

YOUNG PEOPLE AND AIR WEAPONS

[Firearms Act 1968-1997/Anti-social Behaviour Act 2003/Violent Crime Reduction Act 2006/Crime & Security Act 2010, **Policing and Crime Act 2017 as of 2nd May 2017**]

SECURITY OF AIR WEAPONS - Crime & Security Act 2010

From the 10th February 2011, the Crime and Security Act 2010 made it an offence for a person in possession of an air gun to fail to take “reasonable precautions” to prevent someone under the age of 18 from gaining unauthorised access to it.

The storage of air guns must be reasonable ‘in all of the circumstances’ so air gun owners must take appropriate steps to prevent young people gaining unauthorised access to their air guns.

‘Reasonable precautions’ will depend on the particular circumstances in each individual case. They could be a locked cupboard or a lock or locking device by which an air weapon can be attached to the fabric of a building, or to a fixed feature, or a security cord, lockable chain or similar device capable of passing through a point of anchorage within the building. Where children are very young, it might be sufficient simply to store any air weapons up high and out of their reach. Trigger guard locks do not satisfy the requirements, as they do not prevent the young person from having the air gun with them even though it cannot be fired.

The provisions of section 58(2) of the 1968 Act mean that the offence does not apply to an antique air weapon held as a ‘curiosity or ornament’. Nevertheless be sensible how you look after your antiques or pellets that are for your modern airguns.

The possession and use of airguns by young people in the following specific circumstances is still permitted,

UNDER 14 YEARS OF AGE

May not buy, hire, borrow or receive an airgun or ammunition for an air gun as a gift.

Parents wishing to buy airguns for persons under 14 years old must NEVER allow them to be in possession of the airgun or ammunition for it unsupervised, even when it is not in use.

Under these circumstances the young person can use the airgun under the supervision of someone of or over 21 years of age, on private premises with appropriate permission.

If a pellet goes outside these premises onto someone else’s property both the youngster and the adult supervisor commit an offence.

14 -17 YEARS OF AGE

In this age group a person may not buy or hire an airgun or ammunition or receive them as a gift; however you may borrow one from a person **over** 18 years of age and use it on private property where you have the occupiers consent, without supervision.

Anyone selling an airgun or ammunition (including pellets, darts etc) to a person under 18 years of age commits an offence.

A person within this age group may not carry an airgun in a public place* at any time unless supervised by a person of or over 21 years and only when you have a good reason for doing so.

**A public place is anywhere where the public are allowed to go even though they may have to pay. Roads, streets, footpaths, canal towpaths, public parks and play areas are all examples of public places.*

ALWAYS OBTAIN PERMISSION BEFORE ENTERING PRIVATE LAND/PREMISES

FIRING PELLETS BEYOND BOUNDARIES OF PREMISES

It is an offence for anyone to fire an air pellet beyond the premises where they have permission to shoot. When young persons aged 14 and under are being supervised by an adult aged 21 or over, both the young person and supervising adult commit the offence.

It is a defence for the user and/or supervising adult to show that the occupier had consented to the firing of the missile (whether specifically or by way of general consent) over the premises the missile was fired into or across.

IMPORTANT NOTES:

1. An 'air rifle' or 'air gun' which is capable of producing muzzle energy greater than 12 ft lbs (16 Joules) is a Section 1 Firearm and requires a firearm certificate in order to possess it.
2. An 'air pistol' which has a muzzle energy in excess of 6 ft lbs is a prohibited weapon.
3. Air Weapons require a certificate to own in Scotland. For full details see this following link – <https://basc.org.uk/basc-scotland/airguns-in-scotland/airgun-licensing-in-scotland-frequently-asked-questions/>
4. Air weapons which have a muzzle energy of less than 1 Joule (0.737 ft. lb) are not caught by the Firearms Acts or the Air Weapons and Licensing (Scotland) Act 2015. Such low powered items are regarded as toys, not firearms; although they still remain subject to existing imitation firearm laws.
5. **New as of 2nd May 2017;** The law says an 'airsoft gun' is not to be regarded as a firearm for the purposes of the Firearms Act 1968. As such, it is not an "air weapon" either. To qualify, the gun must fall under the maximum permitted energies of 2.5 Joule (1.85 ft. lb) for single shot guns and 1.3 Joule (1 ft. lb) for automatic guns. **Note:** fully automatic and semi-automatic airsoft guns that are over 1.3 Joules are prohibited weapons.

Additionally the guns must be designed only to fire a small plastic missile i.e. a missile that – (a) is made wholly or partly from plastics, (b) is spherical, and (c) does not exceed 8 millimetres in diameter.

In Scotland due to the Air Weapons and Licensing (Scotland) Act 2015, any airsoft gun exceeding the muzzle energies stated above will require an air weapons certificate in order to possess such guns. Air soft guns that fall under the energy thresholds above remain subject to existing imitation firearm laws.

See BASC's Air Rifle Code of Practice - <https://basc.org.uk/airgunning/advice/basc-air-rifle-code-of-practice/>

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