



Jersey

FIREARMS (JERSEY) LAW 2000

Official Consolidated Version

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FIREARMS (JERSEY) LAW 2000

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Jersey

FIREARMS (JERSEY) LAW 2000¹

A **LAW** to make new provision for the control of the manufacture, acquisition, transfer, possession and use of firearms, imitation firearms and other weapons and ammunition in place of the Firearms (Jersey) Law 1956 and the Loi (1879) sur le Port d'Armes, and for matters connected therewith

Commencement [[see endnotes](#)]

PART 1

INTRODUCTORY

1 Interpretation

(1) In this Law, unless the context otherwise requires –

“acquire” means hire, accept as a gift, or borrow;

“air weapon” means an air rifle, air gun, or air pistol and includes a rifle, gun or pistol powered by compressed carbon dioxide;

“ammunition” means ammunition for any firearm and also means grenades, bombs and other missiles whether capable of use with a firearm or not, and prohibited ammunition;

“certificate of registration” means a certificate of registration issued to a registered firearms dealer under Article 21;

“certificate holder” means the holder of a firearm certificate issued under Article 3;

“Chief Officer” means the Chief Officer of the States of Jersey Police Force;

“component part” in relation to a firearm, means the breech closing mechanism, the trigger mechanism or the chamber and barrel;

“Connétable” means –

(a) in Articles 3 to 8 and 9(2), the person responsible for the grant, variation and revocation of a firearm certificate in accordance with Article 2A;

(b) in Article 45, the person responsible for the grant of a hunting licence, in accordance with Article 2A as applied by paragraph Article 45(7);

“Court” means the Royal Court;

“customs officer” means the Agent of the Impôts or any other officer of the Impôts;

“firearm” means any lethal barrelled weapon of any description from which any shot, bullet or other missile can be discharged, and also means –

- (a) any prohibited weapon whether it is a lethal barrelled weapon or not;
- (b) any component part of a lethal barrelled or prohibited weapon; and
- (c) any accessory to such weapon designed or adapted to diminish the noise or flash caused by firing the weapon;

“firearm certificate” means a certificate issued under Article 3;

“firearms dealer” means any person who, by way of trade or business, manufactures, sells, transfers, repairs, tests or proves firearms or ammunition;

“flare gun” means a firearm, with a barrel not exceeding 250 mm and a calibre not exceeding 26.5 mm, constructed or adapted solely for the discharge of projectile material for the purpose of giving warning or illumination or as a signal;

“hunting licence” means a licence granted under Article 45;

“imitation firearm” means anything which has the appearance of being a firearm (other than a weapon of the type referred to in Article 33(1)(b)) whether or not it is capable of discharging any shot, bullet or other missile;

“Minister” means the Minister for Home Affairs;

“pistol” means a firearm which either has a barrel less than 12 inches in length or is less than 24 inches in length overall, other than an air weapon, a muzzle loading gun, a slaughtering instrument or a firearm designed as a signalling apparatus;

“premises” includes any land;

“prescribed” means prescribed by Order made by the Minister;

“prohibited ammunition” means any ammunition referred to in Article 33(1)(c) or (g);

“prohibited weapon” means any firearm or weapon referred to in Article 33(1)(a), (b), (e), (f) or (g);

“public place” includes any highway and any place or premises to which at the material time the public have or are permitted to have access, whether on payment or otherwise;

“recognized veterinary surgeon” means a recognized veterinary surgeon within the meaning of Article 6 of the [Veterinary Surgeons \(Jersey\) Law 1999](#);

“register” means the Register of Firearms Dealers kept pursuant to Article 20;

“registered firearms dealer” means a firearms dealer registered under Article 20;

“revolver”, in relation to a smooth-bore gun, means a gun containing a series of chambers which revolve when the gun is fired;

“rifle” includes carbine;

“school premises” means land consisting of an institution providing full or part-time education but does not mean any land occupied solely as a dwelling by a person employed at the school;

“self-loading” and “pump-action” in relation to a firearm mean respectively that it is designed or adapted (otherwise than is mentioned in Article 33(1)(a)) so that it is automatically reloaded or that it is so designed or adapted that it is reloaded by the manual operation of the fore-end or forestock of the firearm;

“ship” includes a hovercraft;

“shooting club” means a pistol, shot gun, rifle or miniature rifle club approved by the Minister pursuant to Article 15;

“shot gun” means any smooth-bore gun with a barrel not less than 24 inches in length, not being an air gun;

“slaughtering instrument” means a firearm which is specially designed or adjusted for the instantaneous slaughter of animals or for the instantaneous stunning of animals with a view to slaughtering them;

“theatrical performance” includes a rehearsal of a theatrical performance and the production of a cinematograph film;

