



Home Office

**Public consultation on firearms
licensing fees:
Prohibited weapons, museums and
approved shooting clubs**

January 2017

Scope of the consultation

Topic of the consultation: this consultation seeks views on the implementation of proposed fees for firearms licences issued by the Government.

Scope of consultation: this consultation seeks public views on how best to implement provisions in the Policing and Crime Bill that will introduce a power to charge fees for firearms licences issued by the Government, and remains subject to Parliamentary approval of the Bill. It is the first of three consultations on the implementation of firearms measures introduced by the Policing and Crime Bill.

Geographical scope: England, Wales and Scotland.

Impact assessment: Available at https://www.gov.uk/government/publications?publication_filter_option=consultations

Basic information

To: This consultation is open to the public.

Duration: This consultation was launched on 12 January 2017. It lasts for eight weeks and closes on 9 March 2017.

Enquiries: Firearms@homeoffice.gsi.gov.uk

How to Respond: Information on how to respond to this consultation can be found on https://www.gov.uk/government/publications?publication_filter_option=consultations

Responses should be submitted by completing the online consultation form on www.gov.uk. Alternatively, the form can be downloaded as a Microsoft Word document and the response sent by email to firearmsconsultations@homeoffice.gsi.gov.uk

or by post to:

Firearms Consultation
Home Office
Drugs and Firearms Licensing Unit
5th Floor Fry Building
2 Marsham Street
London
SW1P 4DF

Additional ways to become involved: Please contact the Home Office (as above) if you require information in any other format, such as Braille, large font or audio.

After the consultation: Responses will be analysed and a 'response to consultation' document will be published.

Introduction

The Government administers a range of firearms licences covering: weapons which are prohibited under section 5 of the Firearms Act 1968; museum collections; and approved rifle clubs and muzzle-loading pistol clubs. This is to ensure that firearms are only possessed subject to stringent controls and the highest standards of public safety are maintained. Licences are issued free of charge, or, in the case of museums and shooting clubs, for a fee well below the cost of providing the service. Currently, the cost to the taxpayer of firearms licences administered by the Government is estimated at around £700,000 per year.

The Government considers that, in common with many other licensing regimes, the costs of the firearms licensing regime should properly be attributed to the organisations benefiting from the licence, and not the taxpayer. Charging in this way ensures the real economic cost of safeguarding high risk activities is understood by licence holders.

The Government introduced new charging powers for the firearms licences it issues through the Policing and Crime Bill, which is currently before Parliament.

This consultation sets out the Government's proposed fee levels for prohibited weapons, museums and approved shooting clubs. The proposed fees aim to recover in full the cost to the taxpayer, so that the licence holder pays for the cost of the service.

Once responses to the consultation have been considered, and subject to the enabling powers in the Policing and Crime Bill being passed by Parliament, fees will be set in secondary legislation. It is anticipated that new fees will come into force in 2017.

Background

In England, Wales and Scotland the police are responsible for issuing certificates for civilian firearms such as shotguns used by farmers or those used in recreational shooting. Fees for the certificates administered by the police were increased in April 2015 following a public consultation.¹

Separately, the Home Office (and in Scotland, the Scottish Government) issue three broad categories of firearms licence covering higher risk activities:

- **prohibited weapons** licences, authorising trade or possession of non-civilian weapons;
- **museum** licences, for museums with firearms collections which may include prohibited weapons;
- **approved shooting clubs**, allowing members without the relevant personal firearms certificate to shoot using club firearms.

The Home Office and Scottish Government² administer these licences to provide an extra level of assurance, national consistency in decision-making and national oversight of the licensing regime, to reflect the increased risk associated with prohibited weapons and un-certificated shooters and ensure that the highest standards of public safety are maintained.

Currently there is no power to charge for prohibited firearms licences and, as a result, the cost of those licences is entirely subsidised by the public. Museum and shooting club licences are subject to fees that were last reviewed in 1995 and do not cover the cost of the service.

