



Good Practice Guide for Registered Firearms Dealers

Registered Firearms Dealers are expected to maintain the highest standards with the requirements of the Firearms Acts.

In order to assist you in the satisfactory operation of your firearms dealership you must be aware of the following.

Security

It is of the utmost importance that firearms and ammunition dealt with in the course of your business are stored securely to prevent unauthorised access. Advice on security is set out in the Home Office Security Handbook 2005 which is available online.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/117636/firearms-security-handbook.pdf

Should you wish to make significant changes to the security arrangements previously inspected by the police you should in the first instance liaise with your Firearms Licensing Department.

Data Protection

Clearly, it is very important that sensitive data such as the details of certificate holders is stored or transmitted securely in compliance with the General Data Protection Regulations (GDPR). If you have any doubts, the Gun Trade Association or BASC may be able to assist with any enquiries you may have. You may also find the following links useful, The Information Commissioner's Office has produced a guide to GDPR :

<https://www.gov.uk/government/publications/guide-to-the-general-data-protection-regulation> and here is a link to the National Cyber Security Centre website: : www.ncsc.gov.uk

Certificate of Registration as a Firearms Dealer

Please ensure you carefully read and understand the conditions entered on your certificate of registration as a Firearms Dealer. If you are in any doubt, please refer your enquiry to the Firearms Licensing Department who issued the certificate.

The Definition of Firearms

Section 57 (1) of the 1968 Act (amended in 2017) defines firearms as follows;

- *a lethal barrelled weapon*
- *a prohibited weapon;*
- *a relevant component part in relation to a lethal barrelled weapon or a prohibited weapon;*
- *an accessory to a lethal barrelled weapon or a prohibited weapon where the accessory is designed or adapted to diminish the noise or flash caused by firing the weapon (only so far as Section 1 and Section 5 prohibited weapons are concerned. Shotgun and air weapon moderators whilst subject to dealer recording requirements, are not subject to certification in England and Wales).*

Section 57(1B) defines “lethal barrelled weapon” as a “*barrelled weapon of any description from which a shot, bullet or other missile, with kinetic energy of more than one joule at the muzzle of the weapon, can be discharged*” (This includes air weapons).

Section 57 (1D) defines “relevant component part” in relation to a lethal barrelled weapons as follows;

- *a barrel, chamber or cylinder,*
- *a frame, body or receiver,*
- *a breech block, bolt or other mechanism for containing the pressure of discharge at the rear of a chamber.*

Section 57A exempts “airsoft guns” that are “*designed to discharge only a small plastic missile (whether or not it is also capable of discharging any other kind of missile)*” where they do not exceed the “*permitted kinetic energy level*” and the “*small plastic missile*” is -

- *made wholly or partly from plastics*
- *is spherical, and*
- *does not exceed 8 millimetres in diameter.*
-

The ‘permitted kinetic energy levels’ for airsoft guns are;

- *“in the case of a weapon which is capable of discharging two or more missiles successively without repeated pressure on the trigger, 1.3 joules”;*
- *“in any other case, 2.5 joules”. (i.e. single shot/semi auto)*

What is an 'air weapon'?

An air weapon (that is to say, an air rifle, air gun or air pistol) which is not a prohibited weapon, and which is not of a type declared 'specially dangerous' by rules made by the Secretary of State.

The Firearms (Dangerous Air Weapons) Rules 1969 (as amended in 1993) sets the upper kinetic energy threshold (measured from the muzzle) for which air weapons (including weapons disguised as another object) remain exempt from certification;

- In the case of an air pistol, 6ft. lb.
- In the case of an air weapon other than an air pistol, 12ft. lb.

These energy levels do not apply to a weapon which is designed for use only when submerged in water.

The administration of Firearm and Shotgun Certificates – Transfers of firearms to customers

It is essential that as a Firearms Dealer you understand the obligations placed upon you when transferring firearms (including shotguns) and ammunition to firearm or shotgun certificate holders.

You must comply with the instructions on a firearm or shot gun certificate in respect of making a transaction entry and notifying relevant transactions to the Police.

In respect of a firearm certificate it is very important that you are aware that there must be an unused authority present on a firearm certificate authorising the type of firearm, Section 1 component part or accessory before the transfer is completed. Equally the correct calibre and quantity of ammunition to be transferred is authorised by the buyer's firearm certificate.

