

Firearms Act

Principal Act

Act. No. 1958-10	<i>Commencement</i>	8.8.1958
	<i>Assent</i>	31.7.1958

Amending enactments	Relevant current provisions	Commencement date
Act. 1961-23	s. 24(4)	
1963-06	ss. 2, 27-28	
1966-05	ss. 5(4), 6(7), 17, 25(4)	
1969-10	ss. 2, 20	
1971-19	Sch.3	
1972-05	ss. 3(2), 20(4), 21(2), 22(5)	
1972-15	Sch.3	
1981-12	ss. 5(1), 10(2), 11(2)	
1987-19	ss. 5(1), 10(2)	16.7.1987
1990-27	ss. 3(2)(b), 4(9)-(10), 5(1)(a)-(c), 6(4)(a), (12), 8(3), 9(2), 10(2), (6), 11(2)(c), (4), 12(5), 13(4), 14(4), 16(2), 18(2), (6), 19(4), 20(4), 21(2), 22(5), 25(3), (4)(a), 28(1), 29(2)(c), 31(3)	14.6.1990
2010-03*	ss. 5(2), 6(6), 14(6), 18(1), (3), (5)-(6), (7)(a), 19(1), (5), 31(1)-(3), 35	18.3.2010
LN. 2026/219	ss. 2, 3(1), 4(1A), (2), (2A)-(2B), (3A)-(3E), (4A), (7)(a)-(c), (8)-(11), (11A), 6A, 8A-8E, 9(2), 10(1A)-(1D), (2), (2A)-(2C), (6), 12(5), 12A, 13(4), 13A, 14(1), (2A)-(2C), (3)-(4), 16A-16E, 18(1)-(2), (2A)-(2H), (3)-(4), (6), 19, 20, 21(2), 22(5), 24(6)(b), 25(3), (4)(a), (5)-(6), 27-28, 28A-28B, 29(2)(c), 29A-29B, 30(1)-(2), (4), 31(1), (3), 36(2), Schs. 1-2, 2A, 3-6	15.7.2026

English source:

Firearms Act 1937 (1Edw.8 & 1 Geo. 6 c.12)

* Transitional provisions as follows:

For the purposes of the Firearms Act—

- (a) *any authority or approval granted or regulation or order made by the Governor under that Act; or*
- (b) *permission granted by the Deputy Governor under that Act,*

prior to the coming into operation of this Act and which is in operation on the coming into force of this Act shall be deemed to have been duly made or granted by the Minister with responsibility for justice

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AN ACT TO CONSOLIDATE THE LAW RELATING TO THE PURCHASE, POSSESSION, MANUFACTURE AND SALE OF FIREARMS AND AMMUNITION AND OTHER TRANSACTIONS.

PART I.
PRELIMINARY.

Short title.

1. This Act may be cited as the Firearms Act.

Interpretation.

2. In this Act, unless the context otherwise requires—

“acquiring” means hiring, accepting as a gift and borrowing and the expressions “acquire” and “acquisition” shall be construed accordingly ;

“aerodrome” means the aerodrome at North Front, Gibraltar;

“air weapon” includes an air gun, air rifle or air pistol;

“alarm or signal weapon” means a device with a cartridge holder which is designed to fire only blanks, irritants, other active substances or pyrotechnic signalling rounds, and which is not capable of being converted to expel a shot, bullet or projectile by the action of a combustible propellant;

“ammunition” means ammunition for any firearm, whether the complete round or the components thereof, and includes grenades, bombs and other missiles whether capable of use with a firearm or not and prohibited ammunition;

“certificate” (except when used in the expression “certificate of registration”) means a firearms certificate granted under section 4;

“collector” means a person dedicated to the gathering and conservation of firearms, essential components or ammunition for historical, cultural, scientific, technical, educational or heritage purposes, recognised by the Minister with responsibility for justice as such;

“the data protection legislation” has the meaning given in section 2 of the Data Protection Act 2004;

“deactivated firearm” means a firearm which has been rendered permanently unfit for use by deactivation or permanently inoperable in accordance with the technical

specification set out in the TGEU Implementation (Deactivation of Firearms) Regulations 2026;

“essential component” means the barrel, the frame, the receiver (whether an upper or lower receiver, where applicable), the slide, the cylinder, the bolt or the breech block which, being separate objects, are included in the category of the firearms on which they are or are intended to be mounted;

“firearm” means any lethal barrelled weapon of any description from which any shot, bullet or other missile can be discharged and includes-

- (a) any object which has been designed to discharge any shot, bullet or other missile;
- (b) any object which has the appearance of a barrelled weapon and, as a result of its construction or the material from which it is made, is capable of being converted, or has been converted, to discharge any shot, bullet or other missile;
- (c) an air weapon whether it is such a lethal air weapon or not;
- (d) a prohibited weapon;
- (e) any accessory to a firearm designed or adapted to diminish the noise or flash caused by firing the weapon;
- (f) a deactivated firearm;

“firearms broker” means any person, other than a firearms dealer, who by way of trade or business operates in or from Gibraltar-

- (a) negotiates or arranges transactions for the purchase, sale or supply of firearms or ammunition;
- (b) arranges for the transfer of firearms or ammunition, including the importation into and exportation out of Gibraltar;

“firearm certificate” means a certificate granted under section 4;

“firearms dealer” means a person who, by way of trade or business, manufactures, sells, transfers, repairs, tests, modifies, converts or proves firearms or ammunition to which Part II applies;

“imitation firearm” means anything which has the appearance of being a firearm other than such a prohibited weapon as is mentioned in paragraph (b) of section 18(1), whether it is capable of discharging any shot, bullet or other missile or not;

“lawful authority” includes authority conferred by or under this Act or any other enactment, including authority conferred by a UK Act in respect of persons in the service of His Majesty’s naval, military or air forces;

“museum” means the Gibraltar National Museum or a permanent institution in the service of society and its development, which acquires, conserves, researches and exhibits firearms, essential components or ammunition for historical, cultural, scientific, technical, educational, heritage or recreational purposes, and which, for the purposes of this Act only, is recognised as such by the Minister with responsibility for justice;

“offence against this Act” means any act, omission or other thing which is punishable under this Act;

“premises” includes any land;

“prohibited ammunition” means any ammunition referred to in paragraph (c) of section 18(1);

“prohibited weapon” means any firearm or weapon referred to in paragraph (a) to paragraph (m) of section 18(1);

“public place” includes any highway and any other premises to which at the material time the public have or are permitted to have access, whether on payment or otherwise;

“registered”, in relation to a firearms dealer, means registered in accordance with the provisions of this Act;

“salute or acoustic weapons” means firearms specifically converted for the sole use of firing blanks, for use such as in theatre performances, photographic sessions, film and television recordings, historical reenactments, parades, sporting events and training;

“tracing” means the systematic tracking of firearms, essential components or ammunition from manufacturer to a purchaser or a person possessing that firearm, essential component or ammunition and the expression “traced” shall be construed accordingly;

“transferring” includes letting on hire, giving, lending and parting with possession and the expressions “transfer”, “transferee” and “transferor” shall be construed accordingly.

PART II.

REGULATION OF PURCHASE, POSSESSION, MANUFACTURE AND SALE OF CERTAIN FIREARMS AND AMMUNITION AND OTHER TRANSACTIONS.

Purchase and Possession of Certain Firearms

*and Ammunition.***Penalty for purchasing or possessing firearms or ammunition without certificate.**

3.(1) Subject to the provisions of this Act, no person shall purchase, acquire or have in his possession any firearm or ammunition to which this Part applies unless he holds a certificate in force at the time.

(2) A person who—

(a) purchases, acquires or has in his possession any firearm or ammunition to which this Part applies without holding a certificate in force at the time, or otherwise than as authorized by such a certificate, or, in the case of ammunition, in quantities in excess of those so authorized; or

(b) fails to comply with any condition subject to which a certificate is held by him,

is, subject to the provisions of this Act, guilty of an offence and is liable, on summary conviction, to imprisonment for three months and to a fine at level 3 on the standard scale.

Grant, renewal, variation, and revocation of certificates.

4.(1) An application for the grant of a certificate under this section shall be made in the prescribed form to the Commissioner of Police and shall state such particulars as may be required by that form.

(1A) Where applicable, the particulars referred to in subsection (1) shall include the serial number and unique marking of the firearm in accordance with section 8A and, where any essential component of a firearm bears a different serial number or unique marking, it shall be listed separately.

(2) The certificate shall be granted by the Commissioner of Police if he is satisfied that the applicant has a good reason for purchasing, acquiring, or having in his possession the firearm or ammunition in respect of which the application is made, and can be permitted to have in his possession that firearm or ammunition without danger to himself, to others, the public safety or to the peace:

Provided that a certificate shall not be granted to a person whom the Commissioner of Police has reason to believe to be prohibited by this Act from possessing a firearm to which this Part applies, or to be of intemperate habits or suffering from mental disorder, or to be for any reason unfitted to be entrusted with such a firearm.

(2A) When considering whether an applicant is a danger to himself, to others, to public safety or to the peace, the Commissioner of Police shall take into account any conviction of

the applicant and may request such medical records from the applicant as he considers reasonably necessary.

(2B) When undertaking the assessment referred to in subsection (2A), where an applicant has been convicted of a violent crime, the Commissioner of Police shall consider that conviction as a relevant factor indicating potential risk.

(3) A certificate granted under this section shall be in the prescribed form and shall specify the conditions, if any, subject to which it is held, the nature and number of the firearms to which it relates, and as respects ammunition, the quantities authorized to be purchased and to be held at any one time thereunder.

(3A) The holder of a firearm in respect of which a certificate has been issued under this section shall not convert or modify that firearm unless he has first obtained the permission of the Commissioner of Police.

(3B) In subsection (3A), a reference to modifying a firearm includes its deactivation or destruction.

(3C) An application for permission under subsection (3A) shall be made in such form as the Commissioner of Police may require and shall specify the reasons for the proposed conversion or modification.

(3D) Where the Commissioner of Police grants permission for the conversion or modification of a firearm further to an application under subsection (3C), the holder may carry out the conversion or modification in accordance with any conditions attached to that permission.

(3E) The holder shall, within seven days of the completion of the conversion or modification, notify the Commissioner of Police and provide such particulars as the Commissioner of Police may require.

(4) A certificate shall, unless previously revoked or cancelled, continue in force for three years from the date when it was granted or last renewed, but shall be renewable for a further period of three years by the Commissioner of Police, and so from time to time, and the foregoing provisions of this section shall apply to the renewal of a certificate as they apply to the grant of a certificate.

(4A) During the period of validity of a certificate, the Commissioner of Police may, if he considers necessary, review the grant of a certificate under this section and reassess whether he continues to be satisfied that the holder-

- (i) has a good reason for purchasing, acquiring, or having in his possession the firearm or ammunition; and

- (ii) is able to possess the firearm or ammunition without danger to himself, to others, to public safety or to the peace,

and for this purpose, may require the holder to provide such information as may reasonably be required.

