



Firearms (Amendment) Act 1997

1997 CHAPTER 5

PART III

REGULATION OF FIREARMS AND AMMUNITION

Firearm and shot gun certificates

40 Revocation of certificates.

For section 30 (revocation of certificates) of the ^{M1}Firearms Act 1968 there shall be substituted the following sections—

“30A Revocation of firearm certificates.

- (1) A firearm certificate may be revoked by the chief officer of police for the area in which the holder resides on any of the grounds mentioned in subsections (2) to (5) below.
- (2) The certificate may be revoked if the chief officer of police has reason to believe—
 - (a) that the holder is of intemperate habits or unsound mind or is otherwise unfitted to be entrusted with a firearm; or
 - (b) that the holder can no longer be permitted to have the firearm or ammunition to which the certificate relates in his possession without danger to the public safety or to the peace.
- (3) The certificate may be revoked if the chief officer of police is satisfied that the holder is prohibited by this Act from possessing a firearm to which section 1 of this Act applies.
- (4) The certificate may be revoked if the chief officer of police is satisfied that the holder no longer has a good reason for having in his possession, or for purchasing or acquiring, the firearm or ammunition which he is authorised by virtue of the certificate to have in his possession or to purchase or acquire.

Changes to legislation: There are currently no known outstanding effects for the Firearms (Amendment) Act 1997, Section 40. (See end of Document for details)

- (5) A firearm certificate may be revoked if the holder fails to comply with a notice under section 29(1) of this Act requiring him to deliver up the certificate.
- (6) A person aggrieved by the revocation of a certificate under subsection (2), (3) or (4) of this section may in accordance with section 44 of this Act appeal against the revocation.

30B Partial revocation of firearm certificates.

- (1) The chief officer of police for the area in which the holder of a firearm certificate resides may partially revoke the certificate, that is to say, he may revoke the certificate in relation to any firearm or ammunition which the holder is authorised by virtue of the certificate to have in his possession or to purchase or acquire.
- (2) A firearm certificate may be partially revoked only if the chief officer of police is satisfied that the holder no longer has a good reason for having in his possession, or for purchasing or acquiring, the firearm or ammunition to which the partial revocation relates.
- (3) A person aggrieved by the partial revocation of a certificate may in accordance with section 44 of this Act appeal against the partial revocation.

30C Revocation of shot gun certificates.

- (1) A shot gun certificate may be revoked by the chief officer of police for the area in which the holder resides if he is satisfied that the holder is prohibited by this Act from possessing a shot gun or cannot be permitted to possess a shot gun without danger to the public safety or to the peace.
- (2) A person aggrieved by the revocation of a shot gun certificate may in accordance with section 44 of this Act appeal against the revocation.

30D Revocation of certificates: supplementary.

- (1) Where a certificate is revoked under section 30A or 30C of this Act the chief officer of police shall by notice in writing require the holder to surrender the certificate.
- (2) Where a certificate is partially revoked under section 30B of this Act the chief officer of police shall by notice in writing require the holder to deliver up the certificate for the purpose of amending it.
- (3) It is an offence for the holder of a certificate to fail to comply with a notice under subsection (1) or (2) above within twenty-one days from the date of the notice.
- (4) If an appeal is brought against a revocation or partial revocation—
 - (a) this section shall not apply to that revocation or partial revocation unless the appeal is abandoned or dismissed; and
 - (b) it shall then apply with the substitution, for the reference to the date of the notice, of a reference to the date on which the appeal was abandoned or dismissed.
- (5) This section shall not apply in relation to—

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- (a) the revocation of a firearm certificate on any ground mentioned in section 30A(2), (3) or (4) of this Act;
 - (b) the revocation of a shot gun certificate,
- if the chief officer of police serves a notice on the holder under section 12 of the ^{M2}Firearms Act 1988 requiring him to surrender forthwith his certificate and any firearms and ammunition in his possession by virtue of the certificate.”

Marginal Citations

M1 1968 c. 27.

M2 1988 c. 45.

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