Section 33 (1) (b) Firearms (Amendment) Act 1997 does allow for a **shotgun** to be sold, let on hire or given, or lent to a **shotgun certificate holder** for a period **of not more than 72 hours** without the need to give notice of the transfer taking place.

In such circumstances the Firearms Dealer must make an entry in their register of the shotgun being transferred and who to and also record in their register the details of the shot gun being returned.

It is illegal to complete a sale (accept full payment) for a firearm, Section 1 component part or accessory or shot gun to a person who cannot produce a firearm or shot gun certificate authorising them to acquire the firearm etc. You may only take a deposit on a purchase prior to sight of the relevant certificate giving authority to purchase the firearm.

Firearms Dealers who are limited to the sale of air weapons, their component parts and accessories must ensure they only sell to persons who are at least 18 years old.

Note: sound moderators for air weapons must also be recorded in the dealers register.

Keeping of Records of Transactions

Section 40 (Schedule 4) of the Firearms Act 1968 (as amended) requires a Firearms Dealer to keep records of transactions involving firearms, component parts and ammunition (this includes air weapons). All firearms and ammunition (excluding Section 2 shot gun ammunition and air gun pellets) dealt with in the course of your business must be recorded in your register. Records of transactions must be kept for five years.

Section 40 (1) requires every person who by way of trade or business, manufactures, sells or transfers firearms, shotguns or ammunition to which section 1 of the Act applies, to keep a register of transactions and to enter therein the particulars specified in schedule 4 of the Act

Section 40 (1) Schedule 4: Details to be entered by registered firearms dealers in register of transactions:

- ***The quantities and description of firearms and ammunition manufactured and the dates thereof.***
- ***The quantities and description of firearms and ammunition purchased or acquired with the names and addresses of the sellers or transferors and the dates of the transactions.***
- ***The quantities and description of firearms and ammunition accepted for sale, repair, test, proof, cleaning, storage, destruction or other purpose; with the names and addresses of the transferors and the dates of the transactions.***
- ***The quantities and description of firearms and ammunition sold or transferred with the names and addresses of the purchasers or transferees and, (except in cases where the purchaser or transferee is a registered firearms dealer) the areas in which the firearms were issued, and the dates of the transactions.***
- ***The quantities and description of firearms and ammunition in possession for sale or transfer at the date of the last stocktaking or other such date in each year as may be specified in the register.***

Particulars relating to air weapons (England and Wales)

Note: "air weapon" includes any component of, or accessory to, an air weapon.

- The quantities and description of air weapons purchased or acquired with the names and addresses of the sellers or transferors and the dates of the several transactions.
- The quantities and description of air weapons sold or transferred with the names and addresses of the purchasers or transferees and the dates of the several transactions.
- The quantities and description of air weapons in possession for sale or transfer at the date of the last stocktaking or such other date in each year as may be specified in the register.

Section 40 (3) requires that every entry required by subsection (1) of this section to be made in the register, shall be made within 24 hours after the transaction to which it relates took place and, in the case of a sale or transfer, every person to whom that subsection applies shall at the time of the transaction require the purchaser or transferee, if not known to him, to give details sufficient for identification and shall immediately enter the said details in the register.

Your register may operate a paper or electronic register as long as it records the information required by Schedule 4 of the 1968 Act and the Firearms Rules 1998.

Section 44(4A) of the 1968 Act requires every person keeping a register by means of a computer shall secure that the information comprised in the register can readily be produced in a form in which it is visible and legible and can be taken away (by a constable or police staff so authorised by the chief officer or an officer of customs and excise).

Your ammunition register is not required to record the following;

- cartridges containing five or more shot, none of which exceeds .36 inch in diameter;
- ammunition for an air gun, air rifle or air pistol; or
- blank cartridges not more than one inch in diameter measured immediately in front of the rim or cannellure of the base of the cartridge.

Directions as to the manner of keeping a register

The Firearms Rules 1998 prescribes how firearms and ammunition must be recorded in a dealers register, as follows;

1. The register may be kept in separate sections and subsections; and it may be divided into separate sections or subsections for firearms and ammunition; provided that:

- the nature of the contents of each section or subsection is indicated at the beginning of the section or subsection, and
- the sections and subsections are so kept as to be readily available for inspection.

