

## **Violent Crime Reduction Act 2006 – Firearms Measures.**

The Violent Crime Reduction (VCR) Act 2006 introduces a number of measures in relation to firearms and ammunition. The relevant sections of the Act are being introduced by way of commencement orders during this year (2007). Below is a summary of the main provisions of the Act:

### ***Measures introduced on 6 April 2007***

On the 6 April 2007 the following firearms measures were introduced by virtue of the VCR Act.

#### **Section 30: Minimum sentences for certain firearms offences**

The Criminal Justice Act 2003 introduced a mandatory minimum sentence for anyone convicted of unlawful possession of certain prohibited weapons under section 5 of the Firearms Act 1968. Section 30 now adds the minimum sentence provisions to the following Firearms Act offences:

Section 16 possession of firearm with intent to injure;

Section 16A possession of firearm with intent to cause fear of violence;

Section 17 use of firearm to resist arrest;

Section 18 carrying firearm with criminal intent;

Section 19 carrying a firearm in a public place; and

Section 20(1) trespassing in a building with firearm.

The minimum sentence will apply to these offences only where the weapon (or ammunition) used was a prohibited one to which the minimum sentence provisions already apply.

#### **Section 31: Prohibition on sale or transfer of air weapons except by registered dealers**

This section makes it an offence for anyone to sell or transfer an air weapon by way of trade or business unless they are registered with the police as a firearms dealer under section 33 of the 1968 Act. The Commencement Order will bring into effect from 6 April only the sections that apply to the application process. The actual restrictions on sales will be introduced later in the year giving air gun retailers opportunity to apply for registration prior to trade sales being restricted to registered dealers.

#### **Section 35: Restriction on sale and purchase of primers**

Section 35 introduces controls on the purchase and sale of cap-type primers designed for use in metallic ammunition for a firearm, including empty cartridge cases incorporating such primers. Primers may only be sold to or purchased by persons with the appropriate firearms certificate or other authority under the Firearms Acts. The section creates offence for selling and purchasing or attempting to purchase with a maximum penalty under this section of six months imprisonment or a £5,000 fine, or both.

### ***Measures to be introduced later during 2007***

#### **Section 31: Prohibition on sale or transfer of air weapons except by registered dealers**

The actual restriction on the sale of air weapons by way of trade or business will be introduced later in the year after existing retailers have had an opportunity to apply for registration as firearms dealers.

### **Section 32: Sales of air weapons by way of trade or business to be face to face**

This section make it an offence to sell air weapons by way or trade or business to members of the public other than by a face to face transaction thus ending the mail order sale of air weapons.

### **Section 33: Age limits for purchase etc. of air weapons**

The age limit for the purchase or hire of air weapons will raise from 17 to 18 years of age.

### **Section 34: Firing an air weapon beyond premises**

This section creates a new offences under section 21A Firearms Act 1968 whereby a person commits an offence if he has with him an air weapon on any premises; and he uses it for firing a missile beyond those premises.

### **Section 36: Ban on the manufacture, import and sale of realistic imitation firearms**

This section will introduce a general ban on the manufacture, import and sale of realistic imitation firearms. Theses restriction will be subject to exemptions for situations such as TV/Film productions and organised historic re-enactment.

### **Section 40: Supplying imitation firearms to minors**

This section creates a new offences under section 24A Firearms Act 1968 making it an offence for a person under the age of eighteen to purchase an imitation firearm. It will also be an offence to sell an imitation firearm to a person under the age of eighteen.

### **Section 41: Increase in the maximum sentence for possessing an imitation firearm**

This section makes the possession of an imitation firearm in a public place (Section 19 of the Firearms Act 1968) an offence that is triable either way with a maximum sentence on indictment to 12 months, or a fine, or both.

For further information please contact the Firearm Services Unit