(5) The Commissioner of Police may at any time by notice in writing vary the conditions subject to which the certificate is held, except such of them as may be prescribed, and may by the notice require the holder to deliver up the certificate to him within twenty-one days from the date of the notice for the purpose of amending the conditions specified therein.

(6) A certificate may also, on the application of the holder thereof, be varied from time to time by the Commissioner of Police.

(7) A certificate may be revoked by the Commissioner of Police if–

- (a) the Commissioner of Police is satisfied that the holder is prohibited by this Act from possessing a firearm to which this part applies, or is of intemperate habits or is suffering from mental disorder, or is otherwise unfit to be entrusted with such a firearm;
- (b) the holder fails to comply with a notice under subsection (5) requiring him to deliver up the certificate;
- (c) the Commissioner of Police is satisfied that the holder of the certificate–
 - (i) no longer has a good reason for purchasing, acquiring, or having in his possession the firearm or ammunition; or
 - (ii) is no longer able to possess the firearm or ammunition without danger to himself, to others, to public safety or to the peace.

(8) A person aggrieved by a refusal of the Commissioner of Police to grant him a certificate under this section or to vary or renew a certificate, or by the revocation of a certificate under paragraph (a) or paragraph (c) of subsection (7) may appeal, in accordance with so much of the provisions of Schedule 1 as relates to appeals, to the magistrates' court.

(9) In any case where a certificate is revoked by the Commissioner of Police, he shall by notice in writing require the holder to surrender the certificate, and if the holder fails to do so within twenty-one days from the date of the notice, he is guilty of an offence and is liable, on summary conviction, to a fine at level 3 on the standard scale:

Provided that, where an appeal is brought against the revocation, this subsection shall not apply to that revocation unless the appeal is abandoned or dismissed, and shall in that case

have effect as if for the reference to the date of the notice there were substituted a reference to the date on which the appeal was abandoned or dismissed.

(10) A person who makes any statement which he knows to be false for the purpose of procuring, whether for himself or any other person, the grant of a certificate under this section, or the variation, or renewal of a certificate, is guilty of an offence and is liable, on summary conviction, to imprisonment for three months and to a fine at level 3 on the standard scale.

(11) Where a person has been issued with a certificate under this section for a firearm falling into Category B of Schedule 4 and he is a resident of a Member State, the Commissioner of Police shall ensure that the competent authority of that Member State is notified of the issue of the certificate and the details of the firearm.

Fees in respect of certificates.

5.(1) Subject to the provisions of this section and of section 7, there shall be payable—

- (a) on the grant of a certificate a fee of £20; and
- (b) on the renewal of a certificate, or on the replacement of a certificate which has been lost or destroyed, a fee of £15; and
- (c) on any variation of a certificate which increases the number of firearms to which the certificate relates a fee of £10:

Provided that, where a certificate is varied and renewed or replaced at the same time, no fee shall be payable on the variation.

(2) No fee shall be payable on the grant, to any responsible officer of a rifle club, miniature rifle club or cadet corps approved for the purpose by the Minister with responsibility for justice, of a certificate in respect of firearms or ammunition to be used solely for target practice or drill by the members of the club or corps, or on the variation or renewal of a certificate so granted.

(3) No fee shall be payable on the grant, variation or renewal of a certificate if the Commissioner of Police is satisfied that the certificate relates solely to and, in the case of a variation, will continue when varied to relate solely to—

- (a) a firearm or ammunition which the applicant requires as part of the equipment of a ship; or
- (b) a signalling apparatus, or ammunition therefor, which the applicant requires as part of the equipment of an aircraft or of the aerodrome.

(4) No fee shall be payable—

- (a) on the grant or renewal of a certificate relating solely to a firearm which is shown to the satisfaction of the Commissioner of Police to be kept by the applicant as a trophy of a war; or
- (b) on any variation of a certificate the sole effect of which is to add such a firearm as aforesaid to the firearms to which the certificate relates,

if the certificate is granted, renewed or varied subject to the condition that the applicant shall not use the firearm.

Exemptions from holding a certificate.

6.(1) The following provisions of this section shall have effect notwithstanding anything in section 3.

(2) A person carrying on the business of a firearms dealer and registered as such, or a servant of such a person, may, without holding a certificate, purchase, acquire or have in his possession a firearm or ammunition in the ordinary course of that business.

(3) A person carrying on the business of an auctioneer, carrier or warehouseman, or a servant of such a person, may, without holding a certificate, have in his possession a firearm or ammunition in the ordinary course of that business.

(4) Any person may, without holding a certificate—

- (a) have in his possession a firearm or ammunition on board a ship, or a signalling apparatus or ammunition therefor on board an aircraft or at the aerodrome, as part of the equipment reasonably necessary for the protection of the ship, aircraft or aerodrome; and
- (b) remove a signalling apparatus or ammunition therefor, being part of the equipment of an aircraft, from one aircraft to another at the aerodrome, or from or to an aircraft at the aerodrome to or from a place appointed for the storage thereof in safe custody at the aerodrome, and keep any such apparatus or ammunition at such a place; and
- (c) if he has obtained from a police officer a permit for the purpose in the prescribed form, remove a firearm from or to a ship, or a signalling apparatus from or to an aircraft or the aerodrome, to or from such place and for such purpose as may be specified in the permit.

(5) A person carrying a firearm or ammunition belonging to another person holding a certificate may, without himself holding a certificate, have in his possession that firearm or ammunition under instructions from and for the use of that other person for sporting purposes only.

(6) A member of a rifle club or miniature rifle club or cadet corps approved by the Minister with responsibility for justice may, without holding a certificate, have in his possession a firearm and ammunition when engaged as such a member in, or in connection with, drill or target practice.

(7) A person conducting or carrying on a miniature rifle range, (whether for a rifle club or otherwise) or shooting gallery at which no firearms are used other than air weapons or miniature rifles not exceeding .23 calibre may, without holding a certificate, purchase, acquire, or have in his possession such air weapons or miniature rifles and ammunition suitable therefor; and any person may without holding a certificate, use any such air weapons, rifles and ammunition at such a range or gallery.

(8) A person taking part in a theatrical performance or any rehearsal thereof, or in the production of a cinematograph film, may, without holding a certificate, have a firearm in his possession during and for the purpose of the performance, rehearsal or production.

(9) Any person may, without holding a certificate, have a firearm in his possession at an athletic meeting for the purpose of starting races at that meeting.

(10) A person who has obtained from the Commissioner of Police a permit for the purpose in the prescribed form may, without holding a certificate, have in his possession a firearm and ammunition in accordance with the terms of the permit.

(11) A person who is about to leave Gibraltar may, without holding a certificate, purchase a firearm from a registered dealer but, unless otherwise thereunto authorized under the provisions of this Act, may not take delivery of the firearm except at the revenue station at the point of his departure from Gibraltar and may not have the firearm in his actual possession save only for the purpose of removing the firearm from such revenue station out of Gibraltar.

(11A) Subsection (11) is subject to any other enactment prescribing the necessary authorisations or requirements for the purchase, acquisition, transfer or possession of a firearm where the firearm is to be exported from Gibraltar.

(12) A person who makes any statement which he knows to be false for the purpose of procuring, whether for himself or any other person, the grant of a permit under this section, is guilty of an offence and is liable, on summary conviction, to imprisonment for three months and to a fine of £500.

Record of firearms and essential components.

6A.(1) The Commissioner of Police shall maintain a record in electronic form of firearms and essential components, including related personal data, which at all times enables each firearm and essential component to be traced and linked to its current lawful possessor or owner.

(2) The record referred to in subsection (1) shall contain the following minimum information-

- (a) the type, make, model, calibre and serial number of each firearm and the mark applied to its frame or receiver as a unique marking in accordance with section 8A, which shall serve as the unique identifier of each firearm;
- (b) the serial number or unique marking applied to the essential components, where that differs from the marking on the frame or receiver of each firearm;
- (c) the names and addresses of the suppliers and of the persons acquiring or possessing the firearm, together with the relevant date or dates;
- (d) the category that the firearm falls into;
- (e) any conversions or modifications to a firearm leading to a change in its category or subcategory including its certified deactivation or destruction and the relevant date or dates.

(3) Subject to subsections (4) and (5), the expression “category” in subsection (2) is a reference to the categories in Schedule 4.

(4) Where a firearm is categorised in Schedule 4 as a Category B or C but is a prohibited firearm under section 18 of this Act, the firearm shall be deemed to be categorised as Category A for the purposes of this Act.

(5) Where a device is not listed in any of the categories in Schedule 4 but is a firearm for the purposes of this Act, for category, the entry in the database shall state “G”.

(6) No entry in the record referred to in subsection (1) may be deleted before the end of a period of thirty years after the destruction of the firearm or essential component to which the entry relates.

(7) Nothing in this section requires the Commissioner of Police to retain any information if the retention would contravene the data protection legislation (but, in determining whether the retention would contravene that legislation, the duty imposed by subsection (6) is to be taken into account).

Application of foregoing provisions to Crown servants.

7. Notwithstanding any rule of law whereunder the provisions of this Act do not bind the Crown, so much of the foregoing provisions of this Act as relates to the purchase and acquisition, but not so much thereof as relates to the possession of firearms and ammunition to which this Part applies shall apply to persons in the service of Her Majesty in their capacity as such, subject however, to the following modifications—

- (a) a person in the service of Her Majesty duly authorized in writing in that behalf may purchase or acquire such firearms and ammunition for the public service without holding a certificate;
- (b) a person in the naval, military or air service of Her Majesty shall, if he satisfies the Commissioner of Police on an application under section 4 that he is required to purchase or acquire such a firearm or ammunition for his own use in his capacity as such, be entitled without payment of any fee to the grant of a certificate authorizing the purchase or acquisition.

Production of certificates.

8.(1) Any police officer may demand from any person, whom he believes to be in possession of a firearm or ammunition to which this Part applies, the production of his certificate.

(2) If any person upon whom a demand is so made fails to produce the certificate, or to permit the police officer to read the certificate, or to show that he is entitled by virtue of this Act to have the firearm or ammunition in his possession without holding a certificate, the police officer may seize and detain the firearm or ammunition, and may require that person to declare to him immediately his name and address.

(3) A person who refuses so to declare his name and address or fails to give his true name and address, is guilty of an offence and is liable, on summary conviction, to a fine of £1,000, and the police officer may apprehend without warrant any person who refuses so to declare his name or address, or whom he suspects of giving a false name or address, or of intending to abscond.

*Manufacture and Sale of Certain Firearms and
Ammunition and other Transactions.*

Marking of firearms.

8A.(1) This section applies to a firearm which falls into any category referred to in Schedule 4 which is manufactured in, or imported into, Gibraltar after the commencement of this section.

(2) No person shall place on the market any firearm that has not been marked in accordance with this section.