“transfer” includes let on hire, give, lend and part with possession;

“unlawful weapon” means any weapon or class of weapon, other than a firearm, that may be declared by Order of the Minister under Article 57 to be an unlawful weapon for the purposes of this Law;

“visitor’s permit” means a permit issued under Article 50.²

- (2) Unless the context otherwise requires, a reference in this Law to any other enactment is a reference to that enactment as amended, extended or applied by or under any other enactment and to any enactment which repeals and re-enacts the first mentioned enactment with or without further amendment.
- (3) For the purposes of this Law –
 - (a) the length of the barrel of a firearm shall be measured from the muzzle to the point at which the charge is exploded on firing; and
 - (b) a shot gun or an air weapon shall be deemed to be loaded if there is ammunition in the chamber or barrel or in any magazine or other device which is in such a position that the ammunition can be fed into the chamber or barrel by the manual or automatic operation of some part of the gun or weapon.

PART 2

GENERAL RESTRICTIONS ON POSSESSION AND HANDLING OF FIREARMS AND AMMUNITION: FIREARMS CERTIFICATES, ETC. CENTRAL FIREARMS INDEX

2 Requirement of firearm certificate

- (1) Subject to this Law, any person who –

- (a) has in the person's possession, or purchases or acquires, a firearm to which this Article applies without holding a valid firearm certificate, or otherwise than in accordance with that certificate;
 - (b) has in the person's possession, or purchases or acquires any ammunition to which this Article applies without holding a valid firearm certificate, or otherwise than in accordance with that certificate; or
 - (c) contravenes or fails to comply with any condition subject to which a firearm certificate is held by the person,
- shall be guilty of an offence.
- (2) This Article applies to –
- (a) all firearms except –
 - (i) flare guns, and
 - (ii) any air weapon of a type declared by Order of the Minister under Article 57 not to be specially dangerous;
 - (b) ammunition for a firearm except –
 - (i) cartridges containing 5 or more shot, none of which exceeds .23 of an inch in diameter,
 - (ii) ammunition for a flare gun or an air weapon, and
 - (iii) blank cartridges not exceeding one inch in diameter measured immediately in front of the rim or cannellure of the base of the cartridge.³
- (3) A person who is guilty of an offence under paragraph (1) shall be liable to a fine or to imprisonment for a term not exceeding 5 years, or to both.

2A Responsibility for grant, variation and revocation of firearm certificates⁴

- (1) Subject to this Article, the person responsible for the grant, variation and revocation of a firearm certificate under this Law is the Connétable of the parish in which an applicant for, or the holder of, a firearm certificate resides.
- (2) Where the applicant for the certificate is the Connétable of the parish in which the Connétable himself or herself resides, or that Connétable's spouse, parent, child or sibling, the person responsible for the grant, variation and revocation of that certificate is the Minister.
- (3) ⁵
- (4) ⁶

3 Application for firearm certificates, grant, variation and revocation of firearm certificates

- (1) An application for the grant of a firearm certificate shall be made in the prescribed form to the Connétable and shall state such particulars as may be required by the form.

- (2) The Minister may by Order prescribe that any application for a firearm certificate shall be accompanied by such photographs of the applicant as may be prescribed and by the names and addresses of 2 persons who have agreed to act as referees.⁷
- (3) An Order under paragraph (2) may require that, before considering an application for a firearm certificate, a Connétable has the following from each referee nominated by the applicant –
 - (a) verification in the prescribed manner of –
 - (i) any prescribed particulars,
 - (ii) the likeness to the applicant of the photographs submitted with the application;
 - (b) a statement to the effect that the referee knows of no reason why the applicant should not be permitted to possess a firearm;
 - (c) such other statement or information in connection with the application or the applicant as may be prescribed.
- (4) A firearm certificate shall be granted by the Connétable if he or she is satisfied –
 - (a) that the applicant is fit to be entrusted with a firearm and is not prohibited by this Law from possessing a firearm to which Article 2, applies;
 - (b) that the applicant has a good reason for having in his or her possession, or for purchasing or acquiring, the firearm or ammunition in respect of which the application is made; and
 - (c) that in all the circumstances the applicant can be permitted to have the firearm or ammunition in his or her possession without danger to the public safety or to the peace.
- (5) A firearm certificate may be revoked by the Connétable on any of the following grounds –
 - (a) that the Connétable has reason to believe that the holder is of intemperate habits or unsound mind or is otherwise unfitted to be entrusted with a firearm;
 - (b) that the Connétable has reason to believe that the holder can no longer be permitted to have the firearm or ammunition in his or her possession without danger to the public or to the peace;
 - (c) if the Connétable is satisfied that the holder is prohibited by this Law from possessing a firearm;
 - (d) if the Connétable is satisfied that the holder no longer has a good reason for having in the holder's possession, or for purchasing or acquiring, the firearm or ammunition which he or she is authorized by the certificate to have in his or her possession or to purchase or acquire; or
 - (e) if the holder fails to comply with a notice under paragraph (10).
- (6) A certificate granted under this Article shall be in the prescribed form and shall specify the conditions subject to which it is held, the nature and number of the firearms to which it relates including, if known, any serial number or other identifying or distinguishing mark, and as respects ammunition to which Article 2 applies, the quantities authorized to be purchased and to be held at any one time.

