



# Firearms (Amendment) Act 1988

## 1988 CHAPTER 45

### *Firearm and shot gun certificates*

#### **12 Revocation of certificates.**

- (1) Where a certificate is revoked by the chief officer of police [<sup>F1</sup>under section 30A(2), (3) or (4) or 30C] of the principal Act he may by notice in writing require the holder of the certificate to surrender forthwith the certificate and any firearms and ammunition which are in the holder's possession by virtue of the certificate.
- (2) It is an offence to fail to comply with a notice under subsection (1) above; and that offence shall be punishable on summary conviction with imprisonment for a term not exceeding three months or a fine not exceeding level 4 on the standard scale or both.
- (3) Where a firearm or ammunition is surrendered in pursuance of a notice under subsection (1) above, then—
  - (a) if an appeal against the revocation of the certificate succeeds, the firearm or ammunition shall be returned;
  - (b) if such an appeal is dismissed, the court may make such order for the disposal of the firearm or ammunition as it thinks fit;
  - (c) if no such appeal is brought or such an appeal is abandoned, the firearm or ammunition shall be disposed of—
    - (i) in such manner as the chief officer of police and the owner may agree; or
    - (ii) in default of agreement, in such manner as the chief officer may decide;but subject, in a case within sub-paragraph (ii), to the provisions of subsection (4) below.
- (4) The chief officer of police shall give the owner notice in writing of any decision under subsection (3)(c)(ii) above, the owner may appeal against that decision in accordance with section 44 of the principal Act and on such an appeal the court may either dismiss the appeal or make such order as to the disposal of the firearm or ammunition as it thinks fit.

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*Changes to legislation: There are currently no known outstanding effects for the Firearms (Amendment) Act 1988, Section 12. (See end of Document for details)*

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- (5) <sup>F2</sup> . . . ; and paragraph 1 of Part I and paragraphs 1 to 5 of Part II of Schedule 5 to that Act (appeal jurisdiction and procedure) shall apply to an appeal under subsection (4) above as they apply to an appeal against the revocation of a certificate.

**Textual Amendments**

- F1** Words in s. 12(1) substituted (1.7.1997) by 1997 c. 5, s. 52(1), **Sch. 2 para. 18**; S.I. 1997/1535, art. 3(b), **Sch. Pt. I**
- F2** Words in s. 12(5) repealed (1.7.1997) by 1997 c. 5, s. 52(2), **Sch. 3**; S.I. 1997/1535, art. 3(b), **Sch. Pt. I**

**Changes to legislation:**

There are currently no known outstanding effects for the Firearms (Amendment) Act 1988, Section 12.