Figure 1: Existing fees

Licence type	Applications per year ³ (grants and renewals)	Current fee	Period of licence ⁴	Approx. current level of taxpayer subsidy
Prohibited weapons (s5)	313	No charge	3 years	100%
Museum	38	£200	5 years	92%
Shooting club	61	£84	6 years	93%

Prohibited weapon (section 5) authorities

Prohibited weapons are those not typically permitted for civilian use, including hand guns, automatic firearms, missiles, rockets, noxious gases and other military weapons, and are listed under section 5 of the Firearms Act 1968. They may be used legitimately by police forces (for

¹ <https://www.gov.uk/government/consultations/a-proposal-to-increase-firearms-licensing-fees-administered-by-the-police>

² The Scottish Government issues licences to organisations based in Scotland, although it does so under the same legislation as England and Wales as firearms policy (with the exception of certain air weapons) is a reserved matter.

³ Figures for England & Wales only – annual average based on years 2013–2015.

⁴ Only the museum licence has a statutory duration.

example handguns, automatic weapons and CS spray), subject to strict controls about police use of force, and by the military.

The police and military do not require a licence. However, a range of organisations that supply them need to be licensed to possess prohibited weapons as part of their business. Such organisations will include manufacturers, dealers, service providers and transport companies ('carriers') in the defence and security sector, supplying police or military forces in the UK or abroad.

There are a range of other circumstances where a prohibited weapons licence may be required. These include private maritime security companies supplying armed protection from piracy to UK ships in the high-risk area, forensic service providers, gunsmiths that carry out deactivation of prohibited weapons or trade in pistols used for humane slaughter, and Olympic pistol shooters. Applicants are subject to thorough checks by the Home Office or Scottish Government and the police before an authority is issued, including background checks, an assessment of suitability and proof of genuine business need to possess prohibited firearms. These checks are repeated on renewal, which generally takes place every 3 years.

Museum licences

Museums with firearms collections (which may include prohibited weapons) require a Home Office or Scottish Government licence.

Shooting club approvals

Shooting clubs need Home Office or Scottish Government approval if they wish to allow members without a personal firearms certificate to shoot using firearms provided by the club.

Introduction of new fees

The Policing and Crime Bill⁵ was introduced to Parliament in February 2016. The Bill provides for a new power enabling fees to be charged for prohibited firearms licences. The Bill also amends existing charging powers for museum and shooting club licences under the Firearms (Amendment) Act 1988, ensuring consistency with the new prohibited weapons power so that all enabling powers provide flexibility to set fees at different rates for different types of application.

This consultation sets out the Government's proposed fee levels for prohibited weapons, museums and approved shooting clubs. The level proposed has been set with the aim of recovering the cost to the taxpayer in full, so the licence holder pays for the cost of the service.

Once responses to the consultation have been considered, and subject to the enabling powers in the Policing and Crime Bill being passed by Parliament, fees will be set in secondary legislation. It is anticipated that new fees will come into force in 2017.

The enabling powers, the proposed fees in this consultation and any fees set subsequently through secondary legislation, will apply equally to England, Wales and Scotland.

Charging powers under the Policing and Crime Bill (subject to Parliamentary approval):

The charging powers under the Bill are the same for all licence types and allow fees to be set in secondary legislation as follows:

- (1) The Secretary of State may by regulations authorise the appropriate national authority to require payment of a fee before an [authority / licence / approval] is granted, varied or renewed.
- (2) Regulations under subsection (1) must specify the amount of any fee that may be charged.
- (3) The regulations may make different provision for different cases (including specifying different fees for different cases).
- (4) The regulations may include—
 - (a) incidental, supplementary or consequential provision;
 - (b) transitional, transitory or saving provision.
- (5) Regulations under this section are to be made by statutory instrument.
- (6) A statutory instrument containing regulations under this section is subject to annulment in pursuance of a resolution of either House of Parliament.
- (7) In this section, “the appropriate national authority” means—
 - (a) in or as regards England and Wales, the Secretary of State;
 - (b) in or as regards Scotland, the Scottish Ministers.

