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STATUTORY INSTRUMENTS

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**1992 No. 2823**

**The Firearms Acts (Amendment) Regulations 1992**

**Production of passes issued in other member States**

7.—(1) After subsection (3) of section 17 of the 1988 Act there shall be inserted the following subsection—

- “(3A) No permit shall be granted under this section as respects any firearm unless—
- (a) there is produced to the chief officer of police a document which—
    - (i) has been issued in another member State under provisions corresponding to the provisions of the principal Act for the issue of European firearms passes;
    - (ii) identifies that firearm as a firearm to which it relates; and
    - (iii) is for the time being valid;
  - (b) the applicant shows that the person specified in the application is a person who, by reason of his place of residence or any other circumstances, is not entitled to be issued with such a document in any of the other member States; or
  - (c) the applicant shows that the person specified in the application requires the permit exclusively in connection with the carrying on of activities in respect of which—
    - (i) that person; or
    - (ii) the person on whose behalf he is proposing to make use of the authorisation conferred by the permit,is recognised, for the purposes of the law of another member State relating to firearms, as a collector of firearms or a body concerned in the cultural or historical aspects of weapons;

and a chief officer of police who grants a permit under this section in a case where a document has been produced to him in pursuance of paragraph (a) above shall endorse on the document a statement which identifies the permit and the firearm to which it relates and briefly describes the effect of the permit.”

(2) In section 48 of the 1968 Act (production of certificates), after subsection (1) there shall be inserted the following subsection—

- “(1A) Where a person upon whom a demand has been made by a constable under subsection (1) above and whom the constable believes to be in possession of a firearm fails—
- (a) to produce a firearm certificate or, as the case may be, a shot gun certificate;
  - (b) to show that he is a person who, by reason of his place of residence or any other circumstances, is not entitled to be issued with a document identifying that firearm under any of the provisions which in the other member States correspond to the provisions of this Act for the issue of European firearms passes; or
  - (c) to show that he is in possession of the firearm exclusively in connection with the carrying on of activities in respect of which, he or the person on whose behalf he has possession of the firearm, is recognised, for the purposes of the law of another

member State relating to firearms, as a collector of firearms or a body concerned in the cultural or historical aspects of weapons,

the constable may demand from that person the production of a document which has been issued to that person in another member State under any such corresponding provisions, identifies that firearm as a firearm to which it relates and is for the time being valid.”

(3) In subsection (2) of that section (power to seize firearm and demand name and address if certificate not produced), after the word “certificate”, in the first place where it occurs, there shall be inserted “or document”.

(4) After subsection (3) of section 48 of the 1968 Act there shall be inserted the following subsection—

“(4) It is an offence for a person who is in possession of a firearm to fail to comply with a demand under subsection (1A) above.”

(5) In Part I of Schedule 6 to the 1968 Act (prosecution and punishment of offences), after the entry relating to section 48(3) there shall be inserted the following entry—

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“Section 48(4)..	Failure to produce firearms pass issued in another member State.	Summary...	A fine of level 3 on the standard scale.	—”
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