

The Sportsman's Association of Great Britain & Northern Ireland



FIGHTING FOR FAIR AND EFFECTIVE FIREARMS LEGISLATION

Quarterly Newsletter 30/3/2020

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AGM

The next AGM was to be held at the Army Target Shooting Club, on 23rd May 2020 at 19.30 hrs. This is now postponed until restrictions on gatherings due to Covid 19 are lifted.

Firearms Licensing - Coronavirus

Wiltshire Police

In view of the coronavirus pandemic and following Government advice, for everyone to stop non-essential contact with others and to stop all unnecessary travel, for at least the next 12 weeks, we have temporarily suspended the processing of new applications for the grant of firearm and shotgun certificates.

We must ensure that we focus on those already in possession of firearms and shotguns and will be prioritising the 350 firearm and shotgun renewal applications, we receive on a monthly basis, to ensure those people are not left in illegal possession of firearms.

We apologise for any inconvenience and ask for your understanding under these difficult circumstances. We will review the situation in 12 weeks' time, in line with Government guidance.

Many people will be wondering how the coronavirus pandemic is going to affect their renewals and applications for firearms/shotgun licences. Clubs have been closed, Doctors priorities are with those in medical need, Police priorities are focused on the pandemic.

At the moment there is no clear advice from the Home Office on this particular matter. Many police authorities are adopting procedures similar to those above that Wiltshire are adopting until better advice is available.

Below is from the Firearms Guidance 2016.

10.60 The onus for applying to renew a firearm certificate rests with the holder. All forces, however, should issue reminders to their certificate holders well in advance to allow the renewal process to be completed before the original certificate expires. If no reply to the reminder is received, enquiries should be made to confirm that the holder no longer has possession of the firearms or ammunition to which the certificate relates, or if the certificate has not yet expired, that arrangements have been made to dispose of the firearms and ammunition before expiry.

10.61 If a certificate expires before a renewed certificate has been issued and the certificate holder has behaved in a reasonable manner returning the forms in good time, a temporary permit (section 7 Permit) should be issued by default. Certificate holders must not be asked to rely on an expired certificate as an alternative. With regard to renewal, the applicant may submit a photocopy of their certificate and retain the expiring certificate in order to be able to buy ammunition.

However, the Police & Crime Act 2017 brought in a change to section 28 of the Firearms Act 1968 which came into force from 17/4/2018 and applies to all renewal applications submitted after that date. If you submitted your renewal application at least 8 weeks before the current certificate expires, and renewal is not completed by that expiry date, then an automatic 8 week extension is applied. *(The Met are now asking for 12-16 weeks before expiry for at least the next six months in order to secure the statutory extension.)*

Police forces can issue a standard letter confirming the extension to your certificate. Any extension granted will count as part of your 5 year term for your new certificate. If near the end of the extension you still have not heard that your renewal will be granted then you will need to ask the Police to issue a temporary section 7 permit.

Some Police authorities will authorise renewals without the medical check if necessary, on the understanding that any medical checks can be done at a later date, some will not.

With respect to RFD's, the GTA have written to the Home Office about extensions for renewals, with no reply as yet.

From the 2016 Firearms Guidance

16.52 It follows that the chief officer of police will need to write twice to any firearms dealer who is to be removed from the register. The first letter will give reasonable notice (usually 21 days) of the chief officer's intention and allow time for the firearms dealer to make any representations; if the dealer is unsuccessful in this regard the chief officer's second letter will confirm that removal action has been effected.

All members of the BSSC are doing their best to get sensible answers to the problems likely to arise as a result of Covid-19. We will try to update this information as soon as updates become available.

News from BSSC member associations includes the following:

BASC is seeking a 6 month emergency certificate extension.

GTA has offered advice on export licensing, Government business support and gun proofing.

NRA has announced the temporary closure of the National Shooting Centre to civilians.

NSRA has announced the closure of the Lord Roberts Centre.

A full digest of association news and statements related to the Coronavirus COVID-19 emergency may be found on the following weblinks:

BASC <https://basc.org.uk/coronavirus/firearms/>

CPSA <https://www.cpsa.co.uk/news/headlines/2020/03/23/coronavirus-covid-19/5360>

GTA <https://www.gtald.co.uk/>

NRA <https://nra.org.uk/news/>

MLAGB <https://www.mlagb.com/news/>

NSRA <https://www.nsra.co.uk/index.php/119-frontpage/2795-the-nsra-and-lord-roberts-centre>

UKPSA <https://www.ukpsa.co.uk/news/covid-19-coronavirus-update/>

HBSA <https://sites.google.com/site/hbsauk/home/latest-news>

CA <https://www.countryside-alliance.org/covid-19-hub>

General Licences - Please continue to monitor the websites

<https://www.gov.uk/government/collections/general-licences-for-wildlife-management>

