

Firearms and Certificates Instructions and Access to Information

Reference: Pi10.5

This document is part of the SYP Statement of Agreed Policy on **Major Investigation and Public Protection P10** and in conjunction with **Authorised Professional Practice (APP)**. You may wish to refer to these now.

Instructions:

The following are topics covered in order of appearance:-

Access to information

Application forms

Grant of certificates

Application at police stations

Applications presented at local police stations

Checking completed applications

Audit of Finances

Criteria for the refusal of an application

Renewal of certificates

Non renewals

Information of a detrimental nature

Revocation of a firearm / shotgun certificates

Appeal against revocation

Lost or stolen firearm, shotgun or certificate

Firearm / shotgun / ammunition coming into police possession

Destruction of firearms and shotguns

Visitor permits

Change of address

Transfer out

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Notice of sale / acquisition

ACCESS TO INFORMATION

The National Firearms Licensing Management System (NFLMS) is now in use in all forces within England and Wales and manages information relating to all firearm and shot gun certificate holders, Registered Firearms Dealers and Home Office Approved Shooting Clubs, registered or licensed explosives stores and explosives certificate holders, and all legally possessed firearms, shot guns and explosives.

Access to the information within force is limited to the Warrants and Firearms Licensing Department, Communications (FIMs/Silver Support/Vetting/PNC) and Intelligence Units. The system is linked to PNC; markers indicate those persons who have made application for a certificate, those who are licensed to possess and those who have had certificates either revoked or refused.

Should any interrogation of the NFLMS be required, telephone enquiries can be made to Warrants and Firearms Licensing Department during normal office hours.

Operational staff are reminded that Warrants and Firearms & Explosives Licensing Department must be informed of all occasions where certificate holders are arrested, charged or reported for any offences, and additionally where a certificate holder is involved in an incident classed as a 'domestic' or involving the use of drugs, drunkenness or violence. This information is necessary in order that consideration may be given to the revocation of any certificates and the seizure of any firearm, shot gun or explosive material. Notification of any such incidents must be made to Firearms Licensing Department at the earliest opportunity. The report should consist of a Gen2 accompanied by copies of any witness statements, pocket book entries and any other material that relate to the incident.

For further information or assistance please contact the Criminal Justice Department Warrants and Firearms Department.

APPLICATION FORMS

All applications for the grant, renewal of a firearm or shotgun certificate will be made on Firearms Form 201, available from Warrants and Firearms Licensing Department, or downloadable from the SYP website.

All applicants for Variation of a Firearm Certificate will be made on form 202, available from Warrants and Firearms Licensing Department, or downloadable from the SYP website.

The fees payable for application and variation can be found on the SYP Website.

No fee is payable in respect of a firearm certificate for:-

1. Safety equipment.
2. Signalling device which, when assembled, does not exceed 8 inches long.
3. Rifle club, miniature rifle club or pistol club approved by The Secretary of State.
4. Slaughtermen - if involved in the humane slaughter of animals for the human food chain.

GRANT OF CERTIFICATES

All applications for the grant/renewal of firearm and shotgun certificates are coordinated by the Warrants and Firearms Licensing Department.

APPLICATION AT POLICE STATIONS

Where a member of the public attends at a police station in connection with an application for the grant of a firearm or shotgun certificate, they should be directed to Warrants and firearms Licensing Departments.

APPLICATIONS PRESENTED AT LOCAL POLICE STATIONS

Although applicants are encouraged to reply direct to the Warrants and Firearms Licensing Department, there will be some occasions when completed applications are presented by the applicant at their local police station. District staff are instructed not to accept the application.

The applicant will be informed that they should return the completed form direct to the Warrants and Firearms Licensing Department as stated in their information pack.

CHECKING COMPLETED APPLICATIONS

On receipt of the completed application, the person receiving the application will check that:-

1. The application form has been properly completed, giving full details and clearly stating their requirements.
2. Both referee forms have been fully completed (Firearm application)
3. Letters of authority from landowners are included (Firearm application)
4. The weapon is suitable for the reasons stated (Firearm application)
5. Four passport size photographs have been received.
6. The correct fee has been received (unless a free certificate).
7. The address shown on the form is the applicant's permanent address and is within the South Yorkshire Police area.