- (7) A firearm certificate shall, unless previously revoked or cancelled, remain in force from the date on which it was granted for –
- (a) a period of 5 years; or
 - (b) where the certificate is being renewed without any material change in the conditions attached to it, the aggregate of –
 - (i) the remainder of the period for which the current licence would have remained in force (disregarding any extension under paragraph (7A)), and
 - (ii) the period of 5 years immediately following the period described in clause (i).⁸
- (7A) Notwithstanding paragraph (7), where an application for renewal of a firearm certificate has been made 3 months or more before the date the certificate would, apart from this paragraph, expire and the application will not be determined by the Connétable before that date –
- (a) the Connétable may endorse the firearm certificate, in the prescribed manner, as remaining in force until whichever is the earlier of –
 - (i) the expiry of the period of 2 months following the date on which the certificate would, apart from this paragraph, expire, or
 - (ii) the determination of the application for renewal by the Connétable; and
 - (b) the firearm certificate shall continue in force in accordance with the endorsement, unless revoked or cancelled earlier.⁹
- (7B) Where a Connétable determines that a firearm certificate which continues in force in accordance with paragraph (7A) shall not be renewed and, accordingly, the certificate ceases to be in force before the expiry of the period mentioned in subparagraph (a)(i) of that paragraph, Article 5(1) and (3) shall apply as if, on the determination, the certificate had been revoked.¹⁰
- (7C) This Article shall otherwise apply to the renewal of a certificate as it applies to the first grant of a certificate.¹¹
- (8) The States may by Regulations provide that paragraph (7) shall have effect as if the reference to 5 years were references to such other period as may be specified.
- (9) Regulations made under paragraph (8) shall apply only to certificates granted or renewed after the date on which the Regulations come into force.
- (10) The Connétable may at any time by notice in writing vary the conditions subject to which the certificate is held, except those specified in Article 9(1), and may by notice in writing require the holder to deliver up the certificate to the Connétable within 21 days of the date of the notice for the purpose of amending the conditions specified therein.
- (11) A firearm certificate may also, on the application of the holder thereof, be varied from time to time by the Connétable.
- (12) If any person knowingly or recklessly makes a statement false in any material particular for the purpose of procuring, whether for himself, herself or any other person, the grant of a certificate under this Article, or the variation or renewal of a firearm certificate, the person shall be guilty of an offence and liable to a fine or to imprisonment for a term not exceeding 2 years, or to both.

(13) ¹²

4 Partial revocation of firearm certificates

- (1) The Connétable may partially revoke a firearm certificate, that is to say, the Connétable may revoke the certificate in relation to any firearm or ammunition which the holder is authorized by virtue of the certificate to have in the holder's possession or to purchase or acquire.
- (2) A firearm certificate may be partially revoked only if the Connétable is satisfied that the holder no longer has a good reason for having in the holder's possession, or for purchasing or acquiring, the firearm or ammunition to which the partial revocation relates.

5 Revocation of certificates – supplementary

- (1) Where a firearm certificate is revoked under Article 3, the Connétable shall by notice in writing require the holder to surrender the certificate.
- (2) Where a certificate is partially revoked under Article 4 the Connétable shall by notice in writing require the holder to deliver up the certificate for the purpose of amending it.
- (3) If the holder of a certificate fails to comply with a notice under paragraph (1) or (2), within 21 days from the date of the notice the holder shall be guilty of an offence and liable to a fine not exceeding level 3 on the standard scale.
- (4) Where an appeal against a revocation or partial revocation is brought under Article 55 –
 - (a) this Article shall not apply to that revocation or partial revocation unless the appeal is abandoned or dismissed;
 - (b) it shall apply with the substitution, for the reference to the date of the notice, of a reference to the date on which the appeal was abandoned or dismissed.
- (5) This Article shall not apply to a revocation of a certificate on any ground mentioned in Article 3(5)(a) to (d), if the Connétable serves a notice on the holder under Article 6 requiring the holder to surrender forthwith the holder's certificate and any firearms and ammunition in the holder's possession by virtue of the certificate.

