



**Notice to Importers 2878 issued on 13 June 2016 by Import Licensing Branch (ILB),
Queensway House, West Precinct, Billingham TS23 2NF**

IMPORTS OF FIREARMS & AMMUNITION IMPORT LICENSING ARRANGEMENTS 2016

This Notice sets out the licensing arrangements for imports of firearms and ammunition into the UK. It replaces all previous Notices to Importers on this issue.

Import licensing controls

1. Imports of firearms, component parts of firearms, ammunition and any accessory to any such firearm or other weapon designed or adapted to diminish the noise or flash caused by firing the weapon manufactured after 31 December 1899 and classified to Chapter 93 or 97 of the tariff require an import licence. There may be exemptions, so please read the detail to confirm the position.
2. Firearms manufactured on or before 31 December 1899 do not require an import licence. However the onus of proof is on you. If the date of manufacture of a firearm is disputed and you cannot prove the date of manufacture to the satisfaction of the import authorities then that firearm will be considered to be subject to import licensing controls. The date of first manufacture of a type of firearm is not proof of the date of manufacture of the firearm being imported.

Why does the UK require a licence to import firearms and ammunition

3. Import Licensing is in place to back up the UK's domestic controls on the possession of firearms by ensuring that only those authorised to possess firearms in the UK can import them.

Firearms possession in the UK

4. The controls on firearms possession are administered by the Police and the Home Office in England and Wales; the Police Service of Northern Ireland and the Northern Ireland Office in Northern Ireland, and by the Police and the Scottish Executive in Scotland. If you have authority under the relevant firearms legislation to possess a firearm you can import it.

Definition of a firearm

5. A 'Firearm' is defined in the Firearms Act 1968 as a "lethal barrelled weapon of any description from which any shot, bullet or other missile can be discharged". Firearms are either prohibited or non-prohibited. Prohibited firearms relate to Section 5 of the Firearms Act. All other firearms are non-prohibited. Detailed definitions of prohibited Section 5 goods are:

	Firearms Act – Section 5 descriptions
5(1)(a)	Any firearm capable of burst- or fully automatic fire and component parts of these.
5(1)(ab)	Any semi-automatic, self-loading or pump action rifled gun and carbines but not pistols
5(1)(aba)	Any firearm with a barrel less than 30 cm long or which is less than 60 cm long overall – short firearms (pistols and revolvers).
5(1)(ac)	Any pump-action or self-loading shotgun with a barrel less than 24 inches long or which is less than 40 inches long overall.
5(1)(ad)	Any smoothbore revolver gun except 9MM rimfire or muzzle loaded.
5(1)(ae)	Any rocket launcher or mortar which fires a stabilised missile other than for line throwing, pyrotechnics or signalling.
5(1)(af)	Any firearm using a self contained gas cartridge system.
5(1)(b)	Any weapon designed or adapted to discharge noxious nasties.
5(1)(c)	Any cartridge with an explosive bullet or any ammo designed to discharge noxious nasties, includes anything which can be fired from a gun and is designed to go bang at the target.
5(1A)(a)	Disguised firearms.
5(1A)(b)	Explosive rockets or ammo not covered in 5(1)(c)
5(1A)(c)	Any launcher or projector not covered in 5(1)(ae) designed to fire any rocket or ammo covered by 5(1A)(b) or 5(1)(c).
5(1A)(d)	Incendiary ammo.
5(1A)(e)	Armour-piercing ammo.
5(1A)(f)	Expanding ammo.
5(1A)(g)	Expanding, explosive, armour-piercing or incendiary bullets.

Domestic authority for prohibited firearms

6. The authority allowing possession and acquisition of prohibited firearms is a Home Office section 5 certificate.

Import licensing for prohibited firearms and ammunition

7. An import licence is required to import prohibited firearms and ammunition, irrespective of the country of consignment. An import licence will only be granted where a Home Office Section 5 Authority has been issued.
8. Home Office authority to possess Section 5 weapons are not usually issued to private individuals. However, no Section 5 authority is required where the person is authorized by their Firearm Certificate to have a prohibited firearm where it is to be used in animal welfare, starting races at athletic meetings, or is of historic interest.

