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STATUTORY INSTRUMENTS

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**1989 No. 889**

**The Firearms (Scotland) Rules 1989**

**Citation, commencement and extent**

1.—(1) These Rules may be cited as the Firearms (Scotland) Rules 1989 and shall come into force on 1st July 1989.

(2) Rules 3(5) and 4(5) shall not have effect, in relation to a certificate granted or renewed before 1st July 1989, during the period for which the certificate was so granted or renewed.

(3) These Rules extend to Scotland only.

**Interpretation**

2. In these Rules—

- (a) “the principal Act” means the Firearms Act 1968;
- (b) references to firearms include references to imitation firearms to which the Firearms Act 1982(1) applies;
- (c) any reference to a form includes a reference to any form to the like effect; and
- (d) any reference to a Schedule, except in rule 10(5) below, is a reference to a Schedule to these Rules.

**Firearm certificates**

3.—(1) An application for the grant, renewal or variation of a firearm certificate shall be in the form set out in Part I of Schedule 1.

(2) The information given by an applicant for the grant or renewal of a firearm certificate in answer to the questions numbered 1 to 15 in the form of application referred to in paragraph (1) above shall be verified in the manner specified in rule 5 below.

(3) An application for the grant or renewal of a firearm certificate shall be accompanied by—

- (a) the statement referred to in rule 6 below, and
- (b) four photographs of the applicant as specified in rule 7 below.

(4) A firearm certificate shall be granted or renewed subject to the following conditions (whether or not in addition to any other conditions), namely:—

- (a) the holder must, on receipt of the certificate, sign it in ink with his usual signature;
- (b) the holder of the certificate must inform at once the chief officer of police by whom the certificate was granted of the theft or loss in Great Britain of any firearm or ammunition to which it relates;
- (c) the holder of the certificate must, without undue delay, inform the chief officer of police by whom the certificate was granted of any change in his permanent address;

- (d) (i) the firearms and ammunition to which the certificate relates must at all times (except in the circumstances set out in paragraph (ii) below) be stored securely so as to prevent, so far as is reasonably practicable, access to the firearms or ammunition by an unauthorised person;
  - (ii) where a firearm or ammunition to which the certificate relates is in use or the holder of the certificate has the firearm with him for the purpose of cleaning, repairing or testing it or for some other purpose connected with its use, transfer or sale, or the firearm is in transit to or from a place in connection with its use or any such purpose, reasonable precautions must be taken for the safe custody of the firearm or the ammunition.
- (5) A firearm certificate shall bear a photograph of the holder and shall be in the form set out in Part II of Schedule 1.

### **Shot gun certificates**

4.—(1) An application for the grant or renewal of a shot gun certificate shall be in the form set out in Part I of Schedule 2 and, in the case of an application for renewal, shall be accompanied by the certificate to be renewed if it is available.

- (2) The information given by an applicant in answer to the questions numbered 1 to 15 in—
- (a) the form of application for the grant or renewal of a shot gun certificate, or
  - (b) a form of application for the grant or renewal of a firearm certificate which is submitted to the chief officer of police at the same time as the form of application referred to in sub-paragraph (a) above,

shall be verified in the form of application referred to in sub-paragraph (a) above in the manner specified in rule 5 below.

- (3) An application for the grant or renewal of a shot gun certificate shall be accompanied by—
- (a) the statement referred to in rule 6 below, and
  - (b) four photographs of the applicant as specified in rule 7 below.
- (4) A shot gun certificate shall be granted or renewed subject to the following conditions and no others, namely:—
- (a) the holder must, on receipt of the certificate, sign it in ink with his usual signature;
  - (b) the holder of the certificate must inform at once the chief officer of police by whom the certificate was granted of the theft or loss in Great Britain of any shot gun to which it relates;
  - (c) the holder of the certificate must, without undue delay, inform the chief officer of police by whom the certificate was granted of any change in his permanent address;
  - (d) (i) the shot guns to which the certificate relates must at all times (except in the circumstances set out in paragraph (ii) below) be stored securely so as to prevent, so far as is reasonably practicable, access to the guns by an unauthorised person;
  - (ii) where a shot gun to which the certificate relates is in use or the holder of the certificate has the shot gun with him for the purpose of cleaning, repairing or testing it or for some other purpose connected with its use, transfer or sale, or the gun is in transit to or from a place in connection with its use or any such purpose, reasonable precautions must be taken for the safe custody of the gun.
- (5) A shot gun certificate shall bear a photograph of the holder and shall be in the form set out in Part II of Schedule 2.