A receipt will be issued and sent to the applicant.

If any further information is required, the enquiries should be made with the applicant at this stage either by email, telephone or letter depending on the nature of the enquiry.

Should an applicant declare a medical condition related to depression or any other mental or nervous disorder, the application is required to provide a GP report at their expense.

A nominal file will be created on the National Firearms Licensing Management System (NFLMS) and / or a link created to the Police National Computer (PNC). Local intelligence checks will be undertaken and the file sent to Special Branch for security checks to be carried out on the applicant.

Every application will be risk assessed using the National Decision making model and assigned a risk low, medium or high.

Applications for the grant of a shotgun and Firearm Certificate will be sent to the relevant firearms enquiry officer to undertake a personal home visit in order to check security arrangements and any other relevant enquiries, including ensuring good reason for possession of the requested weapon(s) is satisfied.

Low risk shotgun renewals, and Firearms renewals for TARGET SHOOTING ONLY, may be undertaken via a telephone call to the applicant. A marker will be placed on the National Firearms Licensing System to identify that the renewal was conducted by telephone. Certificate holders who are renewed by telephone will be subject to an interim visit in the lifetime of that certificate.

Medium and high risk renewals will be sent to the relevant firearms enquiry officer to undertake a personal home visit in order to check security arrangements and any other relevant enquiries, including ensuring good reason for possession of the requested weapon(s) is satisfied.

Firearms renewals which are not for Target shooting only, will be sent to the relevant firearms enquiry officer to undertake a personal home visit in order to check security arrangements and any other relevant enquiries, including ensuring good reason for possession of the requested weapon(s) is satisfied.

On completion of these enquiries, information will be returned to Warrants and Firearms Licensing Department suitably endorsed with the recommendations of the firearms enquiry officer.

The file will again be checked to confirm:-

1. The application has been recommended
2. That any land check has been carried out by an officer authorised by the Chief Constable under S.55(2) of the Firearms Act 1968 (as amended) (Firearm application)

3. The security arrangements are satisfactory
4. Suitability of weapons (Firearm application)
5. Ammunition is correct for the caliber of weapon (Firearm application)
6. Any conditions required have been met and statutory requirements fulfilled.

The decision will then be made on whether or not to issue a certificate.

If there are any doubts at this stage, the precise nature of the concern must be raised with a Manager within the Warrants and Firearms Licensing Department.

Once the decision has been made, the National Firearms Licensing Management System (NFLMS) and the Police National Computer (PNC) will be updated.

An authorised person can then issue a Firearm and / or Shotgun certificate.

Once a certificate has been issued, Warrants and Firearms Licensing Department will write to the applicants GP to inform them that their patient is licensed to possess Firearms / Shotguns. There is no obligation on the GP to retain this correspondence.

If the decision is taken not to issue a certificate, the file will be referred to the Superintendent, who will notify the applicant indicating the reasons why the certificate has been refused.

AUDIT OF FINANCES

An audit of finances within Warrants and Firearms Licensing Department will be carried out on a regular basis to check the number of certificates issued against the monies received.

The department manager will also carry out regular dip samples to ensure the above procedure is being followed and will take any remedial action necessary.

CRITERIA FOR THE REFUSAL OF AN APPLICATION

Where the applicant satisfies any of the following criteria, consideration must be given to refusing an application if the applicant:-

1. Is a prohibited person
2. Is known/suspected of criminal involvement
3. Has a history of domestic abuse/violence
4. Has a history of violence or violent offences
5. Has medical or mental health issues
6. Associates with suspected or known criminals
7. Fails to meet the required 'good reason' for possession (Firearm application)

RENEWAL OF CERTIFICATES

A Renewal Run will be generated at least twelve weeks prior to the expiry date of the current certificate. Special Branch checks on the applicant will be, requested at this time.

Applicants must return the completed form direct to Warrants and Firearms Licensing Department enclosing the renewal fee, the certificate to be renewed and four photographs.

If the application is not received eight weeks prior to the expiry date then a further reminder letter will be posted to the certificate holder. The letter emphasises the importance of renewing the certificate on time and the consequences of failing to do so. The certificate holder will also be reminded that they must store any firearms in their possession with another lawful holder prior to the expiry of their current certificate.