6 Surrender of firearms etc.

- (1) Where the Connétable has revoked a firearm certificate under Article 3, the Connétable may by notice in writing require the holder of the certificate to surrender forthwith the certificate and any firearms or ammunition which are in the holder's possession by virtue of the certificate.
- (2) A person who fails to comply with a notice under paragraph (1) shall be guilty of an offence and liable to imprisonment for a term of 6 months and to a fine.¹³
- (3) Where a firearm or ammunition is surrendered in pursuance of a notice under paragraph (1), then –

- (a) if an appeal against the revocation of the certificate succeeds, the firearm and ammunition shall be returned;
 - (b) if such an appeal is dismissed, the Court may make such order for its disposal or destruction as it thinks fit;
 - (c) if no such appeal is brought or such an appeal is abandoned, the firearm or ammunition shall be disposed of in such manner as the Connétable, after consultation with the owner, may decide.
- (4) The Connétable shall give the owner notice in writing of any decision under paragraph (3)(c) and the owner may appeal to the Court against that decision and on such an appeal the Court may either dismiss the appeal or make such order as to the disposal of the firearm or ammunition as it thinks fit.

7 Certificate for prohibited weapon

- (1) A Connétable shall not refuse to grant or renew, and shall not revoke or partially revoke, a firearm certificate in respect of a prohibited weapon or prohibited ammunition if the applicant for, or holder of, the certificate is for the time being authorized by the Minister under Article 33 to have possession of, or to purchase or acquire, that weapon or ammunition.
- (2) Where an authority of the Minister under that Article to have possession of, or to purchase or acquire, a prohibited weapon or prohibited ammunition is revoked, the firearm certificate relating to that weapon shall be revoked, or varied accordingly, by the Connétable by whom it was issued.

7A Particulars to be forwarded to Chief Officer¹⁴

- (1) The Connétable shall forward to the Chief Officer particulars of the grant, renewal or variation of a firearm certificate under Article 3 within 21 days of the certificate being granted, renewed or varied.
- (2) The Connétable shall forward to the Chief Officer particulars of the revocation or partial revocation of a firearm certificate under Article 3 or 4 as soon as practicable after the certificate is revoked or partially revoked.

8 Central Firearms Index¹⁵

- (1) The Chief Officer shall maintain an index, to be known as the Central Firearms Index.
- (2) The Central Firearms Index shall include –
 - (a) any particulars forwarded to the Chief Officer under Article 7A; and
 - (b) any notice of the cancellation of a firearm certificate sent to the Chief Officer under Article 48(2)(a).

9 Conditions subject to which a firearm certificate is held

- (1) A firearm certificate shall be held on condition that the certificate holder shall –
 - (a) on receipt of the certificate, sign it in ink with the holder's usual signature;

- (b) without undue delay, inform the Connétable of the parish in which the certificate holder resides and the States of Jersey Police Force of any change in the holder's place of residence;
- (c)
 - (i) at all times (except in the circumstances mentioned in clause (ii)) store the firearm and ammunition to which the certificate relates in a secure manner so as to prevent, so far as reasonably practicable, access to the firearm or ammunition by an unauthorized person,
 - (ii) take reasonable precautions for the safe custody of the firearm and ammunition to which the certificate relates where the firearm or ammunition is in use, or the holder of the certificate has the firearm with the holder for the purpose of cleaning, repairing or testing it, or for some other purpose connected with its use, transfer or sale, or the firearm or ammunition is in transit to or from a place in connection with its use or any such purpose.¹⁶
- (2) On the issue of a firearm certificate, the Connétable may impose such conditions, in addition to those applied by paragraph (1), as the Connétable may think fit.
- (3) The States may by Regulations amend paragraph (1) for the purpose of adding, deleting or varying any condition subject to which a firearm certificate shall be held.

10 Fees for firearm certificates

- (1) Subject to paragraph (2), there shall be payable for the issue, renewal, variation and replacement of a firearm certificate such fee as shall be prescribed.
- (2) No fee shall be payable on a variation, other than a variation which increases the number of firearms to which a firearm certificate relates, or where a firearm certificate is varied and renewed or replaced at the same time.

11 Authorized dealing with firearms

- (1) A registered firearms dealer or the registered firearms dealer's servant may, without holding a firearm certificate, have in his or her possession, or purchase or acquire, a firearm or ammunition in the ordinary course of business.
- (2) Paragraph (1) applies to the possession, purchase or acquisition of a firearm or ammunition in the ordinary course of the business of a registered firearms dealer notwithstanding that the firearm or ammunition is in the possession of, or purchased or acquired by, the dealer or the dealer's servant at a place which is not a place of business of the dealer or which the dealer has not registered as a place of business under Article 20 or 22.
- (3) An auctioneer, carrier or warehouseman, or his or her servant may, without holding a firearm certificate, have in his or her possession a firearm or ammunition in the ordinary course of business.
- (4) A person licensed under Article 4 of the [Slaughter of Animals \(Jersey\) Law 1962](#), may, without holding a firearm certificate, have in the person's possession a slaughtering instrument and suitable ammunition.