Applying for an import licence

9. Please first e-mail enquiries.ilb@bis.gsi.gov.uk detailing the items that you wish to import. You can apply at www.ilb.bis.gov.uk, but please note that you will need to first register and then request importer access before you can apply for an import licence. Guidance can be found at the bottom of the log-on page at www.ilb.bis.gov.uk. Import licences are issued with a validity period of six months from the date of issue or up to the expiry date of any domestic authority if earlier.

Transfers of prohibited firearms and ammunition to the UK from within the EU

10. For consignments from within the EU, the provisions of the EU Weapons Directive apply. Importers require an import licence as well as a transfer licence issued by the transferring Member State. Both documents must travel with the prohibited items.

Handguns derogation – Northern Ireland and the Isle of Man

11. Although most handguns are classed as prohibited weapons in mainland Britain, this is not the case in Northern Ireland or the Isle of Man. The personal import requirements apply to individuals who are based in Northern Ireland or the Isle of Man and who want to import a handgun.
12. Commercial Imports of handguns consigned to Northern Ireland or the Isle of Man that are imported from outside of the European Union can be imported with a valid import licence. For the purposes of these arrangements Isle of Man is to be regarded as part of the UK.
13. Importers who import handguns into Northern Ireland or the Isle of Man require a transfer licence to transfer handguns to another EU Member State. The licence and the importers domestic authority to possess the handguns being transferred must accompany the handguns throughout the transfer. However if any part of the journey is through Great Britain this can only be conducted by a carrier authorised for the above mentioned handguns under Section 5 of the Firearms Act 1968 as amended.

Domestic authority for Non-prohibited firearms

14. Non-prohibited firearms are all other weapons such as sporting shotguns, hunting rifles, certain air weapons, black powder pistols and their component parts.
15. The authority allowing possession and acquisition of firearms for a company is a Certificate of Registration as a Firearms Dealer issued by your local police constabulary. For an individual, it is a Firearm or shotgun Certificate.

Import licensing of non-prohibited firearms, their components and ammunition

16. An Open Individual Licence (OIL) allows you to import from outside the EU unlimited quantities of non-prohibited firearms (Section 1 & 2), their component parts, and ammunition. You must be a Registered Firearms Dealer to apply. OILs are available for firearms falling to Chapters 93 or 97 of the tariff. You will need a Chapter 97 OIL if you are importing firearms over 100 years old but manufactured after 1899. You must choose the correct commodity code group when applying for an OIL.

Non-commercial imports of firearms, their components and ammunition

17. An import licence is not required for the personal import from outside the EU of firearms covered on a Firearm Certificate, Shotgun Certificate or a British Visitors Permit (BVP) as long as your domestic authority is presented to Customs at import.

Declaring your personal import

18. If you are travelling with your firearm, you should go to the Red Point or Red Point telephone at the Port or Airport on arrival to make your declaration. Pre-warning the Port or Airport of your arrival may speed up the time taken to check your authority.
19. If you are returning with a newly acquired firearm or shotgun you must check:
- Your airline or ferry company's policy on the transport of such items,
 - That you are in full compliance with the laws in the country where you purchase the item concerning its possession, transport and export,
 - You have your UK domestic possession authority to present to UK Customs.
20. If your item is being shipped or posted from a non-EU country, it must have a declaration on the package that clearly identifies its contents. Your item will then be held by UK Border Force whilst the validity of your domestic possession authorities are confirmed by the issuing constabulary. Your item will only be released when UKBF are satisfied that the correct authorities are in place.
21. If you are transferring a newly acquired firearm or shotgun into the UK from an EU country, you must obtain a transfer licence (irrespective of whether you are returning from a trip with the item or having it shipped to you). The transfer licence is issued by the relevant authority in the transferring Member State.

Transfers of non-prohibited firearms and ammunition to the UK from within the EU

22. For transfers within the EU, the provisions of the EU Weapons Directive apply. A transfer licence is required from the transferring member state for the transfer to the UK of newly acquired firearms. There is no import licence requirement as long as the transfer licence accompanies the firearm to the UK and you have the domestic authority to possess it. This also applies if you transfer handguns to Northern Ireland and the Isle of Man. A European Firearms Pass and BVP is required for transfers by EU residents from another EU Member State to the UK.

