



APPLICATIONS FOR THE GRANT OR RENEWAL OF SHOTGUN CERTIFICATES

INTRODUCTION

This is to assist BASC members with the correct completion of the forms. This guide cannot cover every individual circumstance, but is designed to provide advice on straightforward applications; however it is still essential to read the notes on the application forms as they *must* be complied with.

Application forms, current fees, Firearms Licensing Department contact details and further firearms advice is available from the Firearms Department pages at www.basc.org.uk It's a good idea to print at least two copies so that if you make an error, you can start afresh on a new form

*NB: Please note that although police firearms departments usually send out renewal reminders, it remains **YOUR** responsibility to apply in good time.*

When you receive your forms, ensure that you fill them in carefully and return them *as quickly as possible* – give the system a chance to work properly. Make a note of the expiry date of your certificates and make sure that you leave the firearms licensing department reasonable time to issue new certificates before the expiry date. 6-8 weeks should allow plenty of time.

At renewal, should I return my old certificate for the police?

The law says that the expiring certificate should accompany the application for renewal “if it is available.” If you need your certificate to buy ammunition or to prove legal possession of your guns during the renewal period, it is clearly not available and you should retain it.

If your Firearms Licensing Department ask for your certificate, photocopy the whole certificate and enclose the copy with your application. We advise that you always keep copies for your own records in case any administrative queries arise in the future.

What if I experience delay?

If you have returned your application form in good time and are experiencing delays which may put you in unlawful possession of shotguns when your certificate expires, you should ask for a Temporary Permit under Section 7 of the Firearms Act 1968. This will allow you to keep and use your firearms and shotguns and also, by virtue of Section 5(2)(a) of the Firearms (Amendment) Act 1988, to purchase shotgun cartridges.

GENERAL

The vast majority of applications will be dealt with quite correctly and your dealings with the police will be met with friendly helpfulness; however you should be aware that this may not always be the case. These notes will help you deal with the situation should difficulties arise.

You should be aware that the licensing requirement for Shotguns has changed very little since the Firearms (Amendment) Act of 1988.

NB: The Firearms Act 1968 states very clearly that "The application shall be in the form provided". This means that the official Shotgun Certificate application form, Firearms Form 103, is the only one you are required to complete. The Firearms Enquiry Officer (FEO) may ask for clarification of your answers to questions on the form but he may not ask you to complete any other forms or ask you to get anyone else to do so.

The most common unauthorised extra questions relate to your reasons for wishing to possess shotguns. The facts surrounding this are as follows:-

- The Firearms Acts are based on the assumption that every applicant has a good reason for possessing shotguns. The Chief Constable (or his FEO) must make that same assumption unless there are genuine reasons for suspecting your motives. As Home Office Guidance (11.9) says, "The Act does NOT require the applicant to make out a good case for being granted a certificate but rather extends the chief officer's ground for refusing one. A chief officer should therefore need to make further enquiries only when it comes to his notice that there may be genuine doubts about an applicant's reasons for possessing a shotgun."
- If you are pressed, ask for written reasons for the questions. They may talk about "elementary co-operation with the licensing authority" as recommended by Lord Cullen but elementary co-operation does not necessarily include answering questions which are not part of the normal process. If questioning becomes aggressive or rude, ask for the name, rank and number of the officer concerned and then politely terminate the interview saying that before going any further you wish to contact BASC for advice.
- If the FEO asks where and what you shoot, then a general reply will suffice. "General" means rough shooting, wildfowling, game shooting, clay shooting etc. You are definitely NOT required to get landowners or clayshooting club officials to sign papers confirming this nor should you give the FEO their names or telephone numbers unless, as set out above, the police have some reason to be suspicious. If they have such suspicions then they should explain them to you. If the reply is that, "It is the chief constable's policy", that is not an adequate explanation and is certainly not grounds for making intrusive inquiries.

FILLING IN THE FORM

NB: At the top of the form, don't forget to tick the box to indicate that you are either applying for the grant or the renewal of your shotgun certificate.

PART A - PERSONAL DETAILS

Questions 1-13

These concern your own personal details and are self-explanatory. Remember to complete EVERY question on the form: if the question does not apply to you, answer "None", "Not applicable" or "N/A". You are asked for a daytime telephone number so that the FEO can telephone to make an appointment at a mutually convenient time. Home office Guidance tells them to do so. If he calls without an appointment and it is not convenient then say so. Ask him to telephone to arrange a more suitable time. If he becomes aggressive or threatening, or says that it will delay your renewal which may put you in illegal possession of firearms and liable to prosecution, ask for his name, rank and number, make a note of it and inform BASC.

Question 14

For purposes of the Firearms Acts **there is no such thing as a spent conviction**. You must include **all** convictions, (***Including ALL motoring offences, whether still recorded on your driving licence or otherwise***) whether in Britain or abroad. **Cautions do not need to be mentioned but conditional or absolute discharges do.**

If this is a renewal, then the form only asks you to declare convictions since your last application. If none, write "None" or "None since last renewal", as appropriate. If you have **ANY** convictions at **ANY** time, including parking or speeding, tick the "**Yes**" box.

Question 15a

Medical conditions. The question refers to any such condition but it seems reasonable to mention only those which might have some bearing on your fitness to possess shotguns. Broadly speaking, if you are fit enough to drive a car, you are fit enough to handle a gun safely.

Question 15b

Self explanatory. Generally speaking one either has or has not epilepsy; however there are related conditions so if in doubt, ask your Doctor.

Question 15c

Most of the population apparently suffers from some kind of depression at some time or other, but the question asks if you have been to your Doctor for treatment for depression or a similar problem.

It does not preclude you from having a certificate unless the condition presents particular problems and, as at 15a, as a general principle, if you are healthy enough in mind and body to drive a car, you are also healthy enough to use a gun. Once again, if in doubt ask your Doctor.

