
STATUTORY INSTRUMENTS

1994 No. 2652 (S.134)

ARMS AND AMMUNITION

The Firearms (Variation of Fees) (Scotland) Order 1994

Made - - - - *6th October 1994*
Laid before Parliament *14th October 1994*
Coming into force - - *1st January 1995*

The Secretary of State, in exercise of the powers conferred upon him by section 43 of the Firearms Act 1968((1)), and section 15(4) of the Firearms (Amendment) Act 1988((2)), and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation, commencement and extent

1.—(1) This Order may be cited as the Firearms (Variation of Fees) (Scotland) Order 1994 and shall come into force on 1st January 1995.

(2) This Order extends to Scotland only.

Interpretation

2. In this Order—

“the 1968 Act” means the Firearms Act 1968;

“the 1988 Act” means the Firearms (Amendment) Act 1988; and

“the 1990 Order” means the Firearms (Variation of Fees) (Scotland) Order 1990((3)).

Variation of fees

3. Section 32(1) of the 1968 Act (which relates to fees for firearm and shot gun certificates) shall be amended as follows:—

(a) the sum specified in paragraph (a) shall be varied from “£46”((4)) to “£56”;

(b) the sum specified in paragraph (d) shall be varied from “£17”((5)) to “£43”; and

(1) 1968 c. 27; section 43 was extended by sections 11(4), 15(4) and 17(9) of, and paragraph 3(2) of the Schedule to, the Firearms (Amendment) Act 1988 (c. 45) but only section 15(4) is relevant to this Order.

(2) 1988 c. 45.

(3) S.I.1990/325.

(4) The sum of £46 specified in section 32(1)(a) is as varied by article 4(a) of the 1990 Order.

(5) The sum of £17 specified in section 32(1)(d) is as varied by article 4(e) of the 1990 Order.

(c) the sum specified in paragraph (e) shall be varied from “£11”~~((6))~~ to “£18”, and accordingly the said section 32(1) shall have effect as set out in Part I of Schedule 1 to this Order.

4. Section 32(3A) of the 1968 Act~~((7))~~ (which provides that no fee shall be payable in respect of firearm certificates for certain signalling devices) shall continue to have effect as set out in Part II of Schedule 1 to this Order.

5. Subsection (1) of section 35 of the 1968 Act (which relates to the fee for registration as a firearms dealer) shall be amended by varying the sum specified in that subsection from “£94”~~((8))~~ to “£118” and accordingly the said subsection (1) shall have effect as set out in Part I of Schedule 2 to this Order.

6. Section 35(1A) of the 1968 Act~~((9))~~ (which relates to the fee for registration as a firearms dealer for the purposes only of a game fair, trade fair or exhibition, agricultural show or similar event) shall continue to have effect as set out in Part II of Schedule 2 to this Order.

7. Section 35(3) of the 1968 Act (which relates to the fee for a new certificate of registration) shall continue to have effect as set out in Part III of Schedule 2 to this Order.

8. Subsection (4) of section 15 of the 1988 Act (which relates to the fee for a grant or renewal of the Secretary of State’s approval of a rifle or pistol club for the purpose of exempting members from the need to hold a firearms certificate when engaged as members in target practice) shall be amended by varying the sum specified in that subsection from “£33” to “£84” and accordingly the said subsection (4) shall have effect as set out in Schedule 3 to this Order.

Revocation

9. The 1990 Order is hereby revoked.

St Andrew’s House,
Edinburgh
6th October 1994

Fraser of Carmyllie
Minister of State, Scottish Office

(6) The sum of £11 specified in section 32(1)(e) is as varied by article 4(f) of the 1990 Order.

(7) Section 32(3A) was inserted into the 1968 Act by S.I. 1978/360, article 5 and was amended by article 5 of the 1990 Order.

(8) The sum of £94 specified in section 35(1) is as varied by article 6(a) of the 1990 Order.

(9) Subsection (1A) was inserted in respect of Scotland by S.I. 1986/996, article 7.

SCHEDULE 1

Articles 3 and 4

SECTION 32(1) AND (3A) OF THE 1968 ACT

PART I

32.—(1) Subject to this Act, there shall be payable—

- (a) on the grant of a firearm certificate a fee of £56;
- (b) on the renewal of a firearm certificate a fee of £46;
- (c) on any variation of a firearm certificate (otherwise than when it is renewed at the same time) so as to increase the number of firearms to which the certificate relates, a fee of £26;
- (cc) on the replacement of a firearm certificate which has been lost or destroyed a fee of £9;
- (d) on the grant of a shot gun certificate a fee of £43;
- (e) on the renewal of a shotgun certificate a fee of £18; and
- (f) on the replacement of a shot gun certificate which has been lost or destroyed a fee of £8.

PART II

32.—(3A) No fee shall be payable on the grant, variation or renewal of a firearm certificate which relates solely to and, in the case of a variation, will continue when varied to relate solely to a signalling device, which, when assembled and ready to fire, is not more than eight inches long and which is designed to discharge a flare, or to ammunition for such a device.

SCHEDULE 2

Articles 5, 6 and 7

SECTION 35(1), (1A) AND (3) OF THE 1968 ACT

PART I

35.—(1) Subject to this Act, on the registration of a person as a firearms dealer there shall be payable by him a fee of £118.

PART II

35.—(1A) If the chief officer of police for the area in which the applicant has applied to be registered is satisfied—

- (a) that the only place of business in respect of which the application is made is at a game fair, trade fair or exhibition, agricultural show or an event of a similar character; and
- (b) that the applicant's principal place of business is entered in the register for another area, the fee payable shall be £12.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

PART III

35.—(3) Before a person for the time being registered as a firearms dealer can be granted a new certificate of registration under section 33(5) of this Act, he shall pay a fee of £50.

SCHEDULE 3

Article 8

SECTION 15(4) OF THE 1988 ACT

15.—(4) There shall be payable on the grant or renewal of an approval under this section a fee of £84 but this subsection shall be included in the provisions that may be amended under section 43 of the principal Act.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order, which extends only to Scotland, increases certain fees payable under the Firearms Act 1968 (“the 1968 Act”) and the Firearms (Amendment) Act 1988 (“1988 Act”).

Article 3 increases the fees payable under section 32 of the 1968 Act on the grant of a firearm or shotgun certificate or on the renewal of a shotgun certificate. The provisions of section 32 relating to fees for renewal, variation and replacement of a firearm certificate, and for replacement of a shotgun certificate, remain unchanged and are consolidated in this Order. (There is no increase either in the lower fee payable under section 11(3) of the 1988 Act for the grant or renewal of a shotgun certificate when a firearm certificate is granted or renewed on the same occasion). Article 5 increases the fee payable under section 35(1) of the 1968 Act for registration as a firearms dealer. Article 8 increases the fee payable under section 15(4) of the 1988 Act for the Secretary of State’s approval of a rifle or pistol club whereby its members, whilst engaged as such in target practice, are exempted from the requirement to hold a firearm certificate. Articles 4, 6 and 7 consolidate in this Order all previous amendments of sections 32 and 35 of the 1968 Act relating to fees.