

# TIME LIMITS: THE IMPORTANCE OF DOTTING THE I'S AND CROSSING THE T'S

Honorary solicitor **Laura Saunbury** gives us a refresher course on the various time limits which the law requires you to comply with as a shotgun certificate holder.

In a wide variety of different situations the law imposes obligations on shotgun and firearm certificate holders to notify the police of certain events within required timescales. It's worth making sure you are familiar with all of them and comply when the situation arises. When a shotgun or firearm certificate is granted or renewed, the holder must sign it on receipt. This is to show that you acknowledge and will abide by the conditions, which include time limits to inform the police of certain events.

In all of the following cases the requirement is to notify the police within seven days of the transaction or other event if it occurs within Great Britain, or within 14 days if the event took place abroad.

1. Theft, loss or destruction of your certificate.
2. The deactivation, destruction, theft or other loss of any shotgun.
3. The purchase, sale, gift, or other transfer, for example to a firearms dealer for storage or repair, of any shotgun must be notified by both parties to the transaction, i.e. the person making the transfer and the other individual receiving the shotgun. The only exception to this rule is that there is no requirement to notify the police of the loan of any shotgun to another certificate holder for less than 72 hours (note that the same exemption for short-term loans does not apply to section 1 firearms).

These obligations apply equally to the holder of a visitor's shotgun permit. In relation to the events in points 1 and

2 above, it used to be the case that the requirement was simply to notify the police within seven days (or 14 days if abroad). However, with effect from 16 October 2018, there was a slight change in these rules and the requirement is now to notify the police 'as soon as reasonably practicable, but within seven days'. This infers that if your certificate or one of your shotguns is lost in circumstances where there is a risk of it falling into the wrong hands, you ought to notify the police as a matter of urgency. You could therefore find yourself being criticised by the police for taking as long as five days to inform them of a loss.

You must also notify the police without undue delay of any permanent change of your home address. The police view of what amounts to 'undue delay' may be rather different to yours. To be on the safe side it would be best to apply the same time limit and to inform the police within seven days of your move.

It used to be the case that notice had to be sent to the police by recorded delivery. However, it is now perfectly acceptable to notify the police by email. You may wish to set your email so that you receive a notification when it has been read. That way you will have some evidence that your email has been received by the licensing department.

It is important to bear in mind that failure to comply with any of the above time limits

is a criminal offence for which you can be prosecuted and punished by a fine or even a sentence of up to six months imprisonment. The police do not always bring a prosecution but you may think it is hardly a risk worth taking. Furthermore, even if you escape prosecution, breach of any of these time limits could result in revocation or non-renewal of your certificate, particularly if combined with other factors or if the police view it as indicative of a general attitude on your part of being complacent about your responsibilities as a certificate holder. At the very least, you can expect a written warning from the licensing department if you fail to comply, which would then place you at greater risk of your certificate being revoked in the future should further concerns come to police attention.

If in doubt, always check time limits carefully, and if necessary contact CPSA for advice.



When a shotgun or firearm certificate is granted or renewed, the holder must sign it on receipt



**Laura Saunbury** is a consultant solicitor with a leading London law firm and has ten years experience as the Association's Honorary Solicitor and shotgun licensing advisor

