**DEADLINE APPROACHES FOR ANTIQUE FIREARMS LAW CHANGE**

* **From 22 September, owners of certain firearms previously regarded as antique will require a Firearm Certificate to retain possession**
* **There are two important relaxations of the normal firearm certificate legislation in respect of former antique firearms. The owner will not need to demonstrate good reason for possession, and a former antique firearm may be held on a Certificate without authority under Section 5**

Earlier this year, the Government changed the law to introduce for the first time [a legal definition of antique firearms](https://gbr01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.gov.uk%2Fgovernment%2Fnews%2Fgovernment-closes-antique-firearms-loopholes-to-protect-public&data=04%7C01%7CConor.Gaffey%40homeoffice.gov.uk%7C35277b5136c04aeae19608d971f167f8%7Cf24d93ecb2914192a08af182245945c2%7C0%7C0%7C637666103915173037%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C1000&sdata=pwWoo1SLPSGKaO6saZC6xR6GtmMeAWyRcvmjlRdX9Kc%3D&reserved=0).

From Wednesday 22 September 2021, owners will require authorisation to possess a firearm that no longer meets the criteria in the legal definition. In practical terms for legitimate owners, the formalisation of the definition of an antique is of less significance than the removal of seven types from the list of “obsolete cartridges”, which list was a part of Home Office Guidance, but is now of legal status under the [Antique Firearms Regulations 2021](https://www.legislation.gov.uk/uksi/2021/215/contents/made). Firearms chambered for any of those seven cartridges, that were previously held as antiques without a Certificate (“former antiques”), will now fall within the control of S1 and S5 Firearms Act 1968.

The seven cartridges which previously appeared in Guidance but which have been omitted from the Regulations and which therefore require a licence to be legally held from 22 September are:

* .320 British (also known as .320 Revolver CF, short or long)
* .41 Colt (short or long)
* .44 Smith and Wesson Russian
* .442 Revolver (also known as .44 Webley)
* 9.4mm Dutch Revolver
* 10.6mm German Ordnance Revolver
* 11mm French Ordnance Revolver M1873 (Army)

The law on antique firearms changed on 22 March but owners were given six months to decide whether to apply for a Firearm Certificate if they wanted to keep their former antique firearm, or to otherwise dispose of it (for example, surrendering them to the police or selling them).

[Section 58(2-2H) of the Firearms Act 1968](https://www.legislation.gov.uk/ukpga/1968/27/section/58) and the [Antique Firearms Regulations 2021](https://www.legislation.gov.uk/uksi/2021/215/contents/made) set out in law which firearms can be regarded as antique, and therefore are exempt from licensing. The definition closely follows the model used previously in [Home Office guidance](https://www.gov.uk/government/publications/firearms-law-guidance-to-the-police-2012) (see chapters 8 & 9 and appendix 5) and will therefore be familiar to collectors, dealers and museums.

To be regarded as an antique, a firearm must:

* have been manufactured before 1 September 1939, and
* either have a propulsion system of a type specified in the 2021 Regulations (for example, muzzle loaders, pin-fire or needle-fire) or the chamber(s) are those that the firearm had when it was manufactured (or a replacement that is identical in all material respects) and it is chambered for use with a cartridge specified in the 2021 Regulations, and
* be sold, transferred, purchased, acquired or possessed as a curiosity or ornament.

People who possess former antique firearms can apply to their local police firearms licensing department to retain them on a Firearm Certificate.  Applications must be made before the transition period ends at 23:59 on 21 September 2021.  As long as a person has applied for a Firearm Certificate, they will remain in lawful possession of their firearm even if their application remains outstanding or is the subject of an outstanding appeal when the transition period ends.

An application as above may be made to have the firearm added to an existing certificate by variation or, if the owner does not have a certificate, to be entered on a new certificate granted for the purpose. There are two important relaxations of the normal firearm certificate legislation in respect of former antique firearms. The owner does not need to demonstrate good reason for possession, and a former antique firearm may be held on a Firearm Certificate without authority under Section 5 if that would otherwise have been required. See [Section 126 Policing and Crime Act 2017](https://www.legislation.gov.uk/ukpga/2017/3/section/126), at subsections 5-7.

Alternatively, should a firearm meet the criteria for a historic handgun under section 7 of the Firearms (Amendment) Act 1997, the owner can apply for a certificate on that basis. In that case the good reason requirement to obtain a certificate would have to be met.

If the owner of a former antique firearm chooses not to licence it, they will need to dispose of it before the transition period ends. Disposal could include selling, exporting or deactivating the firearm, donating it to a museum or surrendering it to the police.  To enable this, during the transition period owners will be able to freely sell or transfer the firearm to another collector or to a museum without requiring a firearm certificate, section 5 authority or a museum firearms licence.  Owners can also sell or transfer the firearm to a dealer, but only one who is registered with the police and who has a section 5 authority.  In all cases, the new owner must then apply to the police for a firearm certificate or museum licence in respect of the firearm before the transition period ends.

Dealers will be able to sell or transfer former antique firearms, which they already own, before 23:59 on 21 September 2021 without being registered with the police and without holding a section 5 authority.  However, since March they need to be registered and hold a section 5 authority before they can purchase or acquire any such firearms.

The list of obsolete cartridges published under the new Regulations does contain about twenty rifle cartridges that did not appear in the Guidance. Firearms in those calibres that meet the other conditions to be antiques may now be held as such without a certificate.

Further details about the changes to the law are set out in a HO circular: [https://www.gov.uk/government/publications/circular-0012021-antique-firearms](https://gbr01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.gov.uk%2Fgovernment%2Fpublications%2Fcircular-0012021-antique-firearms&data=04%7C01%7CConor.Gaffey%40homeoffice.gov.uk%7C35277b5136c04aeae19608d971f167f8%7Cf24d93ecb2914192a08af182245945c2%7C0%7C0%7C637666103915178019%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C1000&sdata=QgFF2x2BL5JZZ5pZpKmkzp9qW3%2FqeZrf128qd6kdM%2BI%3D&reserved=0)