(3) A manufacturer of a firearm shall ensure that, at the time of its manufacture or, at the latest, before its placement on the market, each essential component of the firearm is marked with a clear, permanent and unique marking which shall-

- (a) comprise the particulars specified in Part 1 of Schedule 5; and

- (b) meet the technical specifications in Schedule 6.
- (4) Where a firearm is imported into Gibraltar, each essential component of the firearm shall, at the time of its manufacture or without delay after its importation into Gibraltar, be marked with a clear, permanent and unique marking which shall-
 - (a) comprise the particulars specified in Part 2 of Schedule 5; and
 - (b) meet the technical specifications in Schedule 6.
- (5) Subsections (3) and (4) are without prejudice to the affixing of the manufacturer's trademark.
- (6) Where a firearm is transferred or sold from stocks held by the Royal Gibraltar Police or His Majesty's Customs or any naval, military or air service of His Majesty, the firearm must be marked within thirty days in accordance with subsection (3) or (4), as applicable.
- (7) This section shall not apply to a deactivated firearm.
- (8) The Commissioner may exempt a firearm from the requirements of this section where he is satisfied that-
 - (a) the firearm is of particular historical, cultural, scientific, technical, educational or heritage significance; and
 - (b) compliance with this section would be impracticable or would adversely affect the historical integrity of the firearm.

Marking of essential components.

8B.(1) Subject to subsection (6), this section applies to an essential component, manufactured or imported into Gibraltar.

(2) No person shall place on the market any essential component that has not been marked in accordance with this section.

(3) A manufacturer of an essential component to which this section applies shall ensure that, at the time of its manufacture or, at the latest, before its placement on the market, the essential component is marked with a unique marking which shall-

- (a) comprise the particulars specified in Part 1 of Schedule 5; and
- (b) meet the technical specifications in Schedule 6.

(4) Where an essential component is imported into Gibraltar, the essential component shall, at the time of its manufacture or without delay after its importation into Gibraltar, be marked with a clear, permanent and unique marking which shall-

- (a) comprise the particulars specified in Part 2 of Schedule 5; and
- (b) meet the technical specifications in Schedule 6.

(5) Subsections (3) and (4) are without prejudice to the affixing of the manufacturer's trademark.

(6) This section does not apply to an essential component of a firearm that has already been marked in accordance with section 8A.

Marking of ammunition.

8C.(1) No person shall place on the market any ammunition to which Part II applies, unless each elementary package of complete ammunition is marked so as to provide the name of the manufacturer, the identification batch number, the calibre and type of ammunition.

Offence for failure to mark a firearm, essential component or ammunition.

8D.(1) A person who fails to comply with the requirements of sections 8A, 8B or 8C is guilty of an offence and is liable-

- (a) on summary conviction to imprisonment for 6 months or a fine at level 3 on the standard scale or both, or
- (b) on conviction on indictment, to imprisonment for 12 months or a fine, or both.

Defacement, removal or alteration of markings.

8E.(1) A person shall not, without lawful authority or reasonable excuse-

- (a) remove, obliterate, deface, obscure or otherwise interfere with any unique marking, serial number or other identifying mark applied to a firearm or essential component in accordance with this Act; or
- (b) alter, falsify, counterfeit or substitute any such unique marking, serial number or identifying mark.

(2) A person who contravenes this section is guilty of an offence and is liable-

- (a) on summary conviction, to imprisonment for 12 months or a fine at level 5 on the standard scale, or both; or

- (b) on indictment, to imprisonment for 5 years or a fine, or both.

Penalty for manufacturing or dealing in firearms or ammunition without being registered.

9.(1) Subject to the provisions of this section, no person shall, by way of trade or business—

- (a) manufacture, sell, transfer, repair, test or prove; or
- (b) expose for sale or transfer, or have in his possession for sale, transfer, repair, test or proof,

any firearm or ammunition to which this Part applies, unless he is registered as a firearms dealer:

Provided that it shall be lawful for an auctioneer to sell by auction, expose for sale by auction and have in his possession for sale by auction any such firearm or ammunition without being registered, if he has obtained from the Commissioner of Police a permit for that purpose in the prescribed form and complies with the terms of the permit.

(2) A person who contravenes the provisions of this section, or makes any statement which he knows to be false for the purpose of procuring, whether for himself or any other person, the grant of a permit under this section, is guilty of an offence and is liable, on summary conviction, to imprisonment for three months and to a fine at level 3 on the standard scale.

Registration of firearms dealers.

10. (1) For the purposes of this Act, the Commissioner of Police shall keep in the prescribed form a register of firearms dealers and, subject as hereinafter provided, shall enter therein the name of any person who, having or proposing to have a place of business in Gibraltar, applies to be registered as a firearms dealer and furnishes him with the prescribed particulars:

Provided that—

- (a) the Commissioner of Police shall not register an applicant who is prohibited to be registered by order of a court; and
- (b) the Commissioner of Police may refuse to register an applicant, if he is satisfied that the applicant cannot be permitted to carry on business as a firearms dealer without danger to the public safety or to the peace.

(1A) An application under subsection (1) shall-

- (a) be in writing in such form as the Commissioner of Police may specify; and

- (b) include such information as the Commissioner of Police may reasonably require for the purpose of his functions under this section.

(1B) Where an applicant under this section states that he intends to carry on business as a firearms dealer, the Commissioner of Police, in considering the application, shall have regard to-

- (a) the character of the applicant;
- (b) the ability of the applicant to understand and comply with the Firearms Act; and
- (c) generally, to the public safety and the preservation of peace.

(1C) Where an applicant under this section is a body corporate, references in subsection (1B) to-

- (a) the character of the applicant shall be construed as references to the character and reputation of-
 - (i) the directors of the body corporate; and
 - (ii) any person exercising control over the body corporate; and
- (b) the reference to the applicant's ability shall be construed as including the ability of the persons referred to in (a).

(1D) In this section the expression "character" shall mean the fitness and propriety of the relevant person.

(2) On the registration of an applicant as a firearms dealer there shall be payable a fee of £1500.

(2A) The Commissioner of Police shall, within a period of three months from the date on which an application is made in accordance with subsection (1A), or as soon as practicable thereafter, make a decision-

- (a) to grant the application-
 - (i) and enter in the register of firearm dealers such particulars of the applicant as the Commissioner of Police considers appropriate; and
 - (ii) issue a certificate of registration in accordance with section 11, or
- (b) subject to subsection (5), to refuse the application

and shall notify the applicant in writing of the decision.

(2B) Where the Commissioner of Police refuses an application under this section, the notification of the decision shall include-

- (a) the decision and the reasons for the decision;
- (b) the applicant's entitlement to appeal the decision; and
- (c) the applicable provisions in respect of appeals as set out in Schedule 1.

(2C) If a particular entered in the register of firearm dealers in accordance with this section ceases to be correct, the person concerned shall, as soon as practicable, so inform the Commissioner of Police.

(3) If the Commissioner of Police, after giving reasonable notice to any person whose name is on the register, is satisfied that that person-

- (a) is no longer carrying on business as a firearms dealer; or
- (b) cannot be permitted to continue to carry on business as a firearms dealer without danger to the public safety or to the peace,

he shall cause the name of that person to be removed from the register.

(4) The Commissioner of Police shall also cause the name of any person to be removed from the register if that person so desires.

(5) Any person aggrieved by a refusal of the Commissioner of Police to register him as a firearms dealer or by the removal of his name from the register by the Commissioner of Police, may appeal in accordance with so much of the provisions of Schedule 1 as relates to appeals, to the magistrates' court.

(6) A person who, for the purpose of procuring the registration of himself or any other person as a firearms dealer, makes any statement, which he knows to be false, is guilty of an offence and is liable, on summary conviction, to imprisonment for three months and to a fine at level 3 on the standard scale.

Certificates of registration.

11. (1) The Commissioner of Police shall grant or cause to be granted to any person who is registered under section 10 a certificate of registration.

(2) On or before the first day of June in each year, every person for the time being registered as a firearms dealer shall—

- (a) surrender to the Commissioner of Police his certificate of registration; and
- (b) apply in the prescribed form for a new certificate of registration; and
- (c) pay a fee of £50,

and thereupon the Commissioner of Police, shall, subject to the provisions of section 10(3), grant him a new certificate of registration.

(3) If any such person fails to comply with all or any of the requirements of subsection (2) on or before the first day of June in any year, the Commissioner of Police shall by notice in writing require him to comply therewith, and, if he fails to do so within twenty-one days from the date of the notice, or within such further time as the Commissioner of Police may in special circumstances allow, shall cause his name to be removed from the register.

(4) In any case where the Commissioner of Police causes the name of any firearms dealer to be removed from the register, he shall by notice in writing require the dealer to surrender his certificate of registration, and if the dealer fails to do so within twenty-one days from the date of the notice he is guilty of an offence and is liable, on summary conviction, to a fine of £500:

Provided that, where an appeal is brought against the removal, this subsection shall not apply to that removal unless the appeal is abandoned or dismissed, and shall, in that case, have effect as if for the reference to the date of the notice there were substituted a reference to the date on which the appeal was abandoned or dismissed.

Registration of places of business of firearms dealers.

12. (1) The prescribed particulars which a person applying to be registered as a firearms dealer under section 10 is required to furnish shall include particulars of every place of business at which he proposes to carry on business as a firearms dealer, and the Commissioner of Police shall, subject as hereinafter provided, enter in the register every such place of business.

(2) Every person registered as a firearms dealer who proposes to carry on business as such at any place of business which is not entered in the register, shall notify the Commissioner of Police and furnish him with such particulars as may be prescribed, and the Commissioner shall, subject as hereinafter provided, enter that place of business in the register.

(3) The Commissioner of Police, if he is satisfied that any place of business notified to him by any person under either subsection (1) or (2), or any place entered as the place of business of any person in the register of firearms dealers, is a place at which that person cannot be permitted to carry on business as a firearms dealer without danger to the public safety or to the

peace, may refuse to enter that place of business in the register or remove it from the register, as the case may be.

(4) A person aggrieved by any such refusal or removal may appeal in accordance with so much of the provisions of Schedule 1 as relates to appeals, to the magistrates' court.

(5) A person who—

- (a) being a registered firearms dealer, has a place of business which is not entered on the register and carries on business as a firearms dealer at that place; or
- (b) makes any statement which he knows to be false for the purpose of procuring, whether for himself or any other person, the entry of any place of business in a register of firearms dealers,

is guilty of an offence and is liable, on summary conviction, to imprisonment for three months and to a fine at level 3 on the standard scale.

Cessation of business or trade by firearms dealers.

12A.(1) A registered firearms dealer who intends to cease carrying on business or trade as a firearms dealer shall notify the Commissioner of Police in writing as soon as reasonably practicable, not less than twenty-one days before the date of cessation.

(2) A registered firearms dealer who ceases to carry on business or trade as a firearms dealer shall, within twenty-one days of the cessation—

- (a) surrender his certificate of registration to the Commissioner of Police;
- (b) deliver to the Commissioner of Police the register required to be kept under section 14;
- (c) provide to the Commissioner of Police a statement of all firearms, essential components and ammunition in his possession or under his control as at the date of cessation; and
- (d) comply with any direction given by the Commissioner of Police concerning the storage, transfer, sale or disposal of any firearm, essential component or ammunition.

(3) The Commissioner of Police may give such directions as he considers necessary for securing the safe keeping, transfer, sale or disposal of any firearm, essential component or ammunition held by the firearms dealer at the date of cessation.