Exemptions from the Provisions of the EU Weapons Directive

23. There are exemptions to the provisions of the EU Weapons Directive, where a transfer licence would not be required in the transferring Member State. These include applications made by the Police, the armed forces, collectors, and weapons of war. In the case of the last 2 exceptions there are no legal definitions of the terms. It is down to the interpretation of each Member State how they view applications. For example, the UK class contracts between EU Government Departments as weapons of war (See Article 2 of EC Weapons Directive).

Antique firearms

24. Firearms manufactured on or before 31 December 1899 do not require an import licence.

"Obsolete Calibre" firearms

25. The Home Office guidance lists firearms which do not require any form of domestic authority to allow their possession in the UK as the manufacture of the Calibre of weapon or ammunition no longer exists. However, these firearms if manufactured after 31 December 1899, require an import licence.

Expanding Ammunition

26. Expanding ammunition is prohibited under Section 5 of the Firearms Act 1968 (as amended). Registered Firearms Dealers may import them provided they have a suitably conditioned Certificate of Registration as a Firearms Dealer or Firearms Certificate. A Dealers Open Individual Licence is not valid as it does not include items falling to Section 5 of the Act.

Police

27. Police forces are exempt from the domestic authority requirement for firearms and ammunition. They are not exempt from the import licence requirement.

Air weapons

28. Air weapons require an import licence if:
- they have been disguised as another object; or
 - have been designed or adapted for use with a self-contained gas cartridge system; or
 - are air pistols that discharge a missile so that missile has, on being discharged from the muzzle of the weapon, kinetic energy in excess of 6ft lb (8.14 joules); or
 - are air weapons other than air pistols that discharge a missile so that missile has, on being discharged from the muzzle of the weapon, kinetic energy in excess, of 12ft lb (16.27 joules), or

- are self-loading or pump action

29. Under the Anti-Social Behaviour Act 2003, air pistols are subject to import licensing control as section 5 firearms if:

- they use or are designed or adapted for use with a self-contained gas cartridge system, or
- are capable of discharging a missile so that the missile has, on being discharged from the muzzle of the weapon, kinetic energy in excess of 6ft lb (8.14 joules), or
- are self-loading.

Air weapons other than air pistols are subject to import licensing control as section 1 firearms if they discharge a missile so that missile has, on being discharged from the muzzle of the weapon, kinetic energy in excess, of 12ft lb (16.27 joules). Air weapons other than air pistols are subject to import licensing controls as section 5 firearms if they are self-loading or pump action.

You will not need to apply for an import licence for an air rifle or an air pistol as long as they:

- Have not been disguised as another object,
- Have not been designed or adapted for use with a self-contained gas cartridge system, and
- are incapable of discharging a missile so that the missile has, on being discharged from the muzzle of the weapon, kinetic energy in excess, in the case of an air pistol, of 6ft lb (8.14 joules) or, in the case of an air weapon other than an air pistol, of 12ft lb (16.27 joules)
- are not self-loading or pump action
- are for use only when submerged in water.

Deactivated firearms

30. Commission Implementing Regulation (EU) 2015/2403 published on 15 December 2015 introduced new strict EU-wide standards for deactivated firearms. They ensure that deactivated firearms cannot be reactivated. This Regulation also introduced an EU Deactivation Certificate.

31. This Regulation also now required an EU Deactivation Certificate to accompany any cross-border movement of a deactivated firearm. Valid national Certificates cannot be used as a substitute. To ensure that deactivated firearms are compliant with this legislation, an import licence is required for the import or transfer into the UK of a deactivated firearm. Deactivated firearms manufactured on or before 31 December 1899 do not require an import licence.

Overseas re-enactment events using deactivated firearms

32. Re-enactors will be able to apply for a three year import licence provided you have the new EU Certificate of deactivation and are a member of a re-enactment society when you attend the overseas re-enactment event. Separate import licences will be required for EU and non-EU events.

33. Presenting documents to customs at the border

- Importation from Non EU countries – deactivated firearms import licences and EU Deactivation Certificate should be presented to customs.
- Intra EU movements – deactivated firearms import licences and EU Deactivation Certificates are not required to be presented to customs provided the importer has been issued with the correct import licence and EU Deactivation Certificate. However, both of these documents must be available for presentation when requested by customs.

