

New Firearm Legislation - Anti-Social Behaviour Act 2003

The following has been extracted to form an instruction for the Scout Association and its adult leaders on how the Anti-Social Behaviour Act will effect the application of air weapons as an activity in the scout movement.

As of the 20th January 2004 the Firearms section of the Anti-Social Behaviour Act 2003 took effect. This will mean some restrictions for young persons. The following paragraphs list all items appertaining to young persons and what adult leaders and parents should know to ensure their young people have a basic knowledge about the new legislation.

Possession of an air weapon or imitation firearm in a public place.

'A public place is defined as a highway or any other premises or place to which at the material time the public have or are permitted to have access, whether on payment or otherwise'.

The above means, footpaths, roads, town centres, campsites shared with the public etc.

It is now an offence to carry an air weapon or any other firearm in a public place without lawful authority or reasonable excuse for doing so. The offence currently applies to loaded shotguns, loaded air weapons or any other firearm (whether loaded or not) together with its ammunition. The act now adds that imitation firearms and unloaded air weapons are to be included into the offence.

Adult leaders will have to be extra vigilant to ensure air weapons are transported correctly and not carried in a public place, e.g. on foot, a bus or train to the place of use.

Age Restrictions

It is now an offence for any young person aged under 17 to have an air weapon and/or ammunition with them at any time unless directly supervised by someone aged 21 years and over or as part of an approved target shooting club.

Where in the past some adult leaders may have allowed young persons to carry slipped air weapons to the range, especially where a greater number of air weapons are needed for the practice, adult leaders will now have to make arrangements for additional adults to carry these weapons to and from the place of use.

Additionally it is also an offence to make a gift of an air weapon or ammunition or to part with possession of an air weapon and ammunition to someone aged under 17

However NO offence will be committed if a young person aged 14-16 is on private premises and has the consent of the occupier to have an air weapon with him. It is however now illegal to discharge any missile beyond the boundaries of the premises. The maximum penalty for this offence is currently £1000.

Prohibition of Certain Air Weapons.

All air weapons designed or adapted to use a self-contained gas cartridge system are now banned. The main manufacturer within the UK of these weapons is 'Brocock'. There are other imported types and adapted rifles that use this system.

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A self-contained gas cartridge weapon is a cartridge, not dissimilar to a real .38 ammunition round, usually made of brass or alloy containing an integral reservoir of air or gas (pumped in by a hand pump or air bottle) and a detachable cap in which an air gun pellet is seated. The complete cartridge is fired by the mechanism or firing pin of the gun striking the valve at the base of the cartridge similar to the percussion cap on the base of a real cartridge.

Pre charged pneumatic, spring powered or spring gas ram and CO2 sparklet powered guns are still legal as they do not contain a captive pellet and are not therefore self-contained.

Summary

Adult leaders within the Scout Association need to be aware of the new legislation and prevent young persons falling foul of the law. Please make all young persons aware, that if they wish to bring their own air weapons to an organised scout range practice that they will have to get their parents to bring the air weapon with them and hand it over to the adult leader and at the end of the evening must be handed back to the parent to be taken home.

Please ensure that air pellets are controlled at all times so as young persons don't fall foul of the law, for example, on their way home.