

## Extracts From the Firearms Act 1968

### PART I Possession of firearms by persons previously convicted of crime

1933 c. 12  
1937 c. 37

- 21 (1) A person who has been sentenced to a preventative detention, or to imprisonment or to corrective training for a term of three years or more, or who has been sentenced to be detained for such a term in a young offenders institution in Scotland, shall not at any time have a firearm or ammunition in his possession.
- (2) A person who has been sentenced to borstal training, to corrective training for less than three years or to imprisonment for a term of three months or more but less than three years, or who has been sentenced to be detained for such a term in a detention centre or in a young offenders institution in Scotland, shall not at any time before the expiration of the period of five years from the date of his release have a firearm or ammunition in his possession.
- (3) A person who:-
- (a) is the holder of a licence issued under section 53 of the Children and Young Persons Act 1933 or section 57 of the Children and Young Persons (Scotland) Act 1937 (which sections provide for the detention of children and young persons convicted of serious crime, but enable them to be discharged on licence by the Secretary of State): or
- (b) is subject to a recognizance to keep the peace or to be of good behaviour, a condition of which is that he shall not possess, use or carry a firearm, or is subject to a probation order containing a requirement that he shall not possess, use or carry a firearm: or
- (c) has, in Scotland, been ordained to find caution, a condition of which is that he shall not possess, use or carry a firearm:
- shall not, at any time during which he holds the licence or is so subject or has been so ordained, have a firearm or ammunition in his possession.
- (4) It is an offence for a person to contravene any of the foregoing provisions of this section.
- (5) It is an offence for a person to sell or transfer a firearm or ammunition to, or to repair, test or prove a firearm or ammunition for, a person whom he knows or has reasonable ground for believing to be prohibited by this section from having a firearm or ammunition in his possession.
- (6) A person prohibited under subsection (1), (2) or (3) of this section from having in his possession a firearm or ammunition may apply to quarter sessions or, in Scotland, in accordance with the Act of Sederunt to the Sheriff
- (7) Schedule 3 of this Act shall have effect with respect to the courts with jurisdiction to entertain an application under this section and to the procedure appertaining thereto.

### PART II Special provisions about firearm certificates.

- 27 (1) A firearm certificate shall be granted by the chief officer of police if he is satisfied that the applicant has a good reason for having in his possession, or for purchasing or acquiring, the firearm or ammunition in respect of which the application is made, and can be permitted to have it in his possession without danger to the public safety or to the peace:
- Provided that a firearm certificate shall not be granted to a person whom the chief officer of police has reason to believe to be prohibited by this Act for possessing a firearm to which section 1 of this Act applies, or to be of intemperate habits or unsound mind, or to be for any reason unfitted to be entrusted with such a firearm.
- (2) A firearm certificate shall be in the prescribed form and shall specify the conditions (if any) subject to which it is held, the nature and number of firearms to which it relates and, as respects ammunition, the quantities authorised to be purchased and to be held at any one time thereunder.
- (3) This section applies to the renewal of a firearm certificate as it applies to a grant.

### Anti-social Behaviour, Crime and Policing Act 2014 (Consequential Amendments Order) 2014.

- 110(1) Amends section 21 of the Firearms Act 1968 by extending the definition of a prohibited person to include persons with suspended sentences of three months or more and

- 100(2) Also means that prohibited persons are no longer able to possess antique firearms.