12 Firearms and ammunition on ships¹⁷

- (1) Any person may, without holding a firearm certificate –
 - (a) have in the person's possession, on board a ship, a firearm or ammunition as part of the equipment of the ship;
 - (b) remove a firearm or ammunition from or to a ship, in accordance with the terms of a permit in the prescribed form issued to the person by the Harbour Master.
- (2) The Harbour Master shall notify the Chief Officer and the Connétable of the parish in which the ship has entered, of the issue of the permit.
- (3) In paragraph (1), the references to a firearm or ammunition are to a firearm or ammunition for possession of which a person would, apart from paragraph (1), require a firearm certificate.
- (4) A person who knowingly or recklessly makes any false statement in connection with the issue of a permit under paragraph (1)(b) shall be guilty of an offence and liable to imprisonment for a term of 2 years and to a fine.

13 Police and Crown servants, etc.

- (1) A –
 - (a) person in the service of the Crown, a police officer or a customs officer; or
 - (b) serving member of a pre-service uniformed cadet force approved by the Minister,may, without holding a firearm certificate, possess firearms and ammunition whilst acting in the course of his or her duties or training activities.
- (2) A person in the service of the Crown, a police officer or a customs officer may, without holding a firearm certificate, purchase or acquire firearms or ammunition for the use of the public service if he or she is authorized in writing so to do by the Minister.

14 Sports, athletics and other permitted possession of firearms or ammunition¹⁸

- (1) A person may, without holding a firearm certificate, have in his or her possession for sporting purposes only, a firearm or ammunition belonging to a certificate holder –
 - (a) if the firearm or ammunition is for the use of the certificate holder; and
 - (b) whilst in the presence of and acting under instructions of the certificate holder.
- (2) A –
 - (a) member of a shooting club may, without holding a firearm certificate –
 - (i) have in the member's possession a firearm, or
 - (ii) purchase and have in possession ammunition for use in that firearm, while engaged as such a member in, or in connection with, target shooting;

- (b) person who is a bona fide guest of a member of a shooting club may, without holding a firearm certificate have a firearm and ammunition in the person's possession while engaged in or in connection with target shooting at a range which is being used by that club and while the person is in the presence and under the supervision of the member of the club whose guest the person is; and
 - (c) person who is neither a member nor a bona fide guest of a member of a shooting club may, on an authorized open day and while under the supervision of a member of such a club, have in the person's possession without holding a firearm certificate a firearm and ammunition while engaged in or in connection with target shooting at a range which is being used by that club.
- (3) In paragraph (2)(c) "authorized open day" means a day on which a shooting club has, with the prior written authority of the Minister, invited members of the public to engage in target shooting.
 - (4) A person may, at a miniature rifle range or shooting gallery at which no firearms are used, other than air weapons or miniature rifles not exceeding .23 inch calibre, without holding a firearm certificate use any such miniature rifle and suitable ammunition.
 - (5) A person may, without holding a firearm certificate, have a firearm in his or her possession at an athletic meeting for the purpose of starting races at that meeting.
 - (6) A person who is not the holder of a firearm certificate may borrow a shot gun from the occupier of private premises and use it on those premises in the presence and under the supervision of either the occupier or a servant of the occupier if –
 - (a) the occupier or servant in whose presence it is used holds a firearm certificate in respect of that shot gun; and
 - (b) the borrower's possession and use of it complies with any conditions as to those matters specified in the certificate.
 - (7) A person taking part in a theatrical performance may, without holding a firearm certificate, have a firearm in the person's possession during and for the purpose of the performance.
 - (7A) The executor or administrator of the estate of a deceased certificate holder, or a deceased certificate holder's principal heir or next of kin, may, without holding a firearm certificate, have in his or her possession any firearm or ammunition that belonged to the deceased certificate holder, until it is reasonably practical for him or her to surrender the firearm or ammunition to a police officer or a registered firearms dealer.¹⁹
 - (8) The holder of a permit issued by the Minister in the prescribed form may, without holding a firearm certificate, have in the holder's possession a firearm or ammunition in accordance with the terms of the permit and the Minister shall, where the person issued with the permit is a resident of Jersey, notify the Connétable of the parish in which that person resides.
 - (9) A person who knowingly or recklessly makes any false statement in connection with the issue of a permit under paragraph (8) shall be guilty of an offence and liable to a fine or to imprisonment for a term not exceeding 2 years, or to both.