2. The description of firearms or ammunition should indicate clearly -

In the case of firearms -

- the class of firearms (e.g. shot gun, rifle, revolver or pistol);
- the make, type or distinctive name of the firearm;
- the calibre;
- the identification number or other distinguishing mark, if present;
- the maker's name, if known;

In the case of ammunition -

- the make, type or distinctive name of the ammunition;
- the calibre;
- the nature of the projectile (e.g. solid or expanding).

3. No abbreviations should be used, unless their meaning is made plain to any person inspecting the register.

4. Where any such entries other than the prescribed particulars are made in the register, they should be made in such a way as not to interfere with or obscure the entries of the prescribed particulars.

In order to comply with Section 40(3), in the majority of situations which require the production of a certificate, it should be straight forward for the details of the person to be recorded from their certificate.

In the case of sales of air weapons where no certificate is required photographic ID is the best method to confirm their identity sufficient for recording their details in the register of transactions. Ideally this should include full name, date of birth, place of birth and home address. However, it is acknowledged that it is not always possible for a prospective purchaser to produce photographic ID and in these circumstances it is up to the Firearms Dealer to satisfy themselves of the identity and age of the customer.

Where firearms are surrendered to you by non-certificate holders, as well as recording the details of the firearms and ammunition surrendered in your register it is strongly advisable to notify your local police of the details of the surrendered firearm or ammunition. You should inform the police of the circumstances which led to the firearm or ammunition being left with you.

Where a person wishes to surrender a prohibited firearm, to a Firearms Dealer who is not authorised to possess such items, it is recommended that you take possession of the prohibited firearm. You should make an entry in your register of the details of the firearm and how it came to be in your possession. **You must notify the Police immediately to make arrangements for the firearm to be collected from you.**

Firearms Dealers should be aware that although there are exemptions for firearm and shotgun certificate holders which allow them to possess various prohibited firearms such as walking stick guns, short firearms (shot pistols & handguns) and Self Contained Gas Cartridge firearms, the exemptions do not extend to Firearms Dealers who need to be separately authorised by the Home Office to take possession of these prohibited firearms (Section 5 Authority).

It is essential that your register has a clear audit trail for all firearms and ammunition recorded in it.

If you use ammunition from your stock to test fire firearms in the course of your business, its expenditure must be recorded in your register.

Young Persons

The possession of firearms by young people is complicated; therefore for ease of reference Chapter 7 & Appendix 4 of the Home Office Guidance on Firearms Licensing Law provides full guidance.

<https://www.gov.uk/government/publications/firearms-law-guidance-to-the-police-2012>

A firearm certificate may only be granted to a person aged 14 years or older. A shotgun certificate can be granted to persons of any age. It is important to pay attention to the date of birth shown on the certificate prior to making any transfer.

A person under eighteen is prohibited by section 22 of the 1968 Firearms Act (as amended by the Violent Crime Reduction Act 2006 and the Firearms (Amendment) Regulations 2010 (SI 2010/1759)) from **purchasing or hiring** any firearm or ammunition defined by section 57. Section 24A(1) of the 1968 Act also prohibits the purchase of imitation firearms by those under the age of eighteen.

This includes:

- I. air weapons and ammunition for air weapons;
- II. imitation firearms, realistic imitation firearms and deactivated firearms;
- III. readily convertible replicas (as defined by section 1 of the Firearms Act 1982);
- IV. smooth-bore guns;
- V. shotgun cartridges;
- VI. blank ammunition.

Section 24 makes it an offence for a person (including dealers) to sell or to let on hire firearms and ammunition to those under the age of eighteen. Section 24A(2) makes it an offence to sell imitation firearms to a person under the age of eighteen.

Young persons (under 18's) may however acquire, other than by purchase or hire, air weapons (and air weapon ammunition), shotguns or shotgun cartridges to which section 2 applies, and firearms or ammunition to which section 1 of the 1968 Act applies according to the provisions laid out in this guide. An example of acquisition would be using a firearm under the supervision of a parent or guardian (provided they are of the correct age) or a firearm certificate holder aged 14 to 17 acquiring rifle ammunition from a parent or other adult certificate holder as a gift. For shotguns and cartridges young people may only be gifted them from the age of 15.

