

VIOLENT CRIME REDUCTION ACT 2006

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 2: Weapons etc.

Section 30: Minimum sentences for certain firearms offences

219. This section amends the minimum sentence provisions in section 51A of the Firearms Act 1968, which currently apply only to the simple offence of possession of a prohibited weapon. The minimum sentence, other than in exceptional circumstances, is five years' imprisonment for persons aged 18 or over (or 21 or over in Scotland) and three years' imprisonment for a person aged between 16 and 18 (or 21 in Scotland). This section extends these provisions to other serious offences involving the possession of prohibited weapons, to ensure that offenders do not escape the minimum sentence where they are not also charged with the simple possession offence. The additional offences all appear in the 1968 Act and are the offences under:
- Section 16 (possession of firearm with intent to injure)
 - Section 16A (possession of firearm with intent to cause fear of violence)
 - Section 17 (use of firearm to resist arrest)
 - Section 18 (carrying firearm with criminal intent)
 - Section 19 (carrying a firearm in a public place), and
 - Section 20(1) (trespassing in a building with firearm).
220. The minimum sentence will apply in the case of the above offences only where a prohibited weapon is involved.