

Extracts from the Firearms Act 1968

'Section 21'

- (1) *A person who has been sentenced (to custody for life or) to preventive detention, or to imprisonment or to corrective training for a term of three years or more (or to youth custody (or detention in a young offender institution) for such a term), or who has been sentenced to be detained for such a term in a young offenders institution in Scotland, shall not at any time have a firearm or ammunition in his possession*
- (2) *A person who has been sentenced to imprisonment for a term of three months or more but less than three years (or to youth custody (or detention in a young offender institution) for such a term), or who has been sentenced to be detained for such a term in a detention centre or in a young offenders institution In Scotland, shall not at any time before the expiration of the period of five years from the date of his release have a firearm or ammunition in his possession.*
- (3) *Where a person has been sentenced to imprisonment for a term of three months or more and the sentence is suspended under section 189 of the criminal Justice Act 2003 the person shall not have a firearm or ammunition in his possession during the period of five years beginning with the second day after the date that the sentence was passed.*

This means:

Section 21 prohibits the possession of a firearm and ammunition (under any circumstances), by any person who has been convicted of a crime and sentenced to a term of imprisonment (or its equivalent for young persons) of 3 months or more, even if the sentence is suspended. The prohibition applies in all circumstances, including handling and firing at an approved shooting club or at a clay pigeon shoot where a certificate is not ordinarily required. It also applies to the possession or use of other categories of firearms and ammunition such as AIRGUNS or shot cartridges for which a certificate is not needed.

A sentence of 3 months to 3 years attracts a 5-year prohibition, shorter ones no prohibition but a longer one means a life ban.