



## ***REGISTERED FIREARMS DEALERS***

### ***Frequently Asked Questions***

#### **Why do I need to be an RFD?**

The Firearms Acts 1968, subsequently amended by many other Acts and secondary legislation control the possession and use of firearms, shotguns and air weapons. If you wish to sell or repair firearms, shotguns or sell air weapons by way of trade or business you must register with the police as a firearms dealer. If you simply repair air weapons as a business you do not need to become a dealer where the air weapon already belongs to someone.

#### **How much will it cost to register?**

- **RFD Grant** = £150
- **RFD Renewal** = £150
- **Additional place of business certificate** (for game fairs, trade fairs or exhibitions, agricultural shows or an event of a similar character and where the RFD is registered in another force area) = £12
- **Additional place of business certificate** (for game fairs, trade fairs or exhibitions, agricultural shows or an event of a similar character and where the RFD is registered in the same force area) = No fee
- **Transfer of RFD business from one police force area to another** = No fee

Full RFD certificates will be issued for 3 years and additional certificates for game fairs etc. can be restricted to the duration of an event or issued for 3 years where a regular annual event takes place at the same site without having to apply each year e.g. the Midland game fair.

If you hold an RFD in one force area and wish to open a new premises in another force area the fee will be £150. In essence you will have to register with the police as if it were a completely new application.

#### **Where can I get an application form?**

Forms are available from the BASC website ([www.basc.org.uk](http://www.basc.org.uk)) and are contained within the Firearms Department pages or; by writing to the Firearms Licensing unit for your area. This is normally at Police Headquarters.

#### **What grounds can the police give for refusing to register me?**

- If you are a “prohibited person” i.e. someone who has been sentenced to a long spell in prison.
- Suitability i.e. you cannot be permitted to carry on a business as a dealer in firearms without danger to the public safety or the peace. This includes having a serious criminal record e.g. convictions for violence, gross dishonesty or disregard for public safety, or routinely associating with known criminals.

- Suitability also covers intemperate habits such as alcohol or drug abuse and anti-social behaviour. It encompasses people of unsound mind, e.g. those who show signs of depression, have suicidal tendencies, emotional instability or unpredictable behaviour.
- If you can't demonstrate experience of firearms and knowledge of laws and other regulations which govern the sale and possession of firearms, e.g. age limits, the police may decide that you might constitute a danger to the public safety or to the peace.
- You will not engage in trade or business to a "*substantial extent*", i.e. you are not really in business.

### **So how can I prove to the police that my business is genuine?**

The law requires the police to be satisfied that you will engage in trade or business to "a substantial extent". Evidence of this can be in the form of one or more of the following.

- Although not required by law a business plan for a new venture may help your application along with a business bank account and proper stationery. (Do not include any commercially sensitive information)
- An account with a wholesale supplier of air weapons, pellets and accessories.
- An established business - volume of sales, adverts in the press, audited accounts etc.

*Substantial extent* does not mean that you have to sell lots of air weapons. It simply means that your business is genuine and that it is not just run as a hobby or pastime.

You do not have to satisfy the *substantial extent* test if you sell air weapons as an essential part of another business, e.g. as part of a sports shop or fishing tackle shop. If you sell air weapons as part of another business activity and this provides a significant part of your income, then this is evidence that this is an essential part of your business.

### **What happens if the police refuse to register me?**

You can request an Alternative Dispute Resolution (ADR) meeting with the police to see if the matter can be resolved. If the police still refuse after the ADR meeting, you can appeal to the Crown Court. To do this, you need to write to the police and to the Crown Court nearest to you. Go to <http://www.hmcourts-service.gov.uk/HMCSCourtFinder/> or look in the phone book.

Before deciding to appeal to the Crown Court you should take advice from a lawyer or from a shooting or trade association if you are a member of one.

### **Where can I read about the official procedure for registration?**

In Chapter 16 of the Home Office document "Firearms Law: Guidance to the Police 2013<sup>1</sup>."

### **Will the police make me have to install lots of security measures?**

Details of security measures can be found in "Firearms Law: Guidance to the Police 2013" and The Firearms Security Handbook 2005 <sup>2</sup>. Security provisions will differ depending upon the individual circumstances of the dealership e.g. home or shop premises or where dealerships are located in high crime areas. Where someone who only sells air weapons is concerned, the level of security that might be required will be less than that needed by someone who sells cartridge firearms e.g. shotguns or sporting rifles etc, this may be simple Level 1 security provisions.

<sup>1</sup> <https://www.gov.uk/government/publications/firearms-law-guidance-to-the-police-2012>

<sup>2</sup> <https://www.gov.uk/government/publications/firearms-handbook-2005>

### **Will I have to keep a register of sales?**

Current law requires RFDs to keep a register, examples of the details to be recorded are; the type of firearm (rifle, pistol, shotgun etc.), the makers name and serial number, if any, the caliber and names and addresses of the person who the dealer bought the firearm from or sold the firearm to. For air weapon dealers there slight differences, specific information about registers can be obtained from BASC's firearms department or your local police licensing department.

### **What precautions can I take to ensure that I do not sell air weapons to under 18s?**

If you have any doubt about a young customer's age, always ask to see photo ID such as a student card, a Driving Licence or one of the many local ID schemes used by shops who sell alcoholic drink. If in doubt don't sell an air weapon and ask the young person to come back with proof of age or with an adult.

Although it will be illegal to sell an air weapon or ammunition for an air weapon to under 18s, there is a defence if you can prove that you believed the young person was over 18 or that you had reasonable grounds for believing so.

### **If I am registered as a Firearms Dealer, can I sell firearms, shotguns and air weapons by mail order or on the Internet?**

No. All sales or transfers will have to be on a face-to-face basis with the buyer or his representative. RFD's may sell air weapons to people long distance, but only via another RFD who will then ensure the air weapon is sold face to face. Simple advertising of firearms and air weapons is allowed on the internet.

### **Additional reading**

ACPO/BASC guide to the Violent Crime Reduction Act - available as a download from the BASC Firearms Department web pages.

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