⁵ <http://services.parliament.uk/bills/2015-16/policingandcrime.html>

Calculating fee levels

The fee amounts in this consultation document are based on the sum of the cost to the Home Office and the cost to the police of providing the service for each licence type. These costs are summarised below and explained in more detail in the impact assessment published alongside this consultation (available at www.gov.uk). All costs have been assessed in line with HM Treasury's Managing Public Money guidance on measuring the annual cost of a service⁶.

The same costs have been applied to Scotland.

Whilst this consultation asks whether there are categories of licence holder where some level of taxpayer subsidy might be warranted, the final fees will not include any cross-subsidisation (whereby one group of licence holders subsidises the cost of the service for another group).

Data will be reviewed and updated to account for any significant changes before implementing the new fees in 2017, and the fees will be reviewed regularly thereafter.

Home Office costs

The estimated cost to the Home Office of providing the elements of the firearms licensing service for which fees are to be charged is £596,000 in 2016-17. Further information on costs is in the impact assessment published alongside this consultation.

This figure is for all activities associated with the administration, decision-making and oversight of approving licence applications. Staff working on wider policy development, enforcement activities or licensing of activities outside the scope of this consultation are excluded.

The cost comprises staff salaries (including employer pension and national insurance contributions), staff training costs and overheads such as accommodation, IT and HR services.

It also includes development costs and annual running costs for a new online application system expected to be introduced before fees are implemented. The new online system will improve the service by making applying quicker and easier, allowing tracking of progress of applications and improving turn-around times for applicants.

To calculate the cost attributable per licence, applications were split into the types set out in Figures 2 to 4, based on differences in the time taken to process them. An activity-based costing exercise was then carried out, estimating the time taken for each step of the process, in order to produce an estimate of the Home Office resource required to process each application type.

Police costs

In order to assess each licence application, the Home Office and Scottish Government commission police checks which may include background checks on named individuals, interviews, site visits and stock checks. The police therefore incur a cost for the work undertaken.

Police costs for each of the licence types in Figures 2 to 4 were estimated based on the same unit costs for each step of the process used to set fees for police-administered firearms licences in April 2015⁷.

⁶ HM Treasury *Managing Public Money*, Box A6.1A.

⁷ April 2015 police firearms fees consultation: <https://www.gov.uk/government/consultations/a-proposal-to-increase-firearms-licensing-fees-administered-by-the-police>

Proposed fees

Proposed fees based on full cost recovery are set out below for the three licence groups. Further information on application categories is underneath each table.

For illustrative purposes, the table shows the cost per year of each licence. However, the full amount of the proposed fee would be payable on application.

All fees apply equally to applications made in England, Wales and Scotland.

Figure 2: Prohibited weapon (section 5) authorities

Application type	Duration ⁸	Proposed fee	Amount per year of licence
S5 dealer (grant – three year)	3 years	£1,860	£620
S5 dealer (renewal)	3 years	£1,710	£570
S5 dealer (variation A)		£1,100	N/A
S5 dealer (variation B)		£470	N/A
S5 dealer (variation C)		£110	N/A
DSEI exhibition dealer	Single event	£1,100	N/A
S5 carrier (grant)	3 years	£1,320	£440
S5 carrier (renewal)	3 years	£1,220	£407
S5 carrier (variation A)		£870	N/A
S5 carrier (variation B)		£470	N/A
S5 carrier (variation C)		£110	N/A
Maritime security (grant)	1 year	£2,420	£2,420 ⁹
Maritime security (renewal)	3 years	£2,130	£710
Maritime security (variation A)		£870	N/A
Maritime security (variation B)		£470	N/A
Maritime security (variation C)		£110	N/A
Maritime security (variation D)		£1,080	N/A
Additional amount per armed guard	1 year	£110	£110
Olympic shooter	3 years	£470	£157
Trophy of war (heirloom) finder	temporary	£470	N/A

