



Home Office

## Antique Firearms

What do you need to know?

## Introduction

The government is aware of the potential misuse of antique firearms for criminal activity and strengthened the law in July 2014 to address this issue. If you own an antique firearm or you sell antique firearms you need to be aware of changes in the law.

## What are the changes?

On 14 July 2014, the firearms provisions in Section 110 of the Anti-Social Behaviour, Crime and Policing Act 2014 came into effect and extended the definition of a 'prohibited' person to those with suspended sentences. The law has also been changed so that prohibited persons will no longer be able to possess antique firearms. Taken together, the changes made to the Firearms Act 1968 mean that a person who has served a term of imprisonment, or has received a suspended sentence, of at least three months and less than three years, cannot possess a firearm, including an air weapon or antique firearm, or ammunition for five years from the date of his release if imprisoned or if given a qualifying suspended sentence, from the second day after the date on which the suspended sentence was made. A person who has served a term of imprisonment of over three years can never possess a firearm, including an air weapon or antique firearm or ammunition. Please note that these provisions also apply to a person sentenced to youth custody, detention in a young offender's institute or a detention and training order.

## What is the impact of these changes?

From 14 July 2014 a prohibited person cannot possess an antique firearm. Possession of a firearm, including an air weapon or antique firearm, or ammunition during a period of prohibition is an offence under section 21(4) of the Firearms Act 1968 and attracts a maximum sentence of five years. A prohibited person may apply to the Crown Court, or in Scotland, in accordance with Act of Sederunt to the sheriff for the prohibition to be lifted.

## Background

All antique firearms which are, sold, transferred, purchased or possessed as 'curiosities' or 'ornaments' are exempt (under section 58(2)) from the licensing and restrictions of use provisions in the Firearms Act 1968. The word 'antique' and the phrase 'curiosity or ornament' are not defined in law but guidance can be found in Chapter 8 of the Home Office guide on firearms licensing law.

A person in possession of a particular firearm should be able to demonstrate that it is an antique. Evidence of its antique status may include an indication of date of manufacture, details of technical obsolescence, a lack of commercial availability of suitable ammunition, or a written opinion by an accredited expert.

A person in possession of a firearm which he claims is an antique should also be able to demonstrate that it is possessed as a curiosity or an ornament, although it would be for the prosecution to prove otherwise in any criminal proceedings. If there is any indication that a firearm is to be used, or the circumstances in which it is found indicate that it is not held purely as a curiosity or ornament, it should not be regarded as an antique firearm for the purposes of the Firearms Act and normal certification procedures would apply.

## For more information

You should contact your local police (dial 101) if you are concerned that someone is dealing in illegal firearms or owns an old firearm for criminal purposes.

An import licence will be required to import any firearm manufactured after 1899. Please email [enquiries.ilb@bis.gsi.gov.uk](mailto:enquiries.ilb@bis.gsi.gov.uk) for further advice.

If you intend exporting a firearm, further information is available from Business Innovation & Skills Export Control Organisation (BIS):

[Eco.help@bis.gsi.gov.uk](mailto:Eco.help@bis.gsi.gov.uk) or ring: 0207 215 4594

The Home Office circular covering the changes during 2014 can be found at:

<https://www.gov.uk/government/collections/home-office-circulars-2014>

Legislation:

<http://www.legislation.gov.uk/ukpga/2014/12/part/8/enacted>

Home Office Guide to Firearms Licensing Law:

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