

FIREARMS OFFENCES TO WHICH THE MINIMUM SENTENCE APPLIES*Possession under section 5*

The minimum sentence under s51A Firearms Act 1968 applies to the possession of prohibited weapons or ammunition offences under s5 of the Act under the following sections:

s5(1)(a)	any firearm which is so designed or adapted that two or more missiles can be successively discharged without repeated pressure on the trigger;
s5(1)(ab)	any self-loading or pump-action rifled gun other than one which is chambered for .22 rim-fire cartridges;
s5(1)(aba)	any firearm which either has a barrel less than 30 centimetres in length or is less than 60 centimetres in length overall, other than an air weapon, a muzzle-loading gun or a firearm designed as signalling apparatus;
s5(1)(ac)	any self-loading or pump-action smooth-bore gun which is not an air weapon or chambered for .22 rim-fire cartridges and either has a barrel less than 24 inches in length or is less than 40 inches in length overall;
s5(1)(ad)	any smooth-bore revolver gun other than one which is chambered for 9mm. rim-fire cartridges or a muzzle-loading gun;
s5(1)(ae)	any rocket launcher, or any mortar, for projecting a stabilised missile, other than a launcher or mortar designed for line-throwing or pyrotechnic purposes or as signalling apparatus;
s5(1)(af)	any air rifle, air gun or air pistol which uses, or is designed or adapted for use with, a self-contained gas cartridge system;
s5(1)(c)	any cartridge with a bullet designed to explode on or immediately before impact, any ammunition containing or designed or adapted to contain any such noxious thing as is mentioned in paragraph (b) above and, if capable of being used with a firearm of any description, any grenade, bomb (or other like missile), or rocket or shell designed to explode as aforesaid;
s5(1A)(a)	any firearm which is disguised as another object.

Other offences

The provisions were extended in 2006 via the Violent Crime Reduction Act 2006 (VCRA) and now also apply to the following offences, where the firearm or ammunition is prohibited under s5(1)(a), (ab), (aba), (ac), (ad), (ae), (af) or (c), or 5(1A)(a):

s5(2A)	manufacture, sale or transfer of firearm, or possession etc for sale or transfer;
s16	possession of firearm with intent to injure;
s16A	possession of firearm with intent to cause fear of violence;
s17	use of firearm to resist arrest;
s18	carrying firearm with criminal intent;
s19	carrying a firearm in a public place;
s20(1)	trespassing in a building with firearm;
s28 VCRA 2006	using someone to mind a weapon.

All of these offences are covered in tables 1 and 2 of the paper, except the last two, s20(1) Firearms Act and s28 Violent Crime Reduction Act, which are extremely low volume (in 2017, one and zero offences respectively).