S5 firearms dealers may store or trade in prohibited firearms. Business activities include manufacturing, selling, restoring, deactivating, testing or transporting firearms. For example, dealers may trade with the police or MoD, or with law enforcement agencies abroad. Dealers in non-prohibited (civilian) firearms only require a Registered Firearms Dealer certificate from the police and do not need a Section 5 licence.

⁸ Only the museum licence has a statutory duration (see below). Most other section 5 authorisations are for a maximum of three years, but can have shorter durations. In particular, Olympic shooter authorities are typically issued from an applicant's joining the team until after the next Olympics. Trophy of war authorisations are rare and valid only temporarily, enabling the finder to deal with pre-1946 heirlooms.

⁹ One year licence period instead of three for first time applicants.

To avoid double charging, there will be a £200 discount for applicants who have applied to be a 'Registered Firearms Dealer' (RFD) at the same time as their prohibited weapons licence. RFDs are issued by the police for a fee of £200 and checks can be amalgamated with those for the prohibited weapons licence.

DSEI firearms dealers are foreign defence and security companies issued with a temporary prohibited weapons licence to allow them to exhibit at the biannual Defence and Security Equipment International exhibition (DSEI) in London.

S5 firearms carriers are only licensed to transport prohibited weapons. Because they do not store or trade in weapons the licensing process is less onerous. They are therefore treated separately from firearms dealers.

Private Maritime Security Companies (PMSCs) are authorised by Home Office Ministers to enable their guards armed with prohibited firearms to protect UK-registered ships from piracy in the designated 'high risk' area. Guards are authorised under the company's licence and not as individuals.

Olympic shooters are licensed in very limited numbers to possess the pistol required for the Olympic target shooting discipline. This allows shooters to train and represent Great Britain at the Olympics and other events.

Trophy of war finders are licensed to temporarily possess a prohibited weapon if they find one and wish to keep it whilst in the process of having it deactivated to sell or keep as a collector's item.

Variation A involves significant Government scrutiny and a police visit will be required, for example a new premises at which firearms will be stored or a significant new area of business.

Variation B involves some Government scrutiny and a police check but no visit, for example a change to the named authority holder.

Variation C is an administrative change, such as a name change. This is different to a change of the named authority holder where additional checks are necessary.

Variation D is applicable to PMSCs only and involves authorising new guards, which requires police checks and ministerial agreement.

Figure 3: Museum firearms licences

Application type	Duration	Proposed fee	Amount per year of licence
Museum (grant)	5 years	£1,440	£288
Museum (renewal)	5 years	£1,240	£248
Museum (variation A)		£780	N/A
Museum (variation B)		£470	N/A
Museum (variation C)		£110	N/A

Variation A involves significant Government scrutiny and a police visit will be required, for example a new premises at which firearms will be stored or a significant new area of business.

Variation B involves some Government scrutiny and a police check but no visit, for example a change to the named authority holder.

Variation C is an administrative change, such as a name change. This is different to a change of named authority holder where additional checks are necessary.

Figure 4: Approved shooting clubs

Application type	Duration	Proposed fee	Amount per year of licence
Club (grant)	6 years	£1,050	£175
Club (renewal)	6 years	£900	£150
Club (variation A)		£690	N/A
Club (variation B)		£470	N/A
Club (variation C)		£110	N/A

Variation A involves significant Government scrutiny and a police visit will be required, for example a new premises at which firearms will be stored or a significant change to the business.

Variation B involves some Government scrutiny and a police check but no visit, for example a change to named authority holder.

Variation C is an administrative change, such as a name change. This is different to a change of names authority holder where additional checks are necessary.

