
STATUTORY INSTRUMENTS

2011 No. 2175

ARMS AND AMMUNITION

**The Firearms (Amendment) Act
1988 (Amendment) Regulations 2011**

<i>Made</i>	- - - -	<i>1st September 2011</i>
<i>Laid before Parliament</i>		<i>5th September 2011</i>
<i>Coming into force</i>	- -	<i>1st October 2011</i>

The Secretary of State, being a Minister designated⁽¹⁾ for the purpose of section 2(2) of the European Communities Act 1972⁽²⁾ in relation to measures relating to firearms and ammunition, in exercise of the powers conferred by that section makes the following Regulations:

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Firearms (Amendment) Act 1988 (Amendment) Regulations 2011 and shall come into force on 1st October 2011.

(2) These Regulations extend to England and Wales and Scotland only.

Amendment of the Firearms (Amendment) Act 1988

2. Section 17(3A) of the Firearms (Amendment) Act 1988⁽³⁾ (visitors' permits) is amended as follows—

- (a) in paragraph (a), after “document” insert “or a copy of the same”;
- (b) in the full out words after paragraph (c), after the word “document” in the first place where it appears, insert “or copy”; and
- (c) in the full out words after paragraph (c), after the word “document” in the second place where it appears, insert “or, where a copy has been produced, on the copy”.

Review

3.—(1) Before the end of each review period, the Secretary of State must—

- (a) carry out a review of these Regulations,

(1) [S.I. 1991/755](#), to which there are amendments not relevant to these Regulations.
(2) [1972 c.68](#).
(3) [1988 c.45](#). Section 17(3A) was inserted by [SI 1992/2823](#), regulation 7(1).

- (b) set out the conclusions of the review in a report, and
- (c) publish the report.

(2) In carrying out the review, the Secretary of State must, so far as is reasonable, have regard to how Council Directive [1991/477/EEC](#)(4) (Article 12(1) of which is implemented by means of regulation 3) is implemented in other member states.

(3) The report must in particular—

- (a) set out the objectives intended to be achieved by the amendments made by these Regulations to the regulatory system in section 17(3A) of the Firearms (Amendment) Act 1988,
- (b) assess the extent to which those objectives are achieved, and
- (c) assess whether those objectives remain appropriate and, if so, the extent to which they could be achieved by a system that imposes less regulation.

(4) “Review period” means—

- (a) the period of five years beginning with the day on which these Regulations come into force, and
- (b) subject to paragraph (5), each successive period of five years.

(5) If a report under this regulation is published before the last day of the review period to which it relates, the following review period is to begin with the day on which that report is published.

Home Office
1st September 2011

Nick Herbert
Minister of State

(4) OJ No L 256, 13.9.91, p51. This Directive has been amended by Directive [2008/51/EC](#), OJ No L 179, 8.7.2008, p5.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend section 17(3A) of the Firearms (Amendment) Act 1988 (“the 1988 Act”) which relates to applications for a visitor’s firearm permit.

Section 17(3A) was inserted into the 1988 Act on 1st January 1993 by regulation 7(1) of the Firearms Acts (Amendment) Regulations 1992, which transposed Council Directive [1991/477/EEC](#) (OJ L 256, 13.9.91, p51), as amended, on the control of the acquisition and possession of weapons.

Article 12(2) of that Directive allows member states to grant authorisations to those in possession of firearms for journeys between member states, and states that such authorisations must be entered onto the European firearms pass, which the traveller must produce whenever so required by the authorities of the member states.

Regulation 3 amends section 17(3A) of the 1988 Act so that a sponsor applying for a visitor’s permit on behalf of a specified person can produce to the chief officer of police a copy of the European firearms pass as an alternative to the original document.

Section 17(3A) is also amended so that, where a copy of the European firearms pass has been produced instead of the original document, a chief officer of police who grants a visitor’s permit shall endorse a statement (identifying the permit, the firearm, and the effect of the permit) on the copy rather than on the original document.

Regulation 4 requires the Secretary of State to review the operation and effect of these Regulations, and publish a report within five years after they come into force and within every five years after that. Following a review, it will fall to the Secretary of State to consider whether the Regulations should remain as they are, or be revoked, or be amended. A further instrument would be needed to revoke the Regulations or amend them.