<https://naturalresources.wales/permits-and-permissions/protected-species-licensing/uk-protected-species-licensing/general-licences-2019-birds/?lang=en>

<https://www.gwct.org.uk/scotland/advice/scottish-general-licences/>

Defra GL can be contacted on 0330 159 1986 or Glenquiries@defra.gov.uk

Wild Justice have launched a legal challenge to DEFRA over the release of gamebirds on protected sites or within 5km of them. <https://wildjustice.org.uk/general/wild-justice-challenges-gamebird-releases/>

The High Court has agreed that BASC, Countryside Alliance, the Game Farmers' Association and the National Gamekeepers' Organisation can register as a joint interested party in the Wild Justice proceedings against Defra. Permission was granted despite Wild Justice opposing the applications.

Interested party status allows the organisations to take part in the proceedings, view papers and provide evidence to counter the challenge where necessary.

The Controversial Topic of Lead v Non-Lead Ammunition

Several shooting organisations recently proposed a voluntary ban on the use of lead shot for the shooting of all live quarry by 2024. *“In consideration of wildlife, the environment and to ensure a market for the healthiest game products, at home and abroad, we wish to see an end to both lead and single-use plastics in ammunition used by those taking all live quarry with shotguns within five years.”*

The manufacturers of shotgun cartridges have responded by saying this is unlikely to happen in such a short timeframe, and had the shooting organisations consulted with the industry, they could have advised the associations of the various problems to be overcome.

Many conservationists are calling for an outright ban on the use of lead shot. Lead is a neuro toxin which can cause poisoning in many birds, scavengers, and ultimately humans who consume game on a regular basis. Some retailers are beginning to state that they will not stock game where lead ammunition has been used. Defra has so far said they do not intend to impose an immediate ban when shooting organisations are regulating themselves.

Lead shot is currently banned on all wetlands in Scotland and Northern Ireland. In England and Wales, there is a ban on using lead shot to shoot wildfowl and for shooting on foreshores and on sites of special scientific interest. An EU regulation banning lead shot on wetlands, plus a 300m buffer zone, is expected to come into effect by the end of 2020, with a phase out period of 24-36 months. Although EU Member states of the REACH committee could not agree on this at February's meeting in Brussels.

Further to that the EU has asked the European Chemicals Agency to *“collect information for the assessment of the risk and socio-economic impact of a possible restriction for other uses of lead ammunition, including hunting in other terrains than wetlands and target shooting, as well as for the use of lead weights for fishing”*. It is expected that the ECHA will propose a complete ban on lead ammunition because of risk to human health.

Defra has confirmed that the UK is bound by EU legislation during Brexit transition and must adopt it into UK law if it is passed before the end of 2020. It is unclear what position the UK Government will take on REACH (Registration, Evaluation, Authorisation & Restriction of CH chemicals) after transition, especially in the face of the present voluntary initiative to phase out lead shot. FACE UK are trying to find out.

In the last 30 years many countries have phased out the use of lead shot over wetlands (this is before the EU regulation expected to come in later this year). Denmark and Sweden, hailed by some as leading the way, have a complete ban on

the use of lead shot ammunition, as did Norway. However, Norway repealed this ban except for over wetlands.

Why would Norway do this? Despite all the popular pressure to ban all lead shot ammunition they felt there was no conclusive scientific evidence that an outright ban was beneficial to the environment and wildlife. Or that the available alternatives were effective enough, let alone the lack of evidence about the effect such substitute materials will have on health or the environment.

So, what are the alternatives to lead ammunition, Steel, Plastic, Copper, Copper-Zinc alloy, Bismuth, Tungsten, a variety of alloys yet to be learnt about? There is no straightforward swap to suit all ammunition.

Non lead shotgun cartridges generally use steel or bismuth shot with plastic wads, a few have biodegradable wads. There is a shortage of steel shot in Europe, increasing demand will only inflate prices. There is also the question of suitability of steel shot for older shotgun barrels, and whether you will need to re-barrel more frequently, even with a modern shotgun. Let alone the laws in this country on performance of steel ammunition for civilians. The move by the military away from lead to steel is for better penetration, any positive environmental impact is just a nice secondary effect. Bismuth behaves similarly to lead but like steel has limited availability. However, Bismuth is medically proven to be a neurotoxin, and some Canadians are calling for toxic impact of Bismuth on the environment and in game to be re-assessed.