15 Approval of shooting clubs

- (1) Any club that is –
 - (a) a pistol club;
 - (b) a shot gun club;
 - (c) a rifle club;
 - (d) a miniature rifle club; or
 - (e) any combination of the foregoing,may apply in the prescribed form to the Minister for approval as a shooting club.²⁰
- (2) An approval shall be in the prescribed form and, subject to paragraph (3) –
 - (a) may be granted subject to such conditions specified in it as the Minister thinks fit;
 - (b) may at any time be varied or withdrawn by the Minister; and
 - (c) shall (unless withdrawn) continue in force for 6 years from the date on which it is granted or last renewed.²¹
- (3) Before granting or refusing to grant an approval or varying or withdrawing an approval the Minister shall consult the Comité des Connétables.²²
- (4) There shall be payable on the grant or renewal of an approval such fee as may be prescribed.
- (5) A police officer authorized in writing in that behalf by the Chief Officer may on producing, if required, the police officer's authority enter any premises occupied or used by a shooting club and inspect those premises, and anything on them, for the purposes of ascertaining whether the provisions of this Article, and any limitations or conditions on the approval, are being complied with.
- (6) The power of a police officer under paragraph (5) to inspect anything on club premises shall include power to require any information which is kept by means of a computer and is accessible from the premises to be made available for inspection in a visible and legible form.
- (7) Any person who intentionally obstructs a police officer in the exercise of the police officer's powers under paragraph (5) shall be guilty of an offence and liable to a fine not exceeding level 3 on the standard scale.
- (8) Any person who knowingly or recklessly makes a statement false in any material particular for the purpose of procuring an approval under this Article, or the variation or renewal of any such approval, shall be guilty of an offence and liable to a fine or to imprisonment for a term not exceeding 2 years, or to both.

16 ²³**17 Powers of police to examine firearms**

- (1) A police officer may require any person whom the officer has reasonable cause to suspect –
 - (a) of having –

- (i) a firearm with or without ammunition, or
 - (ii) ammunition,with the person in a public place; or
 - (b) to be committing or about to commit, elsewhere than in a public place, an offence relevant for the purposes of this Article,
- to hand over the firearm or any ammunition for examination by the police officer.
- (2) A person having a firearm or ammunition with the person who fails to hand it over when required to do so by a police officer under paragraph (1) shall be guilty of an offence and liable to a fine or to imprisonment for a term not exceeding 6 months, or to both.
 - (3) For the purpose of exercising the powers conferred by this Article a police officer may enter any place.
 - (4) The offences relevant for the purpose of this Article are those under Articles 40 and 42.

18 Production of proof of certification

- (1) A police officer may demand from any person whom the officer believes to be in possession of a firearm or ammunition to which Article 2 applies, the production of proof that the person is a certificate holder.
- (2) If any person upon whom a demand is made under this Article fails to produce proof that he or she is a certificate holder, or to permit the officer to read it, or to show that the person is entitled by virtue of this Law to have the firearm or ammunition in his or her possession without holding a firearm certificate, the officer may seize and detain the firearm or ammunition and may require that person to declare to the officer immediately the person's name and address.
- (3) If any person, having been required to declare the person's name and address under this Article, refuses to do so or fails to give the person's true name and address, that person shall be guilty of an offence and liable to a fine not exceeding level 2 on the standard scale, and the officer may detain any person who refuses so to declare the person's name or address, or whom the officer suspects of giving a false name or address or of intending to abscond.
- (4) For the purposes of this Article, proof that a person is a certificate holder shall be provided by production of the certificate itself or such other evidence as may be prescribed.

PART 3

MANUFACTURE AND DEALING IN FIREARMS: REGISTRATION OF FIREARMS DEALERS

19 Manufacturing and dealing in firearms and ammunition

- (1) Subject to paragraph (2), any person other than a registered firearms dealer who, by way of trade or business –
 - (a) manufactures, sells, transfers, repairs, modifies, tests or proves; or

- (b) exposes for sale or transfer, or has in the person's possession for sale, transfer, repair, modification, test or proof, any firearm or ammunition to which Article 2 applies shall be guilty of an offence and liable to a fine or to imprisonment for a term not exceeding 5 years, or to both.
- (2) It is not an offence for an auctioneer to sell, expose for sale and have in the auctioneer's possession for sale by auction any firearm or ammunition if the auctioneer does so in accordance with the terms of a permit in the prescribed form, issued to the auctioneer by the Minister.
- (3) Any person who knowingly or recklessly makes any false statement in connection with the issue of a permit under paragraph (2) shall be guilty of an offence and liable to a fine or to imprisonment for a term not exceeding 2 years, or to both.