(4) A person who fails to comply with this section or with a direction given under subsection (3) is guilty of an offence and is liable, on summary conviction, to a fine at level 3 on the standard scale.

Restrictions on sale, repair, etc., of firearms and ammunition.

13. (1) No person shall sell or transfer to any other person in Gibraltar, other than a registered firearms dealer, any firearm or ammunition to which this Part applies, unless that other person produces a certificate authorizing him to purchase or acquire it or shows that he is by virtue of this Act entitled to purchase or acquire it without holding such a certificate:

Provided that this subsection shall not prevent—

- (a) a person parting with the possession of a firearm or ammunition, otherwise than in pursuance of a contract of sale or hire or by way of gift or loan, to a person who shows that he is by virtue of this Act entitled to have possession of the firearm or ammunition without holding such a certificate; or
- (b) the delivery of a firearm or ammunition by a carrier or warehouseman, or a servant of a carrier or warehouseman, in the ordinary course of his business or employment as such.

(2) Every person who sells, lets on hire, gives or lends a firearm or ammunition to which this Part applies to any other person in Gibraltar, other than a registered firearms dealer, shall, unless that other person shows that he is by virtue of this Act entitled to purchase or acquire the firearm or ammunition without holding a certificate, comply with any instructions contained in the certificate produced, and in the case of a firearm shall, within forty-eight hours from the transaction, send by registered post notice of the transaction to the Commissioner of Police.

(3) No person shall undertake the repair, test or proof of a firearm or ammunition to which this Part applies for any other person in Gibraltar, other than a registered firearms dealer as such, unless that other person produces or causes to be produced a certificate authorizing him to have possession of the firearm or ammunition, or shows that he is by virtue of this Act entitled to have possession of the firearm or ammunition without holding such a certificate.

(4) A person who—

- (a) contravenes any of the provisions of this section; or
- (b) with a view to purchasing or acquiring, or procuring the repair, test or proof of, a firearm or ammunition to which this Part applies, produces a false certificate or a certificate in which any false entry has been made, or personates a person to whom a certificate has been granted, or makes any false statement,

is guilty of an offence and is liable, on summary conviction, to imprisonment for three months and to a fine at level 3 on the standard scale.

Obligation on a firearms dealer in respect of suspicious transactions.

13A.(1) A firearms dealer shall not complete any transaction for the acquisition of complete rounds of ammunition, or components of ammunition, which he reasonably considers to be suspicious owing to its nature or scale.

(2) Where a firearms dealer refuses to complete a transaction as referred to in subsection (1), the firearms dealer shall report the attempted transaction to the Commissioner of Police within twenty-four hours.

Register of transactions in firearms.

14. (1) Every person who by way of trade or business manufactures, sells, repairs, tests, proves or transfers firearms or ammunition to which this Part applies shall provide and keep a register of transactions, and shall enter or cause to be entered therein the particulars set forth in Schedule 2.

(2) Every such entry shall be made within twenty-four hours after the transaction to which it relates took place, and, in the case of a sale or transfer, every such person shall at the time of the transaction require the purchaser or transferee, if not known to him, to furnish particulars sufficient for identification, and shall immediately enter such particulars in the register.

(2A) Where an entry is made further to this section in the case of a sale or transfer, the firearms dealer shall ensure that the details included in that entry are notified to the Commissioner of Police by permitted electronic communication within twenty-four hours.

(2B) A notice is sent by permitted electronic communication for the purposes of subsection (2A) if it is sent by such electronic form of communication which the Commissioner of Police directs may be used for the purposes of this section, from time to time.

(2C) In this section, "electronic communication" means a communication transmitted whether from one person to another, from one device to another or from a person to a device or vice versa-

(a) by means of an electronic communications network; or

(b) by other means but while in electronic form.

(3) Every such person shall on demand allow any police officer, duly authorized in writing in that behalf by the Commissioner of Police, to enter and inspect all stock in hand, and shall on request by any police officer so duly authorized in writing in that behalf by the Commissioner of Police produce for inspection the register so required to be kept as well as

any invoices, consignment notes, receipts or other documents (including copies thereof where the originals are not available) for the purpose of verifying any entry in or explaining any omission from such register:

Provided that, in each case where a written authority is required by this subsection, the authority shall be produced on demand.

(4) A person who—

- (a) fails to comply with any of the provisions of this section; or
- (b) knowingly makes any false entry in the register required to be kept under this section,

is guilty of an offence and is liable, on summary conviction, to imprisonment for three months and to a fine at level 3 on the standard scale.

(5) Nothing in this section shall apply to the sale of firearms or ammunition by auction in accordance with the terms of a permit issued under the proviso to section 9(1).

(6) The Minister with responsibility for justice may, by regulations made under this Act, vary or add to Schedule 2 and references in this Act to that Schedule shall be construed as references to the Schedule as for the time being so varied or added to.

Powers of court in case of offences by registered firearms dealers.

15. Where a registered firearms dealer is convicted of an offence under this Act the court may order—

- (a) that the name of the registered firearms dealer be removed from the register; and
- (b) that neither the dealer nor any person who acquires the business of that dealer, nor any person who took part in the management of the business and was knowingly a party to the offence, shall be registered as a firearms dealer; and
- (c) that any person who, after the date of the order, knowingly employs in the management of his business the dealer convicted of the offence, or any person who was knowingly a party to that offence, shall not be registered as a firearms dealer or, if so registered, shall be liable to be removed from the register; and
- (d) that any stock in hand of the business shall be disposed of by sale or otherwise in accordance with such directions as may be contained in the order:

Provided that a person aggrieved by an order made under this section may appeal against the order in the same manner as against the conviction, and the court may, if it thinks fit, suspend the operation of the order pending the appeal.

Penalty for taking in pawn firearms or ammunition.

16. (1) No pawnbroker shall take in pawn from any person any firearm or ammunition to which this Part applies.

(2) A pawnbroker who contravenes the provisions of this section is guilty of an offence and liable, on summary conviction, to imprisonment for three months and to a fine of £500.

Registration of firearms brokers.

16A.(1) No person may engage in trade or business as a firearms broker in or from Gibraltar unless such person is registered in the register of brokers.

(2) The Commissioner of Police shall establish and maintain in such form as he considers appropriate (including in electronic form) a register of firearms brokers or persons who have been approved by him to carry on trade or business as a broker.

(3) Any person belonging to one of the following classes of persons shall be eligible to apply to be registered in the register of firearms brokers-

- (a) an individual ordinarily resident in Gibraltar;
- (b) a company formed and registered in Gibraltar; or
- (c) a limited partnership.

(4) A person belonging to a class of person referred to in subsection (3) that intends to engage in trade or business as a firearms broker in or from Gibraltar shall apply, in accordance with this section, to the Commissioner of Police to be registered in the register of firearms brokers.

(5) An application under subsection (4) shall-

- (a) be in writing;
- (b) made in such form as the Commissioner of Police may specify;
- (c) include such information as the Commissioner of Police may reasonably require for the purpose of his functions under this Act;
- (d) be accompanied by a fee of £1500.

(6) In considering an application under subsection (4), the Commissioner of Police shall have regard to-

- (a) the character of the applicant;
- (b) the applicant's ability to comply with the requirements of this Act; and
- (c) generally, to the public safety and the preservation of peace.

(7) Where an applicant under this section is a body corporate, references in subsection (6) to-

- (a) the character of the applicant shall be construed as references to the character and reputation of-
 - (i) the directors of the body corporate; and
 - (ii) any person exercising control over the body corporate; and
- (b) the applicant's ability shall be construed as including the ability of the persons referred to in (a).

(8) The Commissioner of Police shall, within a period of three months from the date on which an application is made, or as soon as practicable thereafter, make a decision-

- (a) to grant the application-
 - (i) and enter in the register of brokers such particulars of the applicant as the Commissioner of Police considers appropriate; and
 - (ii) issue a certificate of registration, or
- (b) to refuse the application.

(9) Where the Commissioner of Police makes a decision under subsection (8)(a) to grant an application, the Commissioner of Police shall notify the applicant in writing of the decision.

(10) Where the Commissioner of Police refuses an application under subsection (8)(b), he shall notify the applicant in writing of-

- (a) the decision and the reasons for the decision;
- (b) the applicant's entitlement to appeal the decision;

(c) the applicable provisions in respect of appeals as set out in Schedule 1.

(11) The Commissioner of Police shall not register an applicant who is prohibited from being registered by order of a court.

(12) If a particular entered in the register of firearms brokers in accordance with this section relating to a person ceases to be correct, the person concerned shall, as soon as practicable, so inform the Commissioner of Police.

(13) If the Commissioner of Police, after giving reasonable notice to any person whose name is on the register of firearms brokers, is satisfied that that person-

- (a) is no longer carrying on business or trade as a firearms broker;
- (b) cannot be permitted to carry on business as a firearms broker without danger to the public safety or to the peace;
- (c) is no longer resident in Gibraltar;
- (d) in the case of a company, is dissolved, is in liquidation or administration, has been struck off or is no longer trading;
- (e) in the case of a partnership, has been dissolved or wound up;
- (f) has been convicted of any offence that, in the opinion of the Commissioner of Police, renders such person unfit to be on the register,

he shall cause the name of that person to be removed from the register.

(14) Any person aggrieved by a refusal of the Commissioner of Police to register him as a firearms broker or by the removal of his name from the register by the Commissioner of Police, may appeal in accordance with so much of the provisions of Schedule 1 as relates to appeals, to the Magistrates' court.

(15) The Commissioner of Police shall also cause the name of any person to be removed from the register of firearms brokers if that person so desires.

(16) A person who contravenes this section or, for the purpose of procuring the registration of himself or any other person as a firearms broker, makes any statement, which he knows to be false, is guilty of an offence and is liable, on summary conviction, to imprisonment for 3 months and to a fine at level 3 on the standard scale.

Certificates of registration for firearms brokers.

16B.(1) The Commissioner of Police shall grant or cause to be granted to any person who is registered under section 16A a certificate of registration.

(2) On or before the first day of June in each year, every person for the time being registered as a firearms broker and seeking renewal of a certificate shall-

- (a) surrender to the Commissioner of Police his certificate of registration;
- (b) apply for a new certificate of registration;
- (c) pay a fee of £15.

(3) Section 16A applies, with necessary modifications, to a renewal of registration as it applies to a first registration.

(4) If an application for renewal of registration under this section is not determined by the Commissioner of Police before the expiration of the period of validity of the registration-

- (a) the registration remains in force until the date on which the renewal is determined; and
- (b) where (a) applies and the registration is renewed, the registration concerned shall continue until the first day of June next.

(5) If any person fails to comply with all or any of the requirements of subsection (2) on or before the first day of June in any year, the Commissioner of Police shall, by notice in writing require him to comply therewith and, if he fails to do so within twenty-one days from the day of the notice, or within such further time as the Commissioner of Police may in special circumstances allow, shall cause his name to be removed from the register.