In short, the shotgun industry applauds the aim to have more environmentally friendly, less toxic but still effective and humane cartridges for all shotgun use. But it will take time to develop and test new materials, to secure continuous supply of said materials and to tool up for production. For the moment the industry is saying *“At present the only commercially available options are lead shot with fibre wads, steel with plastic wads or unaffordable premium non-lead shot. Shooters and land owners will need to consider these options and then decide which option is preferable going forward. Right now, we need to decide which to eliminate– lead or plastic? We cannot avoid using both.”*

It is an imperfect world, so let's give our support to the aim of achieving the above, but accept that whilst we will all strive to do this as quickly as possible, we accept that it will only happen in a time that is practicable. Especially as we have to give consideration not just to shotgun ammunition, but to all ammunition for all guns of all ages.

Deactivated Firearms

As of 2017 the “Police and Crime Act 2017” prohibited the sale, loan or transfer of any firearms that had not been deactivated to the 2016 EU standard or any subsequent standard as published by the Secretary of State.

This does not affect OWNERSHIP of pre 2016 deactivated firearms, but does prohibit their TRANSFER, whether by sale, swap, gift or inheritance.

The only exception to the transfer of a pre 8/4/2016 deactivated firearm is when it is transferred to a museum which holds a “museum firearms licence”.

Firearms deactivated to standards which pre-date 8/4/2016, or any subsequently published specification by the Secretary of State, are considered to be “defectively deactivated weapons” (DDW).

Firearms Regulations 2019

With respect to firearms deactivated from 8/4/2016 and acquired since 14/9/18

As of **12/12/2019** it becomes a criminal offence to **TRANSFER or LEND**, for more than 14 days, a deactivated firearm to another person without registering the transfer with the Home Office. The person making the transfer must notify to whom they are transferring the deactivated firearm, with the make, caliber and serial number by registered post, recorded delivery or email before, or on the day of transfer or as soon after as is practicable.

Persons in **POSSESSION** of a deactivated firearm commit an offence if they have not notified the Home Office of possession unless notice of the transfer has already been given by the person who previously owned it.

Deactivated firearms acquired between 8/4/2016 and 14/9/2018 which are unaltered do not have to be notified until 14/3/2021, unless transferred in the meantime.

The forms are available on GOV.UK and should be sent to deactivatedfirearmsnotifications@homeoffice.gov.uk or by post to:

Deactivated Firearms Notification, Home Office, Serious Violence Unit, 5th Floor, Fry Building, 2 Marsham Street, London, SW1P 4DF

This was brought in as a Statutory Instrument 1420 on 31/10/2019 as a direct result of EU directive 2017/853.

Offensive Weapons Act Hand-in Compensation Scheme

The Home Office say that further legislation is required before the scheme can come into effect. They will provide more detail in due course but hope to have everything in place “in the spring”, now more likely to be the Autumn

Brexit

The latest from the government as of 30/10/2020

<https://www.gov.uk/government/publications/travelling-with-a-european-firearms-pass-if-theres-no-brexit-deal/travelling-with-a-european-firearms-pass-if-theres-no-brexit-deal>

European firearms requirements if there’s no Brexit deal.

UK residents who want to travel to the EU with their firearms or shotguns will no longer be able to apply for a European firearms Pass (EFP) if the UK leaves the EU without a deal.

Instead, you should check the firearms licensing requirements of the EU country you’re travelling to, ahead of travelling. These requirements will also apply if you will be in an EU country with a firearm, covered by an EFP, when we leave the EU.

Visitor’s permits

You should continue to apply to your local UK police force for a visitor’s permit if you’re sponsoring an EU visitor who is bringing a firearm to the UK. Permits issued before the UK leaves the EU will remain valid until they expire.

EFPs will not be recognised for EU visitors to the UK and sponsors will no longer be required to show a valid EFP.

The House of Commons Home Affairs Committee sought evidence for its Inquiry into Home Office Preparations for Brexit. The **BSSC** Secretary prepared a report detailing the value of the European Firearms Pass to the shooting community. The number of EFPs on issue was outlined, as well as the importance of the EFP as a travel document for UK shooters and a simple means of verification by the police of visiting shooters in respect of the issuing of British Visitor Permits. The implications of the loss of the EFP in the event of a ‘no deal’ Brexit were considered, with the likelihood that UK travelling shooters would have to comply with a variety of documentation procedures required by countries that they were visiting or travelling through, instead of being able to present a single international pass.

Acknowledging the possibility that EU citizens would be less likely to shoot in the UK, the report included economic data on the value of country sports to remoter rural communities in Scotland, where shooting and deer stalking are particularly important to the local economy. It was argued that, since several non-EU countries operate the EFP, there would in fact be no need for the UK to drop the EFP after Brexit. This was discussed again in a meeting in February between BSSC and Minister of State Kit Malthouse MP, who suggested lobbying the EU. FACE will write to both the EU Commission and the UK Government to recommend a Switzerland-style bilateral arrangement on the EFP.