20 Registration of firearms dealers

- (1) Any person having or proposing to have a place of business in Jersey as a firearms dealer shall apply to the Minister to be registered.
- (2) For the purposes of this Law, the Minister shall keep a register, to be called the Register of Firearms Dealers and, subject to paragraph (3), shall enter in the register the name of an applicant who supplies the prescribed particulars and pays the prescribed fee.
- (3) The Minister –
 - (a) shall not register an applicant who is –
 - (i) less than 20 years of age on the date of the applicant's application, or
 - (ii) prohibited from being registered by order of a court made under Article 25; and
 - (b) may, after consultation with the Connétable of the parish in which the applicant resides, refuse to register the applicant, if satisfied that to permit the applicant to carry on business as a firearms dealer would be contrary to the public interest.
- (4) The Minister may at any time impose conditions subject to which the registration of a person as a firearms dealer is to have effect and may at any time, of his or her own motion or on the application of the dealer, vary or revoke any such condition.
- (5) The Minister shall specify the conditions for the time being in force under this Article in the certificate of registration granted to the firearms dealer and, where any such condition is imposed, varied or revoked during the currency of the certificate of registration, the Minister –
 - (a) shall give to the dealer, notice in writing of the condition or variation (giving particulars) or of the revocation, as the case may be; and
 - (b) may by that notice require the dealer to deliver up to the Minister the dealer's certificate of registration within 21 days from the date of the notice, for the purpose of amending the certificate.
- (6) The Minister shall remove from the register the name of any person –
 - (a) at the request of that person; or
 - (b) if satisfied, after giving reasonable notice to that person that –

- (i) the person is no longer carrying on business as a firearms dealer, or
 - (ii) to permit the person to carry on business as a firearms dealer would be contrary to the public interest.
- (7) A person who knowingly or recklessly makes any false statement in connection with –
- (a) registration under this Article; or
 - (b) the entry of any place of business in the register,
- shall be guilty of an offence and liable to a fine or to imprisonment for a term not exceeding 6 months, or to both.

21 Certificates of registration

- (1) The Minister shall grant to every registered firearms dealer a certificate of registration.
- (2) On or before the expiration of a period of 3 years from the grant of the certificate of registration held by the dealer, every person for the time being a registered firearms dealer shall –
- (a) surrender the person's certificate of registration to the Minister;
 - (b) apply in the prescribed form for a new certificate of registration; and
 - (c) pay the prescribed fee,
- and thereupon the Minister shall, subject to Article 20(3), issue a new certificate of registration.
- (3) If a person for the time being registered as a firearms dealer fails to comply with any of the requirements of paragraph (2), the Minister shall by notice in writing require the person to comply with that requirement and, if the person fails to do so within 21 days from the date of the notice, or within such further time as the Minister may in special circumstances allow, shall remove the person's name from the register.
- (4) Where the Minister removes the name of any firearms dealer from the register, the Minister shall by notice in writing require the dealer to surrender the dealer's certificate of registration, and the Register of Transactions kept by the dealer under Article 24, and if the dealer fails to do so within 21 days from the date of the notice then, subject to paragraph (5), the dealer shall be guilty of an offence and liable to a fine not exceeding level 2 on the standard scale.
- (5) Where an appeal against the removal is brought under Article 55, paragraph (4) shall not apply to the removal unless the appeal is abandoned or dismissed, and shall in that case have effect as if for the reference to the date of the notice there were substituted a reference to the date on which the appeal was abandoned or dismissed.

22 Registration of places of business of firearms dealers

- (1) The prescribed particulars referred to in Article 20(2) shall include particulars of every place of business at which the applicant proposes to carry on business as a

firearms dealer in Jersey and the Minister shall, subject to this Article, enter in the register every such place.

- (2) Every registered firearms dealer, who proposes to carry on business at any place of business in Jersey which is not entered in the register, shall notify the Minister and furnish the Minister with such particulars as may be prescribed and the Minister shall, subject to this Article, enter that place of business in the register.
- (3) If the Minister is satisfied that any place of business notified under paragraph (1) or (2) or any place of business entered in the register, is a place at which that person cannot be permitted to carry on the person's business as a firearms dealer without danger to the public safety or to the peace, the Minister may refuse to enter that place in the register, or remove it from the register, as the case may be.
- (4) Any registered firearms dealer who has a place of business which is not entered in the register and carries on business there as a firearms dealer shall be guilty of an offence and liable to a fine or to imprisonment for a term not exceeding 6 months, or to both.

