

The Firearms and Weapons (Guernsey) Ordinance, 2017

THE STATES, in pursuance of their Resolution of the 30th March, 2005^a, and in exercise of the powers conferred on them by sections 6(7)(a)(i), 25, 26, 48(b), 54, 55 and 58(1) and (3) of the Firearms and Weapons (Guernsey) Law, 1998^b, hereby order:-

Air weapons prescribed as specially dangerous.

1. The following air weapons are prescribed as being specially dangerous for the purposes of the Law –

- (a) any air weapon that is disguised as another object, and
- (b) any air weapon (not being a weapon designed for use only when submerged in water) capable of discharging a missile so that the missile has, on being discharged from the muzzle of the weapon, kinetic energy of more than –
 - (i) in the case of an air pistol, 6 ft lb (8.14 joules), or
 - (ii) in the case of any air weapon other than an air pistol, 12 ft lb (16.27 joules).

^a Article VII of Billet d'État No. III of 2005.

^b Ordres en Conseil Vol. XXXVIII, p. 324; as amended by Vol. XL, p. 24; Order in Council No. IV of 2016; Ordinances No. XXXIII of 2003 and No. IX of 2016.

Weapons declared to be regulated weapons.

2. The following are declared to be regulated weapons for the purposes of the Law –

- (a) any crossbow with a draw weight of 1.4 kilograms or more, and
- (b) any speargun.

Interpretation.

3. (1) In this Ordinance, unless the context requires otherwise –

"the 1987 Ordinance" means the Firearms Ordinance, 1987^c,

"enactment" means any Law, Ordinance or subordinate legislation,

"the Law" means the Firearms and Weapons (Guernsey) Law, 1998,

and

"subordinate legislation" means any regulation, rule, order, rule of court, resolution, scheme, byelaw or other instrument made under any enactment and having legislative effect.

(2) Any reference in this Ordinance to an enactment is a reference thereto as from time to time amended, re-enacted (with or without modification),

^c Recueil d'Ordonnances Tome XXIV, p. 106; as amended by Ordres en Conseil Vol. XXXI, p. 278; Ordinance No. XXXI of 2002; No. XXXIII of 2003 and No. IX of 2016.

extended or applied.

Consequential repeals.

4. The Firearms (Amendment) Ordinance, 2000^d is repealed.

Transitional and Savings.

5. (1) Despite the repeal of the 1987 Ordinance and the Firearms (Amendment) Ordinance, 2000, the following provisions of the 1987 Ordinance continue to have effect as if they were regulations made by the Committee for Home Affairs under sections 22 and 55A of the Law, subject to subsection (2) –

- (a) sections 1(1), 2, 3, 4(1) and 8 of the 1987 Law, and
- (b) Schedules 1 and 2 to the 1987 Law.

(2) For the purposes of subsection (1), the reference to "section 19 of the Law" in section 1(1) of the 1987 Ordinance has effect as if substituted with "section 22 of the Law".

(3) A person who –

- (a) uses a range specified in Part I of Schedule 1 to the 1987 Ordinance otherwise than in accordance with the general conditions of use set out in Part II of that Schedule and the special conditions of use set out in relation to that range in Part III of that Schedule,

^d Ordinance No. XXXI of 2002.

- (b) fails to carry out any function assigned to him by any provision of Schedule 1 to the 1987 Ordinance, or
- (c) contravenes, or fails to comply with, any provision of Schedule 2 to the 1987 Ordinance,

is guilty of an offence.

(4) A person guilty of an offence under subsection (3) is liable on summary conviction or conviction on indictment to a term of imprisonment not exceeding 3 months, or a fine not exceeding level 4 of the uniform scale within the meaning of section 1 of the Uniform Scale of Fines (Bailiwick of Guernsey) Law, 1989^e, or to both.

(5) Subsections (3) and (4) are deemed to be regulations made by the Committee for Home Affairs under sections 22 and 55A of the Law.

(6) A reference to a provision of the 1987 Ordinance in subsection (3) or (4) is a reference to the relevant provision of that Ordinance continued in effect by subsection (1), subject to the modification in subsection (2).

Extent.

6. This Ordinance has effect in the islands of Guernsey, Herm and Jethou.

^e Ordres en Conseil Vol. XXXI, p. 278; as amended by No. XVIII of 2009; Ordinance No. XXIX of 2006.

Citation.

7. This Ordinance may be cited as the Firearms and Weapons (Guernsey) Ordinance, 2017.

Commencement of the Amendment Law and this Ordinance.

8. The Firearms (Guernsey) (Amendment) Law, 2016^f and this Ordinance shall come into force on the 1st [insert date], 2017.

^f Order in Council No. IV of 2016.