NON RENEWALS

Where the certificate holder continues to hold firearms after the expiry of their certificate and are in unlawful possession, they will be visited by a firearms enquiry officer, who will interview them in accordance with PACE with regard to any offences. A file will be submitted for prosecution to be considered. Arrangements will also be made for seizure or removal of any shotguns, firearms and ammunition possessed.

The possession of firearms without a certificate is a criminal offence.

INFORMATION OF A DETRIMENTAL NATURE

Where any information of a detrimental nature concerning the holder of a Firearm and / or Shotgun certificate comes to the notice of the police the Firearms Licensing Department must be informed as soon as possible so that the matter can be investigated.

Where such information is received direct to the Firearms Licensing Department, firearms enquiry officers may be requested to carry out specific enquiries.

REVOCAION OF CERTIFICATES

Where an incident occurs which involves the holder of a firearm certificate, and is such that the officer dealing with the incident reasonably believes that the person is a danger to public safety or the peace, seizure of firearms, ammunition and certificates must occur. Officers may use common law to seize firearms or shotguns at the time of any offence to prevent a breach of the peace or prevent the commission of an offence using Section 3 Criminal Law Act 1867. The decision whether or not to remove firearms should be made in accordance with the National Decision Making Model.

Where firearms are taken in such circumstances, arrangements will be made for them to be booked into the relevant district property store as soon as possible. The lawful owner must be provided with an itemised receipt.

The OIC will submit a full report to the Warrants and Firearms Licensing Department who will then determine whether the certificate should be revoked.

Any decision to revoke a Firearm or Shotgun certificate will be referred to the Superintendent, Criminal Justice Department. The appropriate notice will be generated and personally served. The notice will contain a requirement to surrender the weapon and certificate immediately.

APPEAL AGAINST REVOCATION

The certificate holder then has 21 days from receipt of the notification or revocation to appeal against the revocation to Crown Court.

Where shotguns or firearms are taken into police possession, the certificate holder will be given 28 days' notice, in writing, to make alternative arrangements for the storage of the firearms or shotguns will be dealt with through the [Police Property Act 1897](#)

LOST OR STOLEN FIREARM, SHOTGUN OR CERTIFICATE

Details of all lost, stolen or found firearms, shotguns or certificates must be reported to Warrants and Firearms Licensing Department either by telephone or email: Firearmslicensing@Southyorks.pnn.police.uk in order that the weapon may be checked against the NFLMS. In addition to this, other appropriate local, regional or National circulations must be instigated in accordance with South Yorkshire Police policy. See [P10.2](#) Circulation of lost and stolen Section 1 Firearms and Section 2 Shot Guns.

The person receiving the information will ensure that all districts and forces are notified as soon as possible for the information of firearms dealers.

FIREARM / SHOTGUN / AMMUNITION COMING INTO POLICE POSSESSION

Any shotgun, firearm and ammunition coming into police possession will be confirmed as being safe before being accepted at a district property store.

A full entry will then be made on the Property other than found database. The person making the entry will contact the Warrants and Firearms Licensing Department and check the serial number against the records held centrally.

DESTRUCTION OF FIREARMS AND SHOTGUNS

When a decision is taken to destroy any firearms or shotguns, the person responsible for the property store will complete a form Gen 75.

The firearms or shotguns will then be placed in a large heavy duty clear polythene bag and the contents of the bag checked against the Gen 75 by a senior officer (it is recommended that the operations manager or above should carry out this task.).

The bag will then be sealed with a numbered seal, the details of which will be endorsed on the Gen 75 form.

OSS will then be responsible for collecting the sealed bag and taking the contents for destruction. If at the point of collection any bags are found to be damaged, the contents must be re-checked against the Gen 75 form.

A Senior Officer will witness the destruction by melting in a furnace and endorse the Gen 75 accordingly.

A copy of the Gen 75 form will be forwarded to Warrants and Firearms licensing department for any records to be updated.

