars to be entered in the register kept under section 40 of the principal Act (and accordingly contained in a notice under subsection (3) above) shall include the number and place of issue of the purchaser's passport, if any.
- (5) It is an offence for a registered firearms dealer to fail to comply with subsection (2) above; and that offence shall be punishable on summary conviction with imprisonment for a term not exceeding six months or a fine not exceeding level 5 on the standard scale or both.

VALID FROM 01/01/1993

### **[<sup>F4</sup>18A Purchase or acquisition of firearms in other member States.**

- (1) Subject to subsections (2) and (3) below, where—

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- (a) a person who resides in Great Britain purchases or acquires a firearm in another member State; and
- (b) that firearm is a firearm which falls within category C for the purposes of Annex I to the European weapons directive,
- he shall, within fourteen days of the transaction, send notice of the transaction to the chief officer of police for the area where he resides.
- (2) A person shall not be required to give notice under subsection (1) above of a transaction under which he acquires a firearm on terms which—
- (a) restrict his possession of the firearm to the whole or a part of the period of a visit to the member State where the transaction takes place; and
- (b) preclude the removal of the firearm from that member State.
- (3) A person shall not be required to give notice under subsection (1) above of a transaction under which he purchases or acquires a firearm if—
- (a) he is for the time being the holder of a certificate under the principal Act relating to that firearm and containing, in relation to that firearm, a condition that he may have the firearm in his possession only for the purpose of its being kept or exhibited as part of a collection; or
- (b) he would, if in Great Britain, be authorised by virtue of a licence under the Schedule to this Act to have that firearm in his possession.
- (4) A notice under subsection (1) above shall contain a description of the firearm (giving the identification number if any) and state the nature of the transaction and the name and address in Great Britain of the person giving the notice.
- (5) A notice under subsection (1) above which is sent from a place in Great Britain shall be sent by registered post or by the recorded delivery service and, in any other case, shall be sent in such manner as most closely corresponds to the use of registered post or the recorded delivery service.
- (6) It is an offence for a person to fail to comply with this section; and that offence shall be punishable on summary conviction with imprisonment for a term not exceeding three months or a fine not exceeding level 5 on the standard scale or both.]

#### Textual Amendments

F4 S. 18A inserted (1.1.1993) by S.I. 1992/2823, reg.9

## 19 Firearms and ammunition in museums.

The Schedule to this Act shall have effect for exempting firearms and ammunition in museums from certain provisions of the principal Act.

#### Modifications etc. (not altering text)

C1 S. 19: Transfer of functions (S.) (1.7.1999) by S.I. 1999/1750, arts. 1(1), 2, Sch. 1 (with art. 7)

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