Trading from Additional Premises

If you wish to trade from an additional place of business including temporary attendance at game fairs or exhibitions you must apply to the Chief Officer of Police in whose jurisdiction you propose to trade to be registered as a Firearms Dealer for this purpose. If in doubt, refer to Chapter 16 of the Home Office Guidance on Firearms Licensing Law or make contact with the Firearms Licensing Department for the jurisdiction in which you propose to trade.

If you wish to trade from an additional place of business in the jurisdiction which you are already registered you need to make application to your local Firearms Licensing using firearms form 116A.

Carriers

It is also very important that due diligence is taken when making arrangements for the transportation of firearms.

If you intend to transport firearms and ammunition yourself it is very important that reasonable precautions are taken to ensure there is no unauthorised access to the firearms & ammunition. Please consult the Home Office Security Handbook 2005.

By virtue of Section 9 of Firearms Act 1968, as amended Carriers are exempt from the need to hold a firearm/shotgun certificate and can possess Section 1 & 2 firearms and ammunition in the course of their business. However, Section 14 of the Firearms (Amendment) Act 1988 obligates the carrier to take reasonable precautions to ensure the security of all firearms or ammunition.

The transportation of prohibited firearms and ammunition can only be undertaken by Carriers who have been specifically authorised by the Home Office. **(Section 5 Transport Authority Holders)**

- Please note although Firearms Dealers are permitted to possess expanding “Pistol” ammunition (the prohibition only applies to calibres such as 0.32 S&W Long, 0.32 Colt Short & Long, 0.320 Revolver, 0.380 Revolver, 0.44 Automag, 0.45 Auto Rim and 0.50 Action Express) in the course of their business. However, this exemption does not extend to Carriers. Therefore you need to ensure **prohibited expanding pistol ammunition** is only transported by a carrier authorised by the Home Office to possess such prohibited ammunition in the course of their business.

“Remote Sales”

“Remote” sales are those sales made when a Registered Firearms Dealer (RFD) sells a firearm or shotgun to a purchaser who is not present at the moment of sale and wants the newly acquired firearm or shotgun sent to another RFD for collection.

The procedure for such a “remote” sale is as follows:

Seller (RFD no.1), must see the purchaser’s firearm or shotgun certificate before the sale is undertaken.

Having checked the certificate, **RFD no.1** fills in the necessary details and returns the Certificate to the **purchaser**.

RFD no.1 then notifies the Chief Officer of Police who issued the **purchaser’s** Certificate within 7 days of the sale.
The notification must include a description of the firearm/shotgun

Having paid RFD no.1, the purchaser nominates a second dealer (RFD no.2) in a location, remote from RFD no.1, where the purchaser wishes to take possession of the firearm/shotgun.

RFD no.1 will arrange for the firearm/shotgun to be sent to **RFD no.2**, and make the necessary entries in his Register. The entry in the Register will say: “sold to Mr/Mrs ..xx.. Certificate no...xx... and forwarded to RFD no.2 for collection”

RFD no.2 will receive the firearm/shotgun and make an appropriate entry on his register within 24 hours. He will then contact the **purchaser** who will present him or herself to **RFD no.2** with his completed Certificate and take possession of the firearm/shotgun, as per the instructions on the purchaser’s Certificate.

The purchaser must notify the Chief Officer of Police who issued his certificate, of the transfer within 7 days.

RFD no.2 will record ‘the transfer’ in the ‘Out’ section of his register within 24 hours of the transaction taking place

As an RFD you may wish to employ or make use of servants to assist in the running of your business and it is important that due diligence is exercised so as to ensure that public safety is not compromised.

In order to fully satisfy yourself that there are no grounds for concern in respect of prospective employees or servants, it is recommended that you notify your local Police of the details (full name, date of birth, place of birth & home address) of any person you wish to act a servant by virtue of Section 8 of the Firearms Act, 1968 as amended.

When transporting firearms and ammunition on behalf of the dealership the servant should at all times carry a copy of their letter of authority together with a copy of the dealer's certificate of registration.