### **Verification of application**

5.—(1) The information referred to in rules 3(2) and 4(2) above shall be verified by the signed statement of a person who satisfies the requirements of paragraph (2) of this rule that the information is, to the best of his knowledge and belief, correct.

(2) To satisfy the requirements of this paragraph a person must not be a member of the applicant's family, and must—

- (a) be resident in Great Britain,
- (b) have known the applicant personally for at least two years, and
- (c) be a member of Parliament, justice of the peace, minister of religion, doctor, lawyer, established civil servant, bank officer or person of similar standing.

### **Statement to accompany application**

6. The statement referred to in rules 3(3)(a) and 4(3)(a) above shall be a signed statement by the person referred to in rule 5 above to the effect that he knows of no reason why the applicant should not be permitted to possess a firearm.

### **Photographs to accompany application**

7. The photographs referred to in rules 3(3)(b) and 4(3)(b) above shall, in each case, be four identical unmounted photographs showing the current true likeness of the applicant and measuring 45mm by 35mm, of which—

- (a) one shall be signed in ink, on the back of the photograph, with the applicant's usual signature; and
- (b) one shall have set out, on the back of the photograph—
  - (i) a signed statement in ink by the person referred to in rule 5 above to the effect that the photograph is a current true likeness of the applicant, and
  - (ii) the date when the likeness was compared.

### **Visitors' firearm and shot gun permits**

8.—(1) An application for the grant of a visitor's firearm permit or a group application for the grant of not more than twenty visitors' firearm permits shall be in the form set out in Part I of Schedule 3.

(2) An application for the grant of a visitor's shot gun permit or a group application for the grant of not more than twenty visitors' shot gun permits shall be in the form set out in Part II of Schedule 3.

(3) A visitor's firearm permit shall be in the form set out in Part III of Schedule 3.

(4) A visitor's shot gun permit shall be in the form set out in Part IV of Schedule 3.

### **Other permits**

9.—(1) A permit issued under section 7(1) of the principal Act (police permit) shall—

- (a) in the case of a permit relating to firearms and ammunition to which section 1 of the principal Act applies, be in the form set out in Part I of Schedule 4, or
- (b) in the case of a permit relating to shot guns only, be in the form set out in Part II of Schedule 4.

(2) A permit issued under section 9(2) of the principal Act (permit for auctioneers) shall—

- (a) in the case of a permit relating to firearms and ammunition to which section 1 of the principal Act applies, be in the form set out in Part III of Schedule 4, or
  - (b) in the case of a permit relating to shot guns only, be in the form set out in Part IV of Schedule 4.
- (3) A permit issued under section 13(1) of the principal Act (permit to remove firearm from a ship or to remove signalling apparatus from or to an aircraft or aerodrome) shall be in the form set out in Part V of Schedule 4.

### **Firearms dealers**

**10.**—(1) An application under section 33 of the principal Act for registration as a firearms dealer, or for a new certificate of registration as a firearms dealer, shall be in the form set out in Part I of Schedule 5.

(2) A notification under section 37 of the principal Act (notification that a person registered as a firearms dealer proposed to carry on business as such at a place of business not yet entered in the register) shall be in the form set out in Part II of Schedule 5.

(3) The register to be kept by a chief officer of police under section 33 of the principal Act shall be in the form set out in Part III of Schedule 5.

(4) The register to be kept under section 40(1) of the principal Act by a person who by way of trade or business manufactures, sells or transfers firearms or ammunition (being firearms or ammunition within the meaning of that subsection) shall be in the form set out in Part IV of Schedule 5, and the provisions of Part V of that Schedule shall have effect in relation to the manner in which a register in that form should be kept.

(5) Schedule 4 to the principal Act (particulars to be entered by firearms dealer in register of transactions) shall continue to have effect with the substitution for paragraph 4 of that Schedule of the following paragraph:—

“**4.** The quantities and description of firearms and ammunition sold or transferred with the names and addresses of the purchasers or transferees and (except in cases where the purchaser or transferee is a registered dealer) the areas in which the firearm certificates were issued, and the dates of the several transactions.”.

### **Revocations**

**11.** The Firearms (Scotland) Rules 1969(2) and the Firearms (Scotland) Amendment Rules 1983(3) are hereby revoked.

St Andrew's House,  
Edinburgh  
19th May 1989

*James Douglas-Hamilton*  
Parliamentary Under Secretary of State, Scottish  
Office