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STATUTORY INSTRUMENTS

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**1997 No. 1535 (C.60)**

**ARMS AND AMMUNITION**

**The Firearms (Amendment) Act 1997  
(Commencement) (No. 2) Order 1997**

*Made - - - - 10th June 1997*

In exercise of the powers conferred on me by section 53(3) and (4) of the Firearms (Amendment) Act 1997<sup>(1)</sup>, I hereby make the following Order:

1. This Order may be cited as the Firearms (Amendment) Act 1997 (Commencement) (No. 2) Order 1997.

2. In this Order “the 1968 Act” means the Firearms Act 1968<sup>(2)</sup> and “the 1997 Act” means the Firearms (Amendment) Act 1997.

3. Subject to the provisions of this Order—

- (a) sections 15 (surrender of prohibited small firearms and ammunition) and 51 (power to make transitional, consequential etc. provisions) of the 1997 Act shall come into force on 10th June 1997;
- (b) the provisions of the 1997 Act specified in Part I of the Schedule to this Order shall come into force on 1st July 1997, and
- (c) the provisions of the 1997 Act specified in Part II of that Schedule shall come into force on 1st October 1997.

4. Sections 1(2) (prohibition of certain small firearms) and 9 (prohibition of expanding ammunition) of the 1997 Act shall not have effect until 1st October 1997 in relation to the possession, sale or transfer of a firearm or ammunition by a person who, immediately before 1st July 1997,

- (a) has the firearm or ammunition in his possession by virtue of a firearm certificate or a visitor’s firearm permit;
- (b) has the firearm or ammunition in his possession by virtue of a permit issued under section 7 of the 1968 Act, or
- (c) has the firearm in his possession by virtue of being a registered firearms dealer.

5. Section 1(3) of the 1997 Act (amendment of prohibition of self-loading and pump-action rifles) shall not have effect in relation to weapons prohibited by section 5(1)(aba) of the 1968 Act<sup>(3)</sup>.

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(1) 1997 c. 5.

(2) 1968 c. 27.

(3) Section 5(1)(aba) of the 1968 Act was inserted by section 1(2) of the 1997 Act.

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**Status:** This is the original version (as it was originally made).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

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6. Section 41 of the 1997 Act (appeals) shall not have effect in relation to a decision made by a chief officer of police before 1st July 1997.

Home Office  
10th June 1997

*Jack Straw*  
One of Her Majesty's Principal Secretaries of  
State

## SCHEDULE

### PART I

#### PROVISIONS OF THE 1997 ACT COMING INTO FORCE ON 1ST JULY 1997

<i>Provision of the Act</i>	<i>Subject matter of provisions</i>
Section 1	Extension of s.5 of the Firearms Act 1968 to prohibit certain small firearms etc.
Section 2	Exemption for slaughtering instruments
Section 3	Exemption for firearms used for humane killing of animals
Section 4	Exemption for shot pistols used for shooting vermin
Section 5	Exemption for races at athletic meetings
Section 6	Exemption for trophies of war
Section 7	Exemption for firearms of historic interest
Section 8	Exemption for weapons and ammunition used for treating animals
Section 9	General prohibition of expanding ammunition etc.
Section 10	Expanding ammunition etc.; exemptions from prohibition
Section 16 (insofar as it is not already in force)	Payments in respect of prohibited small firearms and ammunition
Section 17 (insofar as it is not already in force)	Payments in respect of ancillary equipment
Section 18 (insofar as it is not already in force)	Parliamentary control of compensation schemes
Section 37	Applications for certificates and referees
Section 38	Grant of firearm certificates
Section 40	Revocation of certificates
Section 41	Appeals
Section 42	Authorised dealing with firearms by registered firearms dealers
Section 43	Power of search with warrant
Section 47	Museums eligible for a museum firearms licence
Section 48	Firearms powered by compressed carbon dioxide
Section 49	Financial provisions
Section 50	Interpretation and supplementary provisions

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<i>Provision of the Act</i>	<i>Subject matter of provisions</i>
Section 52 (insofar as it relates to the provisions of Schedules 2 and 3 mentioned immediately below)	Minor and consequential amendments and repeals
In Schedule 2—  paragraphs 1, 2, 4, 7, 8, 10, 11, 12, 14, 15, 16, 17, 18, 19 and 20	Consequential and minor amendment
In Schedule 3—  the entries relating to sections 5, 5A, 23 and 28 of the Firearms Act 1968, the entries relating to sections 9, 10 and 12 of the Firearms (Amendment) Act 1988 and the entry relating to the Firearms (Amendment) Act 1992	Repeals

## PART II

### PROVISIONS OF THE 1997 ACT COMING INTO FORCE ON 1ST OCTOBER 1997

<i>Provisions of the Act</i>	<i>Subject matter of provisions</i>
Section 32	Transfers of firearms etc. to be in person
Section 33	Notification of transfers including firearms
Section 34	Notification of de-activation, destruction or loss of firearms etc.
Section 35	Notification of events taking place outside Great Britain involving firearms etc.
Section 36	Penalty for offences under sections 32 to 35
Section 39	Register of holders of shotgun and firearm certificates
Section 44	Firearm certificates for certain firearms used for target shooting: special conditions
Section 45	Approved rifle clubs and muzzle-loading pistol clubs
Section 52 (insofar as it relates to the provisions of Schedules 2 and 3 mentioned below)	Minor and consequential amendments and repeals
In Schedule 2—  paragraphs 3, 5 and 6	Consequential and minor amendments
In Schedule 3—	Repeals

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<i>Provisions of the Act</i>	<i>Subject matter of provisions</i>
the entries relating to sections 42 and 54 of, and Schedule 6 to, the Firearms Act 1968, and the entry relating to section 4 of the Firearms (Amendment) Act 1988	

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force the provisions of the Firearms (Amendment) Act 1997, subject to the transitional provisions and savings made by the Order and, in the case of sections 16, 17 and 18, insofar as they are not already in force. (Sections 16, 17 and 18 of the 1997 Act were brought into force on 17th March 1997 by the Firearms (Amendment) Act 1997 (Commencement) (No. 1) Order 1997 (S.I.1997/1076) for the purposes only of making a compensation scheme.) References in this note to sections are references to sections of the 1997 Act.

Section 15 (which enables the Secretary of State to make arrangements for the orderly surrender of firearms) and section 51 (which enables him to make other transitional, consequential and saving provisions) are brought into force on 10th June. The provisions specified in Part I of the Schedule to this Order are brought into force on 1st July 1997, and the provisions specified in Part II of that Schedule are brought into force on 1st October 1997.

Article 4 provides that section 1(2) (whose effect is to prohibit certain small firearms) and section 9 (which prohibits expanding ammunition) are not to have effect until 1st October 1997 in relation to the possession, sale or transfer of such firearms or ammunition by virtue of a firearm certificate, police permit, or, in the case of a firearm, registration as a firearms dealer.

Article 5 provides that section 1(3) (which is an amendment to clarify the existing prohibition of pump-action and self-loading rifles) does not have effect so as to prohibit small firearms which will already be prohibited by virtue of section 1(2).

Article 6 provides that the new provisions dealing with appeals against decisions of chief officers, as substituted by section 41, are not to have effect in relation to such decisions made before 1st July 1997.