Question 16

This may seem an intrusion into your privacy but you must complete it if you want the application to be processed. In fact it is not as bad as might first appear because it only gives the police authority to approach your Doctor for "factual details" of your medical history. They should not ask the Doctor for an opinion as to your fitness to possess shotguns, nor are they allowed access to your medical records. The Home Office suggest that Doctors will need to be contacted only where there are genuine doubts about the applicant's health; also that if the Doctor makes a charge for supplying information, the police must pay it.

PART B - DETAILS OF SHOTGUNS

Question 17

This asks for details of how your shotguns will be stored and the name of any other certificate holder sharing the storage facilities.

Normally, the answer will be along the lines of, "In a British standard gun cabinet securely fixed to a wall of the house, out of sight of casual visitors and not shared."

It is worth noting that the requirement for reasonably secure storage **does not apply to shotgun cartridges**. They are best stored in a cool, dry place where they will be out of reach of little fingers.

Security is your responsibility

The Police are there to advise you on secure storage, not to dictate conditions. If you think their "advice" is unreasonable then contact BASC for assistance.

Your statutory responsibility for security is set out as Condition 4a on your shotgun certificate. This means that you must store your shotguns "*...securely so as to prevent, so far as is reasonably practicable, access to the shotguns by an unauthorised person.*" It does not say that you must have a BSI tested cabinet or, indeed, that you must have a cabinet of any kind; however it is normally accepted that a purpose built gun cabinet, securely fixed to the fabric of the building and in a position where it is not readily observed by casual visitors, is the easiest way for most certificate holders to show that they are fulfilling their responsibility. Other methods giving an equivalent level of security are equally acceptable.

Be sensible about security. Do not allow yourself to be pressured but be aware that good overall household security protects all your property, not just your guns. The important words in the requirement are "reasonably practicable" and it is your own responsibility. An FEO is there to advise and help; if you get it wrong, you are answerable to the Courts. Each situation must be assessed on its merits bearing in mind local crime risk etc.

The Home Office have issued a document dealing with firearm security available only via the Internet at <http://www.basc.org.uk/en/departments/firearms/guidance-and-fact-sheets.cfm>
This is well worth downloading and reading.

REMEMBER - DON'T MAKE THE CABINET SO INACCESSIBLE THAT YOU ARE TEMPTED TO LEAVE A GUN OUT RATHER THAN GO TO THE TROUBLE OF LOCKING IT AWAY.

Question 18

Details of shotguns already in your possession. This is simple enough and the questions at the head of each of the three columns are clear. It is only necessary to note that the second column asks for the "gauge, bore or calibre" of the gun, so that the answer is "12" etc. as the case may be, rather than "12 bore, 3inch Magnum".

PART C - CERTIFICATES

Questions 19 to 22

These questions concern any current or previous shotgun and firearm certificates. They are easy to complete but please read the questions carefully as it is equally easy to make mistakes.

The note relating to Question 21b is incorrect in one detail. The fee for the co-terminous renewal of a shotgun certificate is **always** less than for renewal of a shotgun certificate alone. However, that only applies when both firearm and shotgun certificates are dealt with at the same time; the reduced fee does not apply to the renewal of a shotgun certificate on its own for a shorter period than 5 years so as to make it coincide with the renewal date for the firearm certificate. The reduced fee will apply on the *following* renewal, when the dates for both certificates are the same.

Read Question 22 carefully. It concerns any previous refusals or revocations. The police already have this information but it is still important to give an accurate answer.

PART D - COUNTERSIGNATORY

Once you have filled in your personal details in Part A of the form (Questions 1-16), your countersignatory should read it through, then complete and sign Part D.

The application form states that your countersignatory must be "someone who is resident in Great Britain and who has known the applicant for at least 2 years. The countersignatory must also be a Member of Parliament, Minister of religion, doctor, lawyer, established civil servant, bank officer or person of similar standing and not a member of the applicant's family."

The Home Office Guidance tells us the term "person of similar standing" may be taken to include persons whose name might be found in a public book of reference, including members of professional bodies (such as architects, accountants and surveyors), persons who hold or have at one time held a commission in Her Majesty's Forces or who are qualified teachers in recognised schools. Most police firearms licensing departments interpret "person of similar standing" widely, particularly in the case of people who may have few professional contacts. Members of your family must not act as countersignatories, neither must serving police officers, police civilian employees and registered firearms.

PHOTOGRAPHS

Each application must be accompanied by **four** passport size photographs, one of which must be **signed and dated** on the back by your countersignatory and endorsed with the words, *"I certify that this is a current true likeness of [your name]"*

NB: You must yourself sign the back of one of the other photographs. Examples below:-

I certify that this is a current true likeness of (Your Name) Signed (Countersignatory) Date	Your own Signature Date	Leave blank	Leave blank
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Part E - Declaration

Don't forget to sign and date the application and to return it as quickly as possible. **It is no good complaining that the police have failed to renew the certificate in time if you sat on the application form for two months before returning it.**

It may help to start a diary of events from the date you received, or asked for, the application form. Note the date when everything happened and details of conversations, telephone conversations, letters etc. This will be very useful for your own information but even more so if you need to ask for BASC's help in resolving any difficulties that arise.

NOTES

These are at the end of the application form, below Part E, and are intended to help you complete the form correctly. Please also see BASC's advice on answering Question 14, which is much easier to understand.

Also note that the section relating to the requirement for photographs is incorrect where it states that a "firearm application requires that each of the referees should endorse a separate photograph and that two photographs must be signed by you." **You only need to sign *one* for each application.**

ENQUIRIES TO: FIREARMS DEPT – 01244 573 010
E-mail: firearms@basc.org.uk