VISITOR PERMITS

Visitors to Great Britain who cannot be granted a firearm or shotgun certificate because they are not resident may be granted a [Visitors Permit](#)

Application for such a permit is made by a resident in Great Britain, on behalf of the visitor.

A form 107 available from the Warrants and Firearms Licensing Department is completed by the sponsor and returned to the Warrants and Firearms Licensing Department along with the relevant fee.

If any further information is required, the enquiries should be made with the applicant at this stage either by telephone or letter depending on the nature of the enquiry

PNC and ACRO checks will be undertaken by the Warrants and Firearms Licensing Department on the visitor and the file will then be sent to Special Branch for security checks.

The decision will then be made on whether or not to issue the permit. If there are any doubts at this stage then the precise nature of the concern must be raised with a Manager.

Once the decision has been made the information will be entered onto the NFLMS/PNC.

An authorised person can then issue a permit.

If the decision is taken to refuse the permit, the file will be referred to the Superintendent, who will notify the applicant indicating the reasons why the permit has been refused.

CHANGE OF ADDRESS

Where the holder of a Firearm or Shotgun certificate changes their address, this must be notified immediately to the Warrants & Firearms Licensing Department.

The new address will be entered onto NFLMS/PNC and a replacement certificate generated.

The amended certificate will be sent to the certificate holder via post. Where appropriate a firearms enquiry officer will attend at the new address to check the security arrangement.

TRANSFER OUT

Where the holder of a Firearm or Shotgun certificate changes their address to another force area then this must be notified immediately to the Warrants & Firearms Licensing Department.

Warrants & Firearms Licensing Department will contact the new force area, carry out local intelligence checks and forward the file.

The force which covers the new address will be responsible for carrying out the necessary enquiries and issuing the new certificate.

TRANSFER IN

Where the holder of a Firearm or Shotgun certificate who currently resides outside South Yorkshire subsequently moves into the area, they must inform Warrants & Firearms Licensing Department immediately.

The person is also responsible for contacting the force, which covers their current address, and informing them of the change.

The transferring force will forward the file to the Warrants & Firearms Licensing Department who will input the necessary information onto the NFLMS/PNC

If any further information is required, the enquiries should be made with the applicant at this stage either by email, telephone or letter depending on the nature of the enquiry.

The transfer of a certificate will be investigated as a new application.

NOTICE OF SALE/ACQUISITION

Whenever the holder of a Firearm or Shotgun certificate sells or transfers a firearm or shotgun they must notify Warrants and Firearms Licensing Department of the transfer. This must be made within 7 days of the transfer by recorded mail or email to

Firearms.notification@southyorks.pnn.police.uk. The notification will contain details of the firearm or shotgun and the purchasers details.

If a replacement authority to acquire a firearm is requested within 7 days of the transfer there is no fee payable. A new certificate will be generated which contains the authority to acquire a replacement weapon upon surrender of the old certificate.

When the certificate holder subsequently acquires a further weapon they must notify Warrants & Firearms Licensing Department stating the full details of the firearm or shotgun and the seller within 7 days by recorded mail.

Further information may be found by accessing:-

[Firearms - Surrender - Seizure - Disposal - Destruction - Pi10.3](#)

[Firearms Act 1968](#)

[Firearms \(Amendment\) Act 1988](#)

[Firearms Act 1982](#)

[Firearms \(Amendment\) Act 1997](#)

[The Firearms Rules 1998](#)

Home Office Guidance to Police 2015

Equality Act 2010:

The Act creates a statutory requirement for all Functions and Policies (Including Procedural Instructions) to be analysed for their effect on equality, diversity and human rights, with due regard to the [General Equality Duty](#).

In principle, this document has been assessed for discrimination, which cannot be justified, among other diverse groups.

The [Code of Ethics](#) published in 2014 by the College of Policing requires us all to do the right thing in the right way. It also recognises that the use of discretion in Policing is necessary but in using discretion, states that you should, "*take into account any relevant policing codes, guidance, policies and procedures.*"

Start:

5/12/2001

These instructions amend previous ref D50217

Review:

These instructions are managed by Superintendent for Criminal Justice Department

These instructions and their associated Equality Analysis were last reviewed in:
October 2017

The date for the next review of these instructions and their associated Equality
Analysis is: October 2017