
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Firearms (Amendment) Act 1997 (“the Act”) and the Firearms (Northern Ireland) Order 2004 (“the 2004 Order”) in order to complete the implementation in the United Kingdom of [Directive 2008/51/EC](#) of the European Parliament and the Council of 21st May 2008 on control of the acquisition and possession of weapons (OJNo. L 179, 8.7.08, p5) which amends [Directive 91/477/EEC](#) of 18th June 1991.

Regulation 2 of these Regulations amends section 39 of the Act (register of holders of shot gun and firearm certificates) to ensure that information about each firearm to which a firearm certificate or a shot gun certificate relates is recorded on a computerised register, along with details of persons who purchase, possess, acquire, sell or transfer such firearms. Section 39 is also amended to ensure that such records are maintained for at least twenty years from the date that this information is entered onto the register and the heading is amended to reflect the new provisions.

Regulation 3 of these Regulations amends Articles 30 and 38 of and Schedules 3 and 5 to the 2004 Order as follows: (a) Article 30(1) (consequences of expiration or revocation of firearms dealer’s certificate) is amended to ensure that once a firearms dealer’s certificate has expired or is revoked, he must deliver his record of transactions (register) to the national authority responsible for the electronic filing system, which, in Northern Ireland, is the Chief Constable; (b) Article 38 (record of transactions in firearms) is extended to ensure that firearms dealers provide a copy of each transaction involving a firearm to the Chief Constable in a timely manner; (c) Article 38A (record of transactions in firearms by Chief Constable) is inserted to ensure that the Chief Constable is responsible for keeping a centralised electronic data-filing system for at least 20 years; (d) Schedule 3 is amended to ensure that firearms dealers record adequate information about each transaction involving a firearm to provide to the Chief Constable; and (e) Article 38(6A) is inserted and Schedule 5 is amended to make it an offence for a firearms dealer to fail to send a copy of their record of each transaction involving a firearm to the Chief Constable within 72 hours of the transaction.