(6) In any case where the Commissioner of Police causes the name of any firearms broker to be removed from the register, he shall by notice in writing require the broker to surrender his certificate of registration, and if the broker fails to do so within twenty-one days from the date of the notice he is guilty of an offence and is liable, on summary conviction, to a fine at level 3 on the standard scale:

Provided that, where an appeal is brought against the removal, this subsection shall not apply to that removal unless the appeal is abandoned or dismissed, and shall, in that case, have effect as if for the reference to the date of notice there were substituted a reference to the date on which the appeal was abandoned or dismissed.

Restrictions on firearms in places of business of firearms brokers.

16C.(1) No firearms broker, registered in accordance with section 16A, may have at its place of business any firearms or ammunition.

(2) If, for any reason, the firearms broker has or intends to have at its place of business firearms or ammunition, section 12 shall apply to firearms brokers as it applies to firearms dealers.

Maintenance of register kept by a firearms broker.

16D.(1) Every person who engages in trade or business as a firearms broker in or from Gibraltar shall, throughout the period of registration, enter and retain in a register kept, or caused to be kept, by the firearms broker accurate information in relation to all relevant transactions by the broker.

(2) Every such entry shall be made within twenty-four hours after the relevant transaction to which it relates took place and every firearms broker shall require all parties to the transaction to furnish particulars sufficient for identification and shall immediately enter such particulars in the register.

(3) The particulars referred to in Schedule 2A must be included in the register for each relevant transaction.

(4) Where an entry is made further to subsection (2), the firearms broker shall ensure that the details included in that entry are notified to the Commissioner of Police by permitted electronic communication within twenty-four hours.

(5) A notice is sent by permitted electronic communication for the purposes of subsection (4) if it is sent by such electronic form of communication which the Commissioner of Police directs may be used for the purposes of this section, from time to time.

(6) In this section, "electronic communication" means a communication transmitted whether from one person to another, from one device to another or from a person to a device or vice versa-

(a) by means of an electronic communications network; or

(b) by other means but while in electronic form.

(7) Every such person shall on demand allow any police officer, duly authorized in writing in that behalf by the Commissioner of Police, to enter and inspect any stock in hand, where relevant, and shall on request by any police officer so duly authorized in writing in that behalf by the Commissioner of Police produce for inspection the register so required to be kept as well as any invoices, consignment notes, receipts or other documents (including copies thereof where the originals are not available) for the purpose of verifying any entry in or explaining any omission from such register:

Provided that, in each case where a written authority is required by this subsection, the authority shall be produced on demand.

(8) A person who—

- (a) fails to comply with any of the provisions of this section; or
- (b) knowingly makes any false entry in the register required to be kept under this section,

is guilty of an offence and is liable, on summary conviction, to imprisonment for 3 months and to a fine at level 3 on the standard scale.

(9) Nothing in this section shall apply to the sale of firearms or ammunition by auction in accordance with the terms of a permit issued under the proviso to section 9(1).

(10) Within twenty-one days of the cessation of trade or business, the firearms broker shall deliver to the Commissioner of Police the register of transactions referred to in subsection (1).

(11) In this section, “relevant transaction” means—

- (a) the negotiation, or arrangement, of transactions by the broker for the purchase, sale or supply of firearms, essential components of such firearms or ammunition; or
- (b) the arrangement of the transfer by the broker of firearms, essential components of such firearms or ammunition whether the transfer occurs in part or in whole in Gibraltar or elsewhere.

Obligation on a firearms broker in respect of suspicious transactions.

16E.(1) A firearms broker shall not complete any transaction for the acquisition of complete rounds of ammunition, or components of ammunition, which he reasonably considers to be suspicious owing to its nature or scale.

(2) Where a firearms broker refuses to complete a transaction as referred to in subsection (1), the firearms broker shall report the attempted transaction to the Commissioner of Police within twenty-four hours.

Application

Firearms and ammunition to which Part II applies.

17. (1) This Part applies to all firearms as defined in section 2, except spear guns specially designed or adapted for underwater fishing.

(2) This Part applies to all ammunition as defined in section 2, except blank cartridges not exceeding one inch in diameter.

(3) For the purpose of this section the diameter of a cartridge shall be measured immediately in front of the rim or cannelure of the base of the cartridge.

PART III.
MISCELLANEOUS PROVISIONS AS TO
FIREARMS AND AMMUNITION.

Prohibited weapons and ammunition.

18.(1) It shall not be lawful for any person without the authority of the Minister with responsibility for justice to manufacture, sell, transfer, purchase, acquire or have in his possession—

- (a) any firearm which is so designed, converted or adapted that, if pressure is applied to the trigger, missiles continue to be discharged until pressure is removed from the trigger or the magazine containing the missiles is empty;
- (b) any weapon of whatever description designed or adapted for the discharge of any noxious liquid, gas or other thing;
- (c) any ammunition containing, or designed or adapted to contain, any such noxious thing;
- (d) any firearm disguised as another object;
- (e) any ammunition with penetrating, explosive or incendiary projectiles, and the projectiles for such ammunition;
- (f) ammunition for pistols or revolvers with expanding projectiles and projectiles for such ammunition, except in the case of weapons for hunting or for target shooting, for persons permitted to use them;
- (g) automatic firearms which have been converted into semi-automatic firearms;
- (h) any of the following centre-fire semi-automatic firearms-
 - (i) short firearms which allow the firing of more than 21 rounds without reloading, if:-
 - (A) a loading device with a capacity exceeding 20 rounds is part of that firearm; or

- (B) a detachable loading device with a capacity exceeding 20 rounds is inserted into it;
- (ii) long firearms which allow the firing of eleven or more rounds without reloading if:-
 - (A) a loading device with a capacity exceeding ten rounds is part of that firearm; or
 - (B) a detachable loading device with a capacity exceeding ten rounds is inserted into it;
- (i) semi-automatic long firearms being firearms originally intended to be fired from the shoulder, that can be reduced to a length of less than 60cm without losing functionality by means of a folding or telescoping stock or stock that can be removed without tools;
- (j) explosive missiles and launchers;
- (k) any loading device which may be fitted to centre-fire semi-automatic firearms or repeating firearms which-
 - (i) can hold more than 20 rounds; or
 - (ii) in the case of long firearms, can hold more than 10 rounds;
- (l) any firearm referred to in this subsection that has been converted to firing blanks, irritants, other active substances or pyrotechnic rounds, or into a salute or acoustic weapon; and
- (m) repeating semi-automatic long firearms with smooth-bore barrels not exceeding 60cm in length.

(2) A person who contravenes the provisions of subsection (1) is guilty of an offence and is liable, on conviction on indictment, to imprisonment for two years, or, on summary conviction, to imprisonment for three months and to a fine at level 3 on the standard scale.

(2A) Where a firearm listed in subsection (1) is manufactured, sold, transferred, purchased, acquired or in the possession of a person without an authorisation granted in accordance with this section, the firearm shall be taken immediately into the custody of the Commissioner of Police and shall be held either-

- (a) pending an order of the court; or

- (b) the grant of an authority by the Minister with responsibility for justice, whichever occurs first.

(2B) The Minister with responsibility for justice, after consultation with the Commissioner of Police, may, on a case-by-case basis and subject to such conditions as the Minister considers necessary in the circumstances of the particular case, issue an authorisation for the transfer, purchase, acquisition or possession of a prohibited weapon to-

- (a) persons engaged in commercial shipping;
- (b) persons listed in subsection (2D);
- (c) persons authorised for educational, cultural, research or historical purposes including museums; or
- (d) firearms dealers and firearms brokers, in their professional capacity.

(2C) The conditions referred to in subsection (2B) shall, at a minimum, be -

- (a) the authorisation is necessary for the performance of that person's obligations and duties;
- (b) the person has successfully completed such firearms training and competency assessments as the Commissioner of Police considers necessary, relevant to the circumstances;
- (c) the person has successfully undergone such background, character, medical and psychological assessments as the Minister, in consultation with the Commissioner of Police, considers appropriate;
- (d) the person does not present a danger to himself, to others, to public safety or to the peace;
- (e) the Commissioner of Police is satisfied that adequate arrangements exist for the secure storage, handling, transportation and use of the prohibited weapons; and
- (f) the grant of the authorisation would not otherwise be contrary to the interests of public safety or public order.

(2D) Applications under subsection (2B)(b) may only be made by the following acting in the execution of duties-

- (a) a police officer;
- (b) a customs officer;

- (c) an officer of the Gibraltar Services Police; or
- (d) a member of His Majesty's naval, military or air forces.

(2E) The Minister with responsibility for justice may, after consultation with the Commissioner of Police, authorise a museum to acquire and possess firearms, essential components, and ammunition referred to in subsection (1), subject to such strict conditions relating to security as the Minister considers necessary.

(2F) The Minister with responsibility for justice may, after consultation with the Commissioner of Police, authorise firearms dealers or firearms brokers, acting in their professional capacity, to acquire, manufacture, deactivate, repair, supply, transfer, and possess firearms, essential components, and ammunition referred to in subsection (1), subject to such strict conditions as the Minister considers appropriate.

(2G) The Minister with responsibility for justice may, after consultation with the Commissioner of Police, on a case-by-case basis, grant an authorisation for the acquisition and possession of the prohibited weapons specified in section 18(1)(g) and section 18(1)(h) subject to the following minimum conditions-

- (a) the applicant has undergone a medical and psychological assessment;
- (b) the applicant, where an individual, undergoes such further medical and psychological assessments during the period of authorisation as the Commissioner of Police considers necessary;
- (c) the applicant provides evidence periodically, as requested by the Commissioner of Police and to his satisfaction, that the applicant is actively training for and participating in target-shooting competitions recognised by an officially recognised shooting sports organisation; and
- (d) the applicant provides a certificate issued by an officially recognised shooting sports organisation confirming that-
 - (i) the applicant is a member of a shooting club and has been regularly practising target shooting at that club for a period of not less than twelve months; and
 - (ii) the firearm in respect of which authorisation is sought complies with the technical specifications required for a shooting discipline recognised by an internationally established and officially recognised shooting sports federation.

(2H) The Minister with responsibility for justice may, exceptionally, and on a case-by-case basis, after consultation with the Commissioner of Police, grant an authorisation for the acquisition and possession of a prohibited weapon to a collector subject to such strict conditions as the Minister considers appropriate having regard to the circumstances of the case and which shall, at a minimum, include-

- (a) satisfactory demonstration to the Commissioner of Police that effective measures are in place to mitigate any risks to public safety or public order;
- (b) compliance with storage requirements providing a high level of security proportionate to the risks associated with unauthorised access to such weapons or ammunition;
- (c) a requirement that the collector maintains an up-to-date register of all prohibited weapons and ammunition in their possession to which the Commissioner of Police shall have access at all reasonable times; and
- (d) compliance with such monitoring conditions as the Commissioner of Police considers proportionate in the circumstances.

(3) Where the Minister with responsibility for justice is satisfied, after consultation with the Commissioner of Police, on the application of a person in charge of a theatrical performance, that such a firearm as is mentioned in paragraph (a) of subsection (1) is required for the purpose of the performance, he may, if he thinks fit, not only authorize that person to have possession of the firearm but also authorize such other persons as he may select to have possession thereof while taking part in the performance.