Replica firearms

34. An import licence is not required to import replica firearms into the UK as long as they are not readily convertible to fire live ammunition. A firearms is considered to be "Readily convertible" if:

- it can be converted without any special skill on the part of the person converting it in the construction or adaption of firearms of any description: and
- the work involved in converting it does not require equipment or tools other than such as are in common use by persons carrying out works of construction and maintenance in their homes.

Paintball weapons and ammunition

35. An import licence is not required provided that the paintball gun is designed specifically for that purpose and cannot be readily converted or capable of firing a paintball with sufficient kinetic energy to either penetrate the skin or cause internal injuries by the sheer force of the impact. An import licence is not required for non-toxic and non-irritant paintball ammunition.

Component parts

36. Component parts of firearms are subject to control under domestic firearms legislation. The Home Office Guidance on Firearms Licensing Law states that “the term “component part” may be held (according to case law) as including (i) the barrel, chamber, cylinder, (ii) frame, body or receiver, (iii) breech, block, bolt or other mechanism for containing the charge at the rear of the chamber (iv), any other part of the firearm upon which the pressure caused by firing the weapon impinges directly. Magazines, sights and furniture are not considered component parts.
37. It is also considered that by virtue of the Firearms Act 1968 (as amended), component parts of weapons prohibited under section 5(1)(a), 5(1)(aba) and 5(1A)(a) remain prohibited under their respective sections. Component parts of any other firearm are non-prohibited and fall to section 1 of the Act.

Restricted accessories

38. Items designed or adapted to diminish the noise or flash caused by firing the weapon are restricted under Section 1 of the Firearms Act 1968, as amended, and therefore subject to import licensing controls. No other accessory, e.g sights, tripods, bags, belts etc, requires an import licence.

Help

39. The simplified guide below explains when firearms, component parts and ammunition require import licences to enter the UK. Please start at question 1 and follow the instructions until you get a specific Yes/No answer to whether you require an import licence or not. If you are in any doubt or require further clarification on the need for an import licence, please email us at enquiries.ilb@bis.gsi.gov.uk.

This notice is for information purposes only and has no force in law. Please note that where legal advice is required, you should make your own arrangements.

Definitions

“It” means Firearms, their component parts and ammunition.

BVP means British Visitors Permit

EFP means European Firearms Pass

	Question	Answer	Import Licence required
1	Does it fall to Chapter 93 or 97 of the UK tariff?	No	No
		Yes	Go to question 2
2	Was it manufactured after 31 December 1899?	No	No
		Yes	Go to question 3
3	Does it fall within the Firearms Act?	No	No
		Yes	Go to question 4
4	Is it being imported by UK Police?	Yes	Go to question 5
		No	Go to question 6
5	Is it covered by the Open Individual Import Licence (Police)?	Yes	No
		No	Yes
6	Is it being imported by a Proof House?	Yes	Yes
		No	Go to question 7
7	Is it being imported by the MOD?	Yes	No
		No	Go to question 8
8	Is it being imported by a Museum?	Yes	Yes
		No	Go to question 9
9	Is it a component part of ammunition?	Yes	No
		No	Go to question 10
10	Is it cartridges for smooth-bore guns containing five or more shot, none of which exceeds 0.36 inches (9mm) in diameter?	Yes	No
		No	Go to question 11
11	Is it blank cartridges not exceeding 1 inch (25mm) in diameter?	Yes	No
		No	Go to question 12
12	Does the transfer fall within the firearms directive?	No	Go to question 13
		Yes	Go to question 16

	Question	Answer	Import Licence required
13	Is it a personal importation?	Yes	Go to question 14
		No	Go to question 15
14	Are you a UK resident?	Yes	No. UK Domestic Authority to possess certificate required.
		No	No. BVP required.
15	Is it prohibited under Section 5 of the Firearms Act?	Yes	Yes
		No	Yes
16	Is it a commercial importation?	Yes	Go to question 17
		No	Go to question 18
17	Is it prohibited under section 5 of the Firearms Act 1968?	Yes	Yes. A transfer document issued by the transferring Member State also required.
		No	No. A transfer document issued by the transferring Member State and valid domestic authority required.
18	Are you a UK resident?	Yes	Go to question 19
		No	Go to question 20
19	Is it newly acquired?	Yes	No. A valid domestic authority to possess.
		No	No. A valid EFP and UK domestic authority required.
20	Are you an EU resident?	Yes	No. A valid BVP and EFP required.
		No	No. A valid BVP only required.