



Home Office

**Rt Hon Damian Green MP**  
**MINISTER OF STATE FOR POLICING AND CRIMINAL JUSTICE**

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Jack Dromey MP  
House of Commons  
London  
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*Dear Jack,*

09 OCT 2013

**ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING BILL: GOVERNMENT AMENDMENTS FOR COMMONS REPORT STAGE**

I am writing to let you have details of a further tranche of amendments to the Bill (copy attached) which we have tabled today for Commons Report.

**Firearms licensing – transfer of functions (new clause *Functions of Scottish Ministers under Firearms Acts* and amendments to clauses 100 and 151)**

The new firearms offence of possession for sale or transfer of any prohibited weapon is committed where the conduct is undertaken “without the authority of the Secretary of State or the Scottish Ministers”; a similar formula is used for the existing firearms offences in section 5. The existing functions of the Secretary of State under section 5 have been transferred to Scottish Ministers by order under section 63 of the Scotland Act 1998 upon devolution (S.I 1999/1750). Additional functions under section 5 will need to be transferred to Scottish Ministers in relation to the new offences created by the Bill. New clause *Functions of Scottish Ministers under Firearms Acts* therefore revoke the entry in the 1999 Order in respect of section 5 of the 1968 Act and transfers afresh all the Secretary of State’s functions under this section, as amended, to the Scottish Ministers. The amendments to section 5A of the 1968 Act and to the Firearms (Amendment) Act 1997 are consequential upon the amendments to section 5 of the 1968 Act as, in each case, they refer back to Ministers’ functions in section 5. The amendments to clauses 100 and 151 are also consequential upon the new clause. Although the subject matter of the Firearms Act 1968 is generally reserved, as these amendments are conferring functions on the Scottish Ministers they will require a legislative consent motion.

A copy of this letter and enclosure goes to all members of the Public Bill Committee, Keith Vaz (Chair, Home Affairs Select Committee), Baroness Smith of Basildon, Lord Laming, Baroness Browning and Baroness Hamwee. I am also placing a copy in the Library of the House and on the Bill page of the Government website.

A handwritten signature in black ink, appearing to read 'Tony' on the top line and 'Damian' on the bottom line.

**Rt Hon Damian Green MP**

P.T. welcome!