In this subsection the expression “theatrical performance” includes a rehearsal of such a performance and the production of a cinematograph film.

(4) Any authority given to any person under this section shall-

- (a) be given in writing;
- (b) be subject to such conditions as may be specified therein; and
- (c) be reviewed periodically at such intervals as the Minister may determine appropriate, provided that no interval shall exceed five years;

and a person who fails to comply with any condition imposed under paragraph (b) is guilty of an offence and is liable, on summary conviction, to imprisonment for 3 months and to a fine at level 3 on the standard scale.

(5) The conditions specified in such an authority shall include such conditions as the Minister with responsibility for justice having regard to the circumstances of each particular

case, thinks fit to impose for the purpose of securing that the prohibited weapon or prohibited ammunition to which the authority relates will not endanger the public safety or the peace.

(6) The Minister with responsibility for justice may at any time, if he thinks fit, revoke any authority given by him to any person under this section, by notice in writing requiring that person to deliver up the authority to such person as may be specified in the notice within twenty-one days from the date of the notice, and a person who fails to comply with such a requirement is guilty of an offence and is liable, on summary conviction, to a fine at level 3 on the standard scale.

(7) The foregoing provisions of this section shall be in addition to and not in derogation of any other provisions of this Act or any other Act relating to the manufacture, sale, transfer, purchase, acquisition or possession of firearms, but the Commissioner of Police—

- (a) shall not refuse to grant or renew, and shall not revoke, a certificate in respect of a prohibited weapon or prohibited ammunition if the applicant is for the time being authorized by the Minister with responsibility for justice to have possession of that weapon or ammunition; and
- (b) shall not refuse to enter in the register of firearms dealers the name of a person for the time being authorized to manufacture, sell or transfer a prohibited weapon or prohibited ammunition, or remove the name of such a person from the register, on the ground that he cannot be permitted to carry on, or to continue to carry on, business as a firearms dealer without danger to the public safety or to the peace, and where any authority to purchase, acquire or have possession of a prohibited weapon or prohibited ammunition is revoked under this section, the certificate relating to that weapon or ammunition shall be revoked or varied accordingly by the Commissioner of Police.

Power to prohibit removal of firearms and ammunition.

19. (1) The Minister with responsibility for justice may by order prohibit the removal of any firearms or ammunition—

- (a) from one place to another in Gibraltar; or
- (b) for export from Gibraltar,

unless the removal is authorized by the Commissioner of Police and unless such other conditions as may be specified in the order are complied with.

(2) Any such order may apply—

- (a) either generally to all such removals or to removals from and to any particular localities specified in the order; and

- (b) either to all firearms and ammunition or to firearms and ammunition of such classes and descriptions as may be so specified; and
- (c) either to all modes of conveyance or to such modes of conveyance as may be so specified:

Provided that no such order shall prohibit the holder of a certificate from carrying with him any firearms or ammunition authorized by the certificate to be so carried.

(3) Any police officer may search for and seize any firearms or ammunition which he has reason to believe are being removed or to have been removed in contravention of any order made under this section, and any person having the control or custody of any firearms or ammunition in course of transit shall, on demand by a police officer, allow him all reasonable facilities for the examination and inspection thereof, and shall produce to him any documents in his possession relating thereto.

(4) A person who—

- (a) contravenes any of the provisions of any order made under this section; or
- (b) fails to comply with any of the provisions of this section,

is guilty of an offence and is liable, on summary conviction, to imprisonment for three months and to a fine at level 3 on the standard scale for each firearm, or parcel of ammunition in respect of which the offence is committed, and if the offender is the owner of the firearms or ammunition, the court before whom he is convicted may make such an order as to the forfeiture of the firearms or ammunition as the court thinks fit.

(5) Any order made under this section may be varied or revoked by a subsequent order made by the Minister with responsibility for justice.

Restriction on purchase and possession of firearms by young persons.

20.(1) Subject to subsection (3), no person under the age of eighteen years shall—

- (a) purchase, hire or otherwise acquire any firearm or ammunition to which Part II applies; or
- (b) have in his possession any such firearm or ammunition.

(2) No person shall sell, let on hire, give, lend or otherwise transfer any firearm or ammunition to a person whom he knows or has reasonable grounds for believing to be under the age of eighteen years.

(3) Subsections (1)(b) and (2) shall not apply where a person under the age of eighteen years has a firearm or ammunition in his possession in circumstances where he is entitled to do so by virtue of subsections (6), (7), (8) or (9) of section 6.

(4) Without prejudice to subsection (3), a person under the age of eighteen years may have in his possession a firearm or ammunition only where-

- (a) the possession is for the purpose of target shooting or other lawful activity authorised under this Act;
- (b) the person has the consent of a parent or guardian;
- (c) the person is under the supervision of a person who holds a valid firearm certificate or is otherwise authorised under this Act; and
- (d) the activity takes place at a rifle club, miniature rifle club, cadet corps or other establishment approved by the Minister with responsibility for justice, or in such other circumstances as may be prescribed.

(5) A person who contravenes any provision of this section is guilty of an offence and is liable, on summary conviction, to imprisonment for 3 months or a fine at level 3 on the standard scale, or both.

(6) In proceedings for an offence under this section, it is a defence to prove that the person charged with the offence believed the other person to be of or over the age specified in that provision and had reasonable grounds for that belief.

Prohibition of sale, etc., of firearms to persons who are drunk or suffering from mental disorder.

21. (1) No person shall sell or transfer any firearm or ammunition to, or repair, prove or test any firearm or ammunition for any other person whom he knows or has reasonable ground for believing to be drunk or suffering from mental disorder.

(2) A person who contravenes any provision of this section, is guilty of an offence and is liable, on summary conviction, to imprisonment for three months or to a fine at level 3 on the standard scale.

Prohibition on persons convicted of crime purchasing or possessing firearms.

22. (1) Subject to the provisions of this section, a person who has been sentenced to imprisonment for a term of six months or upwards for any crime shall not, at any time during a period of five years from the date of his release, have a firearm or ammunition in his possession.

- (2) Subject to the provisions of this section, a person who—
- (a) is the holder of a licence under the Prison Act¹; or
 - (b) is subject to the supervision of the police, or 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,

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.

(3) A person prohibited under the foregoing provisions of this section from having in his possession a firearm or ammunition may apply for a removal of the prohibition, in accordance with so much of the provisions of Schedule 1 as relates to applications, to the magistrates' court and if the application is granted, the provisions of this section shall not apply to that person.

(4) No person shall sell or transfer a firearm or ammunition to, or repair, test or prove a firearm or ammunition for, any person whom he knows, or has reasonable grounds for believing, to be prohibited by this section from having a firearm or ammunition in his possession.

(5) A person who contravenes any provision of this section, is guilty of an offence and is liable, on summary conviction, to imprisonment for three months or to a fine at level 3 on the standard scale.

Penalty for possessing firearms with intent to injure.

23. A person who has in his possession any firearm or ammunition with intent by means thereof to endanger life or cause serious injury to property, or to enable any other person by means thereof to endanger life or cause serious injury to property, is, whether any injury to person or property has been caused or not, guilty of an offence and, on conviction thereof on indictment, is liable to imprisonment for fourteen years.

Penalty for use and possession of firearms or imitation firearms in certain cases.

24. (1) A person who makes or attempts to make any use whatsoever of a firearm or imitation firearm with intent to resist or prevent the lawful apprehension or detention of himself or any other person, is guilty of an offence, and on conviction on indictment is liable to imprisonment for fourteen years.

¹ 1949-03

A person who commits an offence against this subsection in respect of the lawful apprehension or detention of himself for any other offence committed by him, is liable to the penalty provided by this subsection in addition to any penalty to which he may be sentenced for that other offence.

(2) A person who has at the time of his committing, or at the time of his apprehension for, any offence specified in Schedule 3, has in his possession any firearm or imitation firearm, is unless he shows that he had it in his possession for a lawful object, guilty of an offence and on conviction on indictment is liable to imprisonment for seven years in addition to any penalty to which he may be sentenced for the first-mentioned offence.

(3) If, on the trial of any person for an offence against subsection (1), the jury are not satisfied that that person is guilty of that offence but are satisfied that he is guilty of an offence against subsection (2), the jury may find him guilty of the offence against subsection (2), and thereupon he shall be liable to be punished accordingly.

(4) Where a person who has attained the age of seventeen is charged before the magistrates' court with an offence specified in Schedule 1 to the Magistrates' Court Act² and is also charged before that court with an offence against subsection (1) or subsection (2) of this section, then, notwithstanding anything in section 37 of that Act, the court shall not proceed to the summary trial of the first-mentioned offence if the accused is committed for trial in respect of the offence under this section.

(5) *Repealed.*

(6) In this section—

(a) the expression “firearm” means any lethal barrelled weapon of any description from which any shot, bullet or other missile can be discharged, and includes any prohibited weapon, whether it is such a lethal weapon or not; and

(b) *Deleted*

Provisions as to shortening guns and converting imitation firearms into firearms.

25. (1) No person shall shorten the barrel of a smooth-bore gun to a length less than twenty-four inches:

Provided that a registered firearms dealer may shorten the barrel of a smooth-bore gun for the sole purpose of replacing the defective part of the barrel so as to produce a barrel of not less than twenty-four inches in length.

² 1961-23

(2) No person other than a registered firearms dealer shall convert into a firearm anything which, though having the appearance of being a firearm, is so constructed as to be incapable of discharging any missile through the barrel thereof.

(3) A person who contravenes any of the foregoing provisions of this section is guilty of an offence and is liable, on conviction on indictment, to imprisonment for one year and to a fine, or, on summary conviction, to imprisonment for three months and to a fine at level 3 on the standard scale.

(4) A person who commits an offence against section 3 by purchasing, acquiring or having in his possession a smooth-bore gun which has been shortened, or a firearm which has been converted as aforesaid (whether by a registered firearms dealer or not) without holding a certificate authorizing him to purchase, acquire or possess it, is liable, either—

(a) on conviction on indictment, to imprisonment for one year and to a fine; or

(b) on summary conviction, to the penalty provided in section 3.

(5) A person, other than a registered firearms dealer, commits an offence if—

(a) the person has in his possession or under his control an article that is capable of being used (whether by itself or with other articles) to convert into a firearm anything which, though having the appearance of being a firearm, is so constructed to be incapable of discharging any missile through the barrel thereof, and

(b) the person intends to use that article (whether by itself or with other articles) for that purpose.

(6) A person who is guilty of an offence under this section is liable—

(a) on summary conviction to imprisonment for 12 months or a fine at level 5 on the standard scale, or to both;

(b) on conviction on indictment, to imprisonment for 5 years.

PART IV.
SHOT GUNS.

26. *Repealed.*

27. *Deleted*

28. *Deleted*

PART V.

GENERAL.

Possession or use of firearms, ammunition and imitation firearms in a public place.

28A.(1) Subject to subsections (2) and (3), a person shall not, without lawful authority or reasonable excuse, have in his possession, or use, any firearm or ammunition, or imitation firearm, in a public place.

