



# Firearms (Amendment) Act 1997

## 1997 CHAPTER 5

### PART I

#### PROHIBITION OF WEAPONS AND AMMUNITION AND CONTROL OF SMALL-CALIBRE PISTOLS

##### *Special exemptions from prohibition of small firearms*

### 2 Slaughtering instruments.

The authority of the Secretary of State [<sup>F1</sup>or the Scottish Ministers (by virtue of provision made under section 63 of the Scotland Act 1998)] is not required by virtue of subsection (1)(aba) of section 5 of the 1968 Act—

- (a) for a person to have in his possession, or to purchase or acquire, or to sell or transfer, a slaughtering instrument if he is authorised by a firearm certificate to have the instrument in his possession, or to purchase or acquire it;
- (b) for a person to have a slaughtering instrument in his possession if he is entitled, under section 10 of the 1968 Act, to have it in his possession without a firearm certificate.

#### Textual Amendments

- F1** Words in s. 2 inserted (1.7.1999) by S.I. 1999/1750, arts. 1(1), 6(1), **Sch. 5 para. 18(2)** (with art. 7); S.I. 1998/3178, **art. 3**

### 3 Firearms used for humane killing of animals.

The authority of the Secretary of State [<sup>F2</sup>or the Scottish Ministers (by virtue of provision made under section 63 of the Scotland Act 1998)] is not required by virtue of subsection (1)(aba) of section 5 of the 1968 Act for a person to have in his possession, or to purchase or acquire, or to sell or transfer, a firearm if he is authorised by a firearm certificate to have the firearm in his possession, or to purchase or acquire it, subject to a condition that it is only for use in connection with the humane killing of animals.

*Status: Point in time view as at 01/07/1999.*

*Changes to legislation: There are currently no known outstanding effects for the Firearms (Amendment) Act 1997, Cross Heading: Special exemptions from prohibition of small firearms. (See end of Document for details)*

#### Textual Amendments

- F2** Words in s. 3 inserted (1.7.1999) by S.I. 1999/1750, arts. 1(1), 6(1), **Sch. 5 para. 18(3)** (with art. 7); S.I. 1998/3178, **art. 3**

#### 4 Shot pistols used for shooting vermin.

- (1) The authority of the Secretary of State [<sup>F3</sup>or the Scottish Ministers (by virtue of provision made under section 63 of the Scotland Act 1998)] is not required by virtue of subsection (1)(aba) of section 5 of the 1968 Act for a person to have in his possession, or to purchase or acquire, or to sell or transfer, a shot pistol if he is authorised by a firearm certificate to have the shot pistol in his possession, or to purchase or acquire it, subject to a condition that it is only for use in connection with the shooting of vermin.
- (2) For the purposes of this section, “shot pistol” means a smooth-bored gun which is chambered for .410 cartridges or 9mm rim-fire cartridges.

#### Textual Amendments

- F3** Words in s. 4 inserted (1.7.1999) by S.I. 1999/1750, arts. 1(1), 6(1), **Sch. 5 para. 18(4)** (with art. 7); S.I. 1998/3178, **art. 3**

#### 5 Races at athletic meetings.

The authority of the Secretary of State [<sup>F4</sup>or the Scottish Ministers (by virtue of provision made under section 63 of the Scotland Act 1998)] is not required by virtue of subsection (1)(aba) of section 5 of the 1968 Act—

- (a) for a person to have a firearm in his possession at an athletic meeting for the purpose of starting races at that meeting; or
- (b) for a person to have in his possession, or to purchase or acquire, or to sell or transfer, a firearm if he is authorised by a firearm certificate to have the firearm in his possession, or to purchase or acquire it, subject to a condition that it is only for use in connection with starting races at athletic meetings.

#### Textual Amendments

- F4** Words in s. 5 inserted (1.7.1999) by S.I. 1999/1750, arts. 1(1), 6(1), **Sch. 5 para. 18(5)** (with art. 7); S.I. 1998/3178, **art. 3**

#### 6 Trophies of war.

The authority of the Secretary of State [<sup>F5</sup>or the Scottish Ministers (by virtue of provision made under section 63 of the Scotland Act 1998)] is not required by virtue of subsection (1)(aba) of section 5 of the 1968 Act for a person to have in his possession a firearm which was acquired as a trophy of war before 1st January 1946 if he is authorised by a firearm certificate to have it in his possession.

*Status: Point in time view as at 01/07/1999.*

*Changes to legislation: There are currently no known outstanding effects for the Firearms (Amendment) Act 1997, Cross Heading: Special exemptions from prohibition of small firearms. (See end of Document for details)*

### Textual Amendments

- F5** Words in s. 6 inserted (1.7.1999) by S.I. 1999/1750, arts. 1(1), 6(1), **Sch. 5 para. 18(6)** (with art. 7); S.I. 1998/3178, **art. 3**

## 7 Firearms of historic interest.

- (1) The authority of the Secretary of State [<sup>F6</sup>or the Scottish Ministers (by virtue of provision made under section 63 of the Scotland Act 1998)] is not required by virtue of subsection (1)(aba) of section 5 of the 1968 Act for a person to have in his possession, or to purchase or acquire, or to sell or transfer, a firearm which—
- was manufactured before 1st January 1919; and
  - is of a description specified under subsection (2) below,
- if he is authorised by a firearm certificate to have the firearm in his possession, or to purchase or acquire it, subject to a condition that he does so only for the purpose of its being kept or exhibited as part of a collection.
- (2) The Secretary of State may by order made by statutory instrument specify a description of firearm for the purposes of subsection (1) above if it appears to him that—
- firearms of that description were manufactured before 1st January 1919; and
  - ammunition for firearms of that type is not readily available.
- (3) The authority of the Secretary of State [<sup>F6</sup>or the Scottish Ministers (by virtue of provision made under section 63 of the Scotland Act 1998)] is not required by virtue of subsection (1)(aba) of section 5 of the 1968 Act for a person to have in his possession, or to purchase or acquire, or to sell or transfer, a firearm which—
- is of particular rarity, aesthetic quality or technical interest, or
  - is of historical importance,
- if he is authorised by a firearm certificate to have the firearm in his possession subject to a condition requiring it to be kept and used only at a place designated for the purposes of this subsection by the Secretary of State [<sup>F6</sup>or the Scottish Ministers (by virtue of provision made under section 63 of the Scotland Act 1998)].
- (4) This section has effect without prejudice to section 58(2) of the 1968 Act (antique firearms).

### Textual Amendments

- F6** Words in s. 7(1)(3) inserted (1.7.1999) by S.I. 1999/1750, arts. 1(1), 6(1), **Sch. 5 para. 18(7)** (with art. 7); S.I. 1998/3178, **art. 3**

### Modifications etc. (not altering text)

- C1** S. 7(3) restricted (*tempto* 1.7.1997) by S.I. 1997/1538, **reg. 2**  
S. 7(3): Transfer of functions (1.7.1999) by S.I. 1999/1750, arts. 1(1), 2, **Sch. 1** (with art. 7); S.I. 1998/3178, **art. 3**

**Status:**

Point in time view as at 01/07/1999.

**Changes to legislation:**

There are currently no known outstanding effects for the Firearms (Amendment) Act 1997, Cross Heading: Special exemptions from prohibition of small firearms.