Explosives Regulations

If you wish to store and sell black powder you will need to make application to the Police Force where the black powder is to be stored for the grant of an "acquire & keep" explosives certificate and if above the maximum limit, a Storage Licence under the Explosives Regulations will be required. Advice should be sought from your local explosives liaison officer.

Do you sell smokeless powder, shotgun cartridges or Sec1 ammunition? If so you may need to register your store with the police (apply for a Storage Licence under the Explosives Regulations). For further advice speak to your local explosives liaison officer.

If you are selling smokeless powder (UN0161) you need to satisfy yourself that the purchaser is the current holder of one of the following:

- Firearm certificate
- Shotgun Certificate
- Section 7 Permit (temporary permit)
- Visitors Firearm or Shotgun Permit
- A Registered Firearms Dealer

If you are selling Black Powder (UN0027 or UN0028) the purchaser MUST produce a current Explosives Certificate.

If you are selling smokeless powder (UN0161) or Black Powder (UN0027 or UN0028) the Para 35 of the Explosives Regulations require you to keep records of the type and quantity of powder sold together with the details of the purchaser (name & address)

If you are selling cap-type primers for use in metallic ammunition or empty metallic cartridge cases incorporating cap-type primers for use in a firearm of a relevant kind you must ensure the purchaser is at least one of the following:

- A Registered Firearms Dealer;

- A person who sells by way of any trade or business either primers or empty cartridge cases incorporating primers, or both;
- They produce a certificate authorising them to possess a firearm of a relevant kind;
- They produce a certificate authorising them to possess ammunition of a relevant kind;
- They show that they are a person in the service of Her Majesty who is entitled under subsection (6) to acquire a primer to which this section applies;
- They show that they are entitled, by virtue of the 1968 Act, the Firearms (Amendment) Act 1988 (c. 45) or any other enactment and otherwise than by virtue of being a person in the service of Her Majesty, to have possession, without a certificate, of a firearm of a relevant kind or of ammunition of a relevant kind;
- They produce a certificate authorising another person to have possession of such a firearm, or of such ammunition, together with that other person's authority to purchase the primer or empty cartridge case on their behalf; or
- They show that they are authorised by regulations made by the Secretary of State to purchase primers or cartridge cases of the type in question.

Note: shotgun primers and percussion caps for muzzle loading firearms are exempt.

A person who is in the service of Her Majesty is entitled to acquire a primer to which this section applies if:

- They are duly authorised in writing to acquire firearms and ammunition for the public service; or
- They are a person who is authorised to purchase a firearm or ammunition by virtue of a certificate issued in accordance with section 54(2)(b) of the 1968 Act (certificates for persons in naval, military or air service of Her Majesty).

As of the 2nd May 2017 the Policing & Crime Act 2017 came into effect, with the exception of the following sections:

126 which deals with Antique Firearms. (A consultation exercise will take place before this becomes law)

132 Applications under the Firearms Acts: Fees.

A brief summary of sections most applicable to Registered Firearms Dealers is set out below:

128 Controls on defectively deactivated weapons

After section 8 of the Firearms (Amendment) Act 1988 insert—

8A Controls on defectively deactivated weapons

(1) It is an offence for a person who owns or claims to own a defectively deactivated weapon—

(a) to make the weapon available for sale or as a gift to another person, or

(b) to sell it or give it (as a gift) to another person.

(2) Subsection (1)(a) does not apply if—

(a) the weapon is made available for sale or as a gift only to a person who is outside the EU (or to persons all of whom are outside the EU), and

(b) it is made so available on the basis that, if a sale or gift were to take place, the weapon would be transferred to a place outside the EU.

(3) Subsection (1)(b) does not apply if—

(a) the weapon is sold or given to a person who is outside the EU (or to persons all of whom are outside the EU), and

(b) in consequence of the sale or gift, it is (or is to be) transferred to a place outside the EU.

(4) For the purpose of this section, something is a “defectively deactivated weapon” if—

(a) it was at any time a firearm,

(b) it has been rendered incapable of discharging any shot, bullet or other missile (and, accordingly, has either ceased to be a firearm or is a firearm only by virtue of the Firearms Act 1982), but

(c) it has not been rendered so incapable in a way that meets the technical specifications for the deactivation of the weapon that apply at the time when the weapon is made available for sale or as a gift or (as the case may be) when it is sold or given as a gift.