(2) For the purposes of subsection (1), “use” includes-

- (a) firing, aiming, displaying or otherwise handling a firearm or imitation firearm; or
- (b) displaying or otherwise handling ammunition

in any manner capable of causing alarm to the public.

(3) In subsection (1) a person who has lawful authority is-

- (a) any of the following persons acting in the execution of duties-
 - (i) a police officer;
 - (ii) a customs officer;
 - (iii) an officer of the Gibraltar Services Police;
 - (iv) a member of His Majesty’s naval, military or air forces;
 - (v) a person acting under the direct authority and supervision of a person falling within paragraph (i) to (iv), where such possession or use is reasonably necessary for the purpose of those duties;
- (b) a person who is specifically so authorised by the Commissioner of Police or the Minister with responsibility for justice under this Act or any other enactment.

(4) A person who contravenes subsection (1) is guilty of an offence and is liable, on summary conviction to imprisonment for 6 months or a fine at level 3 on the standard scale, or to both.

Transport of a firearm or ammunition for a firearm.

28B.(1) A person who transports a firearm or ammunition shall take all reasonable precautions appropriate to the circumstances and, in particular—

- (a) where transporting a firearm, ensure that—

- (i) it is not readily accessible for immediate use;
 - (ii) so far as reasonably practicable, it is unloaded; and
 - (iii) it is either dismantled or secured in a case, gun cover or other suitable container;
 - (b) ensure that the firearm or ammunition is concealed from public view; and
 - (c) ensure that ammunition is stored securely and, where reasonably practicable, separately from the firearm.
- (2) A person shall not transport a firearm or ammunition without lawful authority or reasonable excuse.
- (3) For the purposes of subsection (2), it is a reasonable excuse to transport a firearm or ammunition where the person-
- (a) is the holder of a valid certificate or is otherwise entitled under this Act to possess the firearm or ammunition; and
 - (b) is transporting it for a lawful purpose authorised by or under this Act or any other enactments in respect of firearms.
- (4) Subsections (1) and (2) shall not apply to the following persons acting in the execution of duties -
- (a) the Commissioner of Police, the Police Force and police officers;
 - (b) HM Collector of Customs or customs officers;
 - (c) the Gibraltar Services Police or members thereof;
 - (d) a member of His Majesty's naval, military or air forces acting in the execution of his duties;
 - (e) a person acting under the direct authority and supervision of a person falling within paragraph (a) to (d), where such possession or use is reasonably necessary for the purpose of those duties.
- (5) A person who contravenes this section is guilty of an offence and is liable, on summary conviction, to imprisonment for 6 months or a fine at level 3 on the standard scale, or to both.

Provisions as to forfeiture of firearms and cancellation of certificates.

29.(1) Where any person—

- (a) is convicted of an offence against this Act or is convicted of any crime for which he is sentenced to imprisonment; or
- (b) has been ordered to be subject to police supervision or to enter into a recognizance to keep the peace or to be of good behaviour, a condition of which is that the offender shall not possess, use or carry a firearm,

the court before whom he is convicted or by whom the order is made may make such order as to the forfeiture or disposal of any firearm or ammunition found in his possession as the court thinks fit, and may cancel any certificate held by the person convicted.

(2) Where the court cancels a certificate under this section—

- (a) the court shall cause notice to be sent to the Commissioner of Police; and
- (b) the Commissioner of Police shall by notice in writing require the holder of the certificate to surrender it; and
- (c) if the holder fails to surrender the certificate within twenty-one days from the date of the last-mentioned notice, he is guilty of an offence and is liable, on summary conviction, to a fine at level 3 on the standard scale.

Lost or stolen firearm.

29A.(1) Where a firearm identified in a certificate issued under section 4 is lost or stolen, the holder of the certificate shall immediately inform the Commissioner of Police of the loss or theft.

(2) Where a certificate issued under section 4 is lost or stolen, the holder of the certificate shall immediately inform the Commissioner of Police of the loss or theft.

(3) A person who fails to comply with this section commits an offence and is liable on summary conviction to imprisonment for 3 months or a fine at level 5 on the standard scale, or both.

Powers of police officers to stop, search, etc.

29B.(1) A police officer may require any person whom he has reasonable grounds to suspect—

- (a) of having a firearm, with or without ammunition, with him in a public place; or
- (b) to be committing or about to commit, elsewhere than in a public place, an offence

relevant for the purposes of this section,

to hand over the firearm or any ammunition for examination by the police officer.

(2) It is an offence for a person having a firearm or ammunition with him to fail to hand it over when required to do so by a police officer under subsection (1) of this section.

(3) If a police officer has reasonable cause to suspect a person of having a firearm with him in a public place, or to be committing or about to commit, elsewhere than in a public place, an offence relevant for the purposes of this section, the police officer may search that person and may detain him for the purpose of doing so.

(4) If a police officer has reasonable cause to suspect that there is a firearm in a vehicle in a public place, or that a vehicle is being or is about to be used in connection with the commission of an offence relevant for the purposes of this section elsewhere than in a public place, he may search the vehicle and for that purpose require the person driving or in control of it to stop it.

(5) For the purpose of exercising the powers conferred by this section a police officer may enter any place save that a police officer shall not, other than with the consent of the occupier, enter a private dwelling unless a search warrant has been obtained in accordance with section 30.

(6) “Private dwelling” in subsection (5) means any structure or part of a structure occupied as a person’s home or other living accommodation (whether the occupation is separate or shared).

(7) The offences relevant for the purpose of this section are those under sections 3, 18, 23, 24, 28A and 28B of this Act.

(8) A person guilty of an offence under subsection (2) is liable on summary conviction to imprisonment for 3 months or a fine of level 4 on the standard scale, or both.

(9) This section applies (with the necessary modifications) to ships, aircraft and hovercraft as it applies to vehicles.

Power to search for and dispose of firearms and ammunition.

30.(1) If a justice of the peace is satisfied by information on oath that there is reasonable ground for suspecting that an offence against this Act, or any other enactment concerning firearms, has been, is being, or is about to be committed, he may grant a search warrant authorizing any police officer named therein—

- (a) to enter at any time any premises or place named in the warrant, if necessary by force, and to search the premises or place and every person found therein; and
 - (b) to seize and detain any firearm or ammunition which he may find on the premises or place, or on any such person, in respect of which or in connection with which he has reasonable grounds for suspecting that an offence under this Act has been, is being, or is about to be committed; and
 - (c) if the premises are those of a registered firearms dealer, to examine any books relating to the business.
- (2) The police officer making the search may arrest without warrant any person found on the premises whom he has reason to believe to be guilty of an offence against this Act, or any other enactment concerning firearms,.
- (3) The magistrates' court may, on the application of the Commissioner of Police, order any firearm or ammunition seized and detained by a police officer under this Act to be destroyed or otherwise disposed of.
- (4) Where an order is made further to subsection (3), the Commissioner of Police shall amend the register of firearms accordingly.

Restriction on importing or exporting firearms, etc.

31.(1) No person shall import into or export from Gibraltar any firearm or ammunition unless he has first obtained-

- (a) such licence, authorisation, consent, permit, approval or document as may be necessary further to-
 - (i) the TGEU Implementation (Transfer of Firearms between Gibraltar and the European Union) Regulations 2026;
 - (ii) the TGEU Implementation (EU Regulation 258/2012) Regulations 2026;
or
 - (b) where the importation or exportation does not fall within the scope of those enactments referred to in subparagraph (a), the permission in writing of the Minister with responsibility for justice.
- (2) The Minister with responsibility for justice may make any permission granted by him under the provisions of this section subject to any such conditions as he may deem fit.
- (3) A person who contravenes the provisions of this section or fails to comply with any conditions prescribed by the Minister with responsibility for justice in accordance with the

provisions of subsection (2), is guilty of an offence and is liable, on summary conviction, to imprisonment for twelve months or to a fine at level 3 of the standard scale .

Time for commencing summary proceedings under Act.

32. Notwithstanding any provision in any Act prescribing the period within which summary proceedings may be instituted, summary proceedings for an offence against this Act may be instituted at any time within the period of four years after the commission of the offence:

Provided that no such proceedings shall be instituted after the expiration of the period of six months after the commission of the offence, unless they are instituted by, or by the direction of, the Attorney-General.

Application of Act to police.

33. For the purpose of the application to this Act of any rule of law whereunder the provisions of this Act do not bind the Crown, and for the purpose of section 7, a member of the Police Force shall be deemed to be a person in the service of Her Majesty.

Service of notices.

34. Any notice required or authorized by this Act to be given to any person may be sent by registered post in a letter addressed to him at his last or usual place of abode, or, in the case of a registered firearms dealer, at any place of business in respect of which he is registered.

Regulations.

35. The Minister with responsibility for justice may make regulations—

- (a) prescribing the form of certificates, and the register required to be kept under section 14, and other documents;
- (b) prescribing any other thing which under this Act is to be prescribed;
- (c) regulating the manner in which the Commissioner of Police is to carry out his duties under this Act;
- (d) generally for carrying this Act into effect.

Saving.

36.(1) Nothing in this Act shall affect any licence granted under the provisions of any enactment repealed by this Act and in force at the date of commencement of this Act and any such licence shall continue in force as if it had been granted under this Act and may be cancelled or varied accordingly.

(2) *Deleted.*

(3) The provisions of this Act shall be in addition to and not in derogation of any enactment relating to the keeping or sale of explosives.

SCHEDULE 1

Sections 4, 10, 12, 16A(14) and 22

**PROVISIONS AS TO APPEALS FROM THE COMMISSIONER
OF POLICE AND APPLICATIONS UNDER SECTION 22.**

1. Notice of an appeal or application signed by the appellant or applicant or by his agent on his behalf and stating the general grounds of the appeal or application, shall be given by him to the clerk to the justices and also to the Commissioner of Police.

2. A notice of an appeal shall be given within twenty-one days after the date on which the appellant has received notice of the decision of the Commissioner of Police by which he is aggrieved.

3. On receiving notice of an appeal or application the clerk to the justices shall enter the appeal or application and give notice to the appellant or applicant, and to the Commissioner of Police of the date, time, and place fixed for the hearing:

Provided that, in the case of an application, the date fixed for the hearing shall not be less than twenty-one clear days after the date when the clerk to the justices received the notice of the application.

4. An appellant or applicant may at any time, not less than two clear days before the date fixed for the hearing, abandon his appeal or application by giving notice in writing to the clerk to the justices and to the Commissioner of Police, and in the event of any such abandonment the court may order the appellant or applicant to pay to the Commissioner of Police such costs as appears to the court to be just and reasonable in respect of expenses properly incurred by him in connection with the appeal or application before notice of the abandonment was given to him.

5. The Commissioner of Police may appear and be heard on the hearing of an appeal or application.

6. The court may, from time to time, adjourn the hearing of an appeal or application.

7. On the hearing of an appeal the court may either dismiss the appeal or give the Commissioner of Police such directions as the court thinks fit as respects the certificate or register which is the subject of the appeal.

