

FIREARM LICENSING AUTHORITY

Highlights of the Firearms Act



Power of Police to Require Licence to be Shown, Section 39 & 40

(1) Any constable who sees [suspects, sec. 40] any person carrying any firearm or ammunition in any public place may require such person unless he is exempted by virtue of subsection (2) of section 20 to produce to him his licence or certificate in relation to such firearm or ammunition and if such place is within any area to which section 22 applies to produce his Firearm User's (Special) Permit in relation to such firearm or ammunition.

(2) If any person so required fails, unless he is exempted as aforesaid, to produce the licence, ...or to permit the constable to read the licence, certificate or permit or to examine the firearm or ammunition for the purpose of verifying the particulars in the licence, certificate or permit -

(a) that person shall be guilty of an offence; and

(b) the constable may seize and retain the firearm or ammunition until such time as legal proceedings against that person in respect of that offence are finally disposed of and may require that person to declare to him immediately his name and address.

(3) If any person so required refuses to declare his name and address, or fails to give his true name and address, he shall be guilty of an offence and the constable may arrest without warrant any person who refuses so to declare his name and address, or whom he suspects of giving a false name or address or of intending to abscond.

(3) [sec. 40] If any person denies that he is carrying any firearm or ammunition about his person the constable may search that person and seize and retain any firearm or ammunition carried by that person until such time as legal proceedings against that person in respect of that offence are finally disposed of and may require that person to declare to him immediately his name and address.

(4) A constable authorized in writing by a chief officer of police may at any time require the holder of a licence, certificate or permit to produce for inspection the firearm and ammunition to which it relates, and any person who without good cause refuses or fails to do so shall be guilty of an offence.