(5) The Secretary of State must publish a document setting out the technical specifications that apply for the purposes of subsection (4)(c) (“the technical specifications document”).

(6) The technical specifications document may set out different technical specifications for different kinds of weapon.

(7) The Secretary of State—

(a) may from time to time revise the technical specifications document, and

(b) where it is revised—

(i) must publish the document as revised, and

(ii) specify in it the date on which any changes to the technical specifications that apply for the purposes of subsection (4)(c) take effect.

(8) In the case of a weapon rendered incapable as mentioned in subsection (4)(b) before 8 April 2016, subsection (1)(a) or (b) does not apply if the weapon is made available for sale or as a gift, or (as the case may be) sold or given, by or on behalf of a museum in respect of which a museum firearms licence is in force to another museum in respect of which such a licence is in force.

(9) References in this section to “sale” include exchange or barter (and references to sell are to be construed accordingly).

(10) In this section, “museum firearms licence” means a licence granted under the Schedule to the Firearms (Amendment) Act 1988.

**SEE FURTHER NOTES BELOW CONCERNING CHANGED
DEACTIVATION STANDARDS**

129 Controls on ammunition which expands on impact

**EXPLANATION: EXPANDING RIFLE AMMUNITION & MISSILES ARE NO
LONGER PROHIBITED**

**Expanding rifle ammunition has reverted to Section 1 status. Loose
expanding missiles (bullets) have no legal status.**

**Expanding pistol ammunition will remain controlled in the UK. The EU
Weapons Directive**

**91/477/EEC of the 18 June 1991 prohibited expanding pistol ammunition
except for certain purposes e.g. humane dispatch. Pistol cartridge
ammunition for rifles will be exempt where it is loaded specifically for rifles
of the correct proof. The loading and ballistic qualities, i.e. powder
charge/chamber pressure, must be taken into account rather than
appearance or chamber dimensions.**

131 Limited extension of firearm certificates etc (came into effect 17 April 2018)

Link to the Home Office Circular 014/2018: Firearms- limited extension of validity of firearm and shotgun certificates:

<https://www.gov.uk/government/publications/circular-0142018-limited-extension-of-validity-of-firearm-and-shotgun-certificates/circular-0142018-firearms-limited-extension-of-validity-of-firearm-and-shotgun-certificates>

Where a firearm or shotgun certificate's validity is being extended by virtue of Section 28B, this will be confirmed in writing to the certificate holder by the issuing police force. Therefore where a certificate holder has been notified by their issuing police force that their certificate(s) have been extended for 8 weeks they can continue to purchase firearms and ammunition authorised on their certificates for the extended period. In these circumstances the certificate holder should produce both their original expired certificate together with the letter they have received from their issuing police force to the vendor. Transfers of firearms including shotguns and Section 1 ammunition should be recorded on the respective tables in compliance with the instructions contained on the reverse of the certificates.

28 June 2018: revised EU Implementing Regulation affecting deactivated firearms

On 28 June 2018 [revised deactivation standards](#) (MS Excel Spreadsheet, 34.1KB) came into effect. EU Commission [Implementing Regulation 2018/337](#) introduces changes affecting deactivation standards within EU Member States. This revised the Implementing Regulation 2015/2403 which was previously introduced on 8th April 2016. The new Implementing Regulations 2018/337 introduce revised technical de-activation specifications replacing those introduced in the 2015/2403 regulations.

For firearms of types not covered within the EU Implementing Regulation (such as rocket launchers and artillery pieces for example) then the legacy national standards drafted in December 2011 and introduced in January 2011 apply.

If you have any questions please contact public.enquiries@homeoffice.gsi.gov.uk

**IF YOU HAVE ANY DOUBTS YOU CAN SEEK CLARIFICATION FROM YOUR LOCAL FIREARMS LICENSING DEPARTMENT OR RELEVANT REPRESENTATIVE ORGANISATION SUCH AS:
THE GUN TRADE ASSOCIATION OR THE BRITISH ASSOCIATION FOR SHOOTING AND CONSERVATION**