Groups affected by this consultation

During the initial development of this consultation, the Home Office has given due consideration to the impact it will have on different groups. It does not consider that introducing new fees for firearms licences administered by the Home Office and the Scottish Government, as set out in this consultation paper, highlights any specific issues in relation to:

- Age
- Disability
- Gender Reassignment
- Marriage and Civil Partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

We will take account of the evidence gathered through this consultation in developing final policy proposals.

How responses to the consultation will be treated

The Department will process your data in accordance with the Data Protection Act 1998 and in the majority of circumstances this will mean that your data will not be disclosed to third parties.

The information you send us may be passed to colleagues within the Home Office, other Government departments and related agencies for use in connection with this consultation. Information provided in response to this consultation, may be subject to publication or disclosure in accordance with applicable access to information frameworks, primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 1998 and the Environmental Information Regulations 2004.

If you want certain information you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence.

In view of this you should explain to us why you regard any information you have provided as confidential. If we receive a request for disclosure of the information we will take due account of your explanation, but we cannot give an assurance that confidentiality will be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department

Respondent information

Q.1 Are you responding:

- As an individual? Please continue to **Q.2** on page 13.
- As a business or other organisation? Please skip to **Q.4** on page 14.

Individual respondents

In this section, we ask individual respondents to describe the nature of your interest in firearms to help us understand the background to responses and improve the quality of the analysis of the responses.

Q.2 Are you primarily a resident of:

- England
- Wales
- Scotland
- Other (please specify)

Q.3 What is the nature of your interest in this consultation?

- please tick all that apply

Firearms certificate holder		Firearms dealer	
Shotgun certificate holder		Exhibition dealer	
Gamekeeper/veterinary/zookeeper		Licensed carrier	
Farmer		Private maritime security	
Land management		Olympic shooter	
Recreational shooting		Trophy of war (heirloom) finder	
Shooting club		Collector	
Museum		Other (please specify below:)	
		

Please go to question 7 (policy questions)

Business and other organisations

Q.4 Where is the main location of your business or organisation?

- England
- Wales
- Scotland
- Other (please specify)

Q.5 What is the nature of your business or organisation’s interest in this consultation
- please tick all that apply

- We advocate the increased regulation of firearms.
- We are a firearms trade or representative body.
- We are a not-for-profit organisation.
- We are a paying membership organization.
- We are a business
- how many people do you employ in total?

- We hold a firearms licence or authority
– please tick all that apply:

Firearms certificate holder		Firearms dealer	
Shotgun certificate holder		Exhibition dealer	
Gamekeeper/veterinary/zookeeper		Licensed carrier	
Farmer		Private maritime security	
Land management		Olympic shooter	
Recreational shooting		Trophy of war (heirloom) finder	
Shooting club		Collector	
Museum		Other (please specify below:)	
		

- We are a public sector organisation
– please tick as appropriate:

Police / law enforcement		
Criminal justice		
Other public sector		

Q.6 What is the name of your business or organisation?

Please go to question 7 (policy questions)

Policy questions

Q7: To what extent do you agree that licence holders should pay the full cost of the licence?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

Q8: Are there any specific categories or types of licence holder where a lower fee is warranted (entailing a level of Government subsidy)?

- Yes
- No
- Don't know

If yes, please specify and give reasons (max 300 words).

Q9: Do you have any other comments about the proposals (max 300 words)?

THANK YOU FOR YOUR RESPONSE

Next steps

This consultation sets out the Government's proposals for new fees for prohibited weapon, museum and approved shooting club licences.

The consultation runs for 8 weeks from 12 January 2017 to 9 March 2017.

Responses to the consultation will be analysed and a response to the consultation will be published, setting out the evidence received.

Once responses to the consultation have been considered, and subject to the enabling powers in the Policing and Crime Bill being passed by Parliament, fees will be set in secondary legislation. It is anticipated that new fees will come into force in 2017.