8. On the determination of an appeal or application, the court may make such order as to payment of costs as the court thinks fit, and may fix a sum to be paid by way of costs in lieu of directing a taxation thereof, and any costs ordered to be paid by the court may be recovered summarily as a civil debt and shall not be recoverable in any other manner:

Provided that the court shall not order the Commissioner of Police to pay the costs of an applicant.

SCHEDULE 2

Section 14

**PARTICULARS TO BE ENTERED BY FIREARMS DEALERS
IN REGISTER OF TRANSACTIONS.**

1. The quantities and description of firearms, essential components and ammunition manufactured and the dates thereof.
2. The quantities and description of firearms, essential components and ammunition purchased or acquired, with the names and addresses of the sellers or transferors and the dates of the several transactions.
3. The quantities and description of firearms, essential components 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 several transactions.
4. The quantities and description of firearms, essential components and ammunition sold or manufactured with the names and addresses of the purchasers or transferees and, except in cases where the purchaser or transferee is a registered dealer, the areas in which the firearm certificates were issued, and the dates of the several transactions.
5. The quantities and description of firearms, essential components and ammunition 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.
6. In this Schedule references to firearms and ammunition shall be construed as references to firearms and ammunition to which Part II of the Act applies.
7. For each firearm or essential component that is received or disposed of-
 - (a) the type, make, model, calibre and serial number of each firearm and each essential component;
 - (b) the names and addresses of-
 - (i) the supplier of the firearm or each essential component; and
 - (ii) the person acquiring the firearm or each essential component.

SCHEDULE 2A

Section 16D

PARTICULARS TO BE ENTERED BY FIREARMS BROKERS
IN REGISTER OF TRANSACTIONS.

1. The quantities and description of firearms, essential components and ammunition purchased or acquired, with the names and addresses of each party to the transaction and the date of the transactions.
2. The quantities and description of firearms, essential components and ammunition sold or transferred, with the names and addresses of each party to the transaction and the date of the transactions.
3. The expression “party” shall include a seller, purchaser or acquirer.
4. For each firearm or essential component purchased, acquired, sold or transferred the following particulars must be recorded by the firearms broker-
 - (a) the type, make, model, calibre and serial number of each firearm and each essential component;
 - (b) the names and addresses of-
 - (i) the supplier of the firearm or each essential component; and
 - (ii) the person acquiring the firearm or each essential component.

SCHEDULE 3**OFFENCES TO WHICH SUBSECTION (2) OF SECTION 24 APPLIES.****1. The following offences under the Crimes Act 2011-**

- (a) Section 138 (Placing explosives with intent);
- (b) Section 167 (Wounding);
- (c) Section 168 (Attempting to choke, etc. with intent to facilitate indictable offence);
- (d) Section 169 (Using drugs to facilitate offence);
- (e) Section 176 (Assault occasioning actual bodily harm);
- (f) Section 177 (Assaulting police officer);
- (g) Section 178 (Assault to prevent arrest);
- (h) Section 184 (Offence of abduction of child by parent, etc.);
- (i) Section 186 (Offence of abduction of child by other persons);
- (j) Section 213 (Rape);
- (k) Section 214 (Assault by penetration);
- (l) Section 216 (Causing a person to engage in sexual activity without consent), where the activity caused involved penetration within subsection (4)(a) to (d) of that section;
- (m) Section 217 (Rape of a child under 13);
- (n) Section 218 (Assault of a child under 13 by penetration);
- (o) Section 220 (Causing or encouraging or assisting a child under 13 to engage in sexual activity), where an activity involving penetration within subsection (2)(a) to (d) of that section was caused;
- (p) Section 241 (Sexual activity with a person with a mental disorder impeding choice), where the touching involved penetration within subsection (3)(a) to (d) of that section;
- (q) Section 242 (Causing or encouraging or assisting a person with a mental disorder

impeding choice to engage in sexual activity), where an activity involving penetration within subsection (3)(a) to (d) of that section was caused;

- (r) Section 354 (Destroying or damaging property);
 - (s) Section 355 (Arson);
 - (t) Section 397 (Theft);
 - (u) Section 398 (Robbery);
 - (v) Section 399 (Burglary);
 - (w) Section 408 (Taking a conveyance without authority).
2. Aiding and abetting the commission of any offence specified in paragraph 1.
 3. Attempting to commit any offence so specified.

SCHEDULE 4

Section 6A(3)

CATEGORISATION OF WEAPONS

I. For the purposes of this Schedule, firearms are classified in the following categories:

Category A – Prohibited firearms

1. Explosive military missiles and launchers.
2. Automatic firearms.
3. Firearms disguised as other objects.
4. Ammunition with penetrating, explosive or incendiary projectiles, and the projectiles for such ammunition.
5. Pistol and revolver ammunition with expanding projectiles and the projectiles for such ammunition, except in the case of weapons for hunting or for target shooting, for persons entitled to use them.
6. Automatic firearms which have been converted into semi-automatic firearms.
7. Any of the following centre-fire semi-automatic firearms:
 - (a) short firearms which allow the firing of more than 21 rounds without reloading, if:
 - (i) a loading device with a capacity exceeding 20 rounds is part of that firearm; or
 - (ii) a detachable loading device with a capacity exceeding 20 rounds is inserted into it;
 - (b) long firearms which allow the firing of more than 11 rounds without reloading, if:
 - (i) a loading device with a capacity exceeding 10 rounds is part of that firearm; or
 - (ii) a detachable loading device with a capacity exceeding 10 rounds is inserted into it.
8. Semi-automatic long firearms, that is to say firearms that are originally intended to be fired from the shoulder, that can be reduced to a length of less than 60 cm without losing functionality by means of a folding or telescoping stock or by a stock that can be removed without using tools.

9. Any firearm in this category that has been converted to firing blanks, irritants, other active substances or pyrotechnic rounds, or into a salute or acoustic weapon.

10. Repeating and semi-automatic long firearms with smooth-bore barrels not exceeding 60 cm in length.

Category B – Firearms subject to authorisation

1. Repeating short firearms.

2. Single-shot short firearms with centre-fire percussion.

3. Single-shot short firearms with rimfire percussion the overall length of which is less than 28 cm.

4. Semi-automatic long firearms the loading device and chamber of which can together hold more than three rounds in the case of rimfire firearms, and more than three but fewer than twelve rounds in the case of centre-fire firearms.

5. Semi-automatic short firearms other than those listed under point 7(a) of category A.

6. Semi-automatic long firearms listed under point 7(b) of category A the loading device and chamber of which cannot together hold more than three rounds, where the loading device is detachable or where it is not certain that the weapon cannot be converted, with ordinary tools, into a weapon the loading device and chamber of which can together hold more than three rounds.

7. Any firearm in this category that has been converted to firing blanks, irritants, other active substances or pyrotechnic rounds, or into a salute or acoustic weapon.

8. Semi-automatic firearms for civilian use which resemble weapons with automatic mechanisms other than those listed under point 6, 7 or 8 of category A.

Category C – Firearms and weapons subject to declaration

1. Repeating long firearms other than those listed in point 7 of category B.

2. Long firearms with single-shot rifled barrels.

3. Semi-automatic long firearms other than those listed in category A or B.

4. Single-shot short firearms with rimfire percussion the overall length of which is not less than 28 cm.

5. Any firearm in this category that has been converted to firing blanks, irritants, other active substances or pyrotechnic rounds, or into a salute or acoustic weapon.

6. Firearms classified in category A or B or this category that have been deactivated in accordance with the TGEU Implementation (Deactivation of Firearms) Regulations 2026.

7. Single-shot long firearms with smooth-bore barrels placed on the market on or after 14 September 2018.

II. For the purposes of this Schedule, objects which correspond to the definition of ‘firearm’ shall not be included in that definition if they:

- (a) are designed for alarm, signalling, life-saving, animal slaughter or harpoon fishing or for industrial or technical purposes provided that they can be used for the stated purpose only;
- (b) are regarded as antique weapons where such weapons have not been included in the categories set out in paragraph I and are subject to national laws.

III. For the purposes of this Schedule:

- (a) ‘short firearm’ means a firearm with a barrel not exceeding 30 centimetres or whose overall length does not exceed 60 centimetres;
- (b) ‘long firearm’ means any firearm other than a short firearm;
- (c) ‘automatic firearm’ means a firearm which reloads automatically each time a round is fired and can fire more than one round with one pull on the trigger;
- (d) ‘semi-automatic firearm’ means a firearm which reloads automatically each time a round is fired and can fire only one round with one pull on the trigger;
- (e) ‘repeating firearm’ means a firearm which, after a round has been fired, is designed to be reloaded from a magazine or cylinder by means of a manually-operated action;
- (f) ‘single-shot firearm’ means a firearm with no magazine which is loaded before each shot by the manual insertion of a round into the chamber or a loading recess at the breech of the barrel;
- (g) ‘ammunition with penetrating projectiles’ means ammunition for military use where the projectile is jacketed and has a penetrating hard core;
- (h) ‘ammunition with explosive projectiles’ means ammunition for military use where the projectile contains a charge which explodes on impact;

- (i) 'ammunition with incendiary projectiles' means ammunition for military use where the projectile contains a chemical mixture which bursts into flame on contact with the air or on impact.

SCHEDULE 5*Sections 8A and 8B***UNIQUE MARKINGS FOR THE PURPOSES OF SECTIONS 8A AND 8B****PART 1**

1. Where a firearm or essential component is manufactured in Gibraltar, the unique marking shall comprise-

- (a) The name of the manufacturer;
- (b) "Gibraltar" (being the place of manufacture);
- (c) The unique serial number of the firearm or component;
- (d) The year of manufacture (if not part of the serial number).

2. The following may be included in the marking where feasible-

- (a) the model.

PART 2

1. Where a firearm or essential component is manufactured outside of Gibraltar, the unique marking shall comprise-

- (a) The name of the manufacturer;
- (b) The name of the country or place of manufacture;
- (c) The unique serial number of the firearm or component;
- (d) The year of manufacture (if not part of the serial number).

2. The following may be included in the marking where feasible-

- (a) the model.

SCHEDULE 6

*Sections 8A and 8B***TECHNICAL SPECIFICATIONS FOR THE MARKING OF FIREARMS AND
ESSENTIAL COMPONENTS**

1. The font size used in the marking is as may be specified by the Minister with responsibility for justice from time to time. The size or minimum size shall be at least 1.6 mm. Where required, a smaller font size may be used for the marking of essential components that are too small to be marked in compliance with section 8A.
2. The minimum depth of the marking shall be at least 0.0762 millimetre.
3. For frames or receivers made from a non-metallic material of a kind specified by the Minister with responsibility for justice, the marking is applied to a metal plate that is permanently embedded in the material of the frame or receiver in such a way that-
 - (a) the plate cannot be easily or readily removed; and
 - (b) removing the plate would destroy a portion of the frame or receiver.

The Minister with responsibility for justice may also permit the use of other techniques for marking such frames or receivers, provided that those techniques ensure an equivalent level of clarity and permanence for the marking.

In determining which non-metallic materials to specify for the purposes of this specification, the Minister with responsibility for justice shall have regard to the extent to which the material may compromise the clarity and permanence of the marking.