23 Restrictions on sale, repair, etc. of firearms and ammunition

- (1) Subject to paragraph (2), no person shall sell or transfer to any other person in Jersey, other than a registered firearms dealer, any firearm or ammunition to which Article 2 applies unless that other person produces a firearm certificate authorizing that person to purchase or acquire it, or shows that the person is by virtue of this Law entitled to purchase or acquire it without holding a firearm certificate.
- (2) Paragraph (1) shall not prevent –
 - (a) a person from parting with possession of a firearm or ammunition, otherwise than in pursuance of a contract of sale or hire or by way of gift or loan, to a person who shows that the person is by virtue of this Law entitled to have possession of the firearm or ammunition without holding a firearm certificate; or
 - (b) the delivery of a firearm or ammunition by a carrier or warehouseman, or a servant of a carrier or warehouseman, in the ordinary course of his or her business or employment.
- (3) No person shall repair, test or prove a firearm or ammunition to which Article 2 applies for any other person in Jersey, other than a registered firearms dealer, unless that other person is a certificate holder and produces the person's firearm certificate or shows that the person is entitled under this Law to have possession of the firearm or ammunition without holding a firearm certificate.
- (4) Any person who –
 - (a) contravenes or fails to comply with this Article; or
 - (b) with a view to purchasing or acquiring, or procuring the repair, test or proof of, a firearm or ammunition to which Article 2 applies –
 - (i) produces a false firearm certificate or a firearm certificate in which any false entry appears,
 - (ii) impersonates a certificate holder, or
 - (iii) knowingly or recklessly makes any false statement,

shall be guilty of an offence and liable to a fine or to imprisonment for a term not exceeding 3 years, or to both.

24 Register of Transactions in Firearms

- (1) For the purposes of this Article, “register” means the Register of Transactions in Firearms required to be kept by paragraph (2).
- (2) Every registered firearms dealer shall keep a Register of Transactions in Firearms.
- (3) The register shall be in such form and shall contain such particulars as shall be prescribed.
- (4) Every entry in the register shall be made within 24 hours of the transaction to which it relates, and, in the case of a sale or transfer, the registered firearms dealer shall at the time of the transaction require the purchaser or transferee to furnish particulars sufficient for identification, and shall enter those particulars in the register forthwith.
- (5) Unless required to surrender it under Article 21(4), a registered firearms dealer shall retain the register for a period of 10 years after the date of the last entry in the register.
- (6) Every registered firearms dealer shall, on demand by a person authorized in writing by the Minister for the purpose and on production by that person of evidence of his or her authority, allow that person at all reasonable times to inspect the register and all stock-in-hand and to enter any premises or place on which the register or stock is kept.
- (7) A registered firearms dealer who keeps the register by means of a computer shall secure that the information comprised in the register can readily be produced in a form in which it is visible and legible and can be taken away.
- (8) Any registered firearms dealer who –
 - (a) fails to comply with this Article; or
 - (b) knowingly makes any false entry in the register,shall be guilty of an offence and liable to a fine or to imprisonment for a term not exceeding 6 months, or to both.
- (9) Nothing in this Article shall apply to the sale of firearms or ammunition by auction in accordance with the terms of a permit issued under Article 19(2).

25 Powers of court in case of offences by registered firearms dealers

- (1) Where a registered firearms dealer is convicted of an offence under this Law or of an offence in respect of the import or export of firearms or ammunition to which Article 2 applies, the court may order that –
 - (a) the dealer’s name be removed from the register;
 - (b) neither the dealer nor any person who acquires the dealer’s business, nor any person who took part in the management of the business and was knowingly a party to the offence, shall be registered as a firearms dealer;
 - (c) any person who, after the date of the order knowingly employs in the person’s business the convicted dealer, or any person who was knowingly a

party to the offence, shall not be registered as a firearms dealer or, if so registered, shall be liable to be removed from the register; and

- (d) any stock-in-hand of the business shall be disposed of by sale or otherwise in accordance with such directions as may be contained in the order.
- (2) A person aggrieved by an order made under paragraph (1) may appeal against the order in the same manner as against the conviction, and the court may, if it thinks fit, suspend the operation of the order pending the appeal.

26 Penalty for taking in pawn firearms or ammunition

Any pawnbroker who takes in pawn from any person, any firearms or ammunition to which Article 2 applies shall be guilty of an offence and liable to a fine or to imprisonment for a term not exceeding 6 months, or to both.

PART 4

TRANSFERS ETC. OF FIREARMS

27 Transfer of firearms etc.

- (1) This Article applies where a firearm or ammunition to which Article 2 applies is sold, let on hire or given, or, subject to paragraph (4), lent by any person to another person who is neither a registered firearms dealer nor a person who is entitled to purchase or acquire the firearm or ammunition without holding a firearm certificate or a visitor's permit.
- (2) Where a transfer to which this Article applies takes place –
 - (a) the transferee must produce to the transferor the certificate or permit entitling the transferee to purchase or acquire the firearm or ammunition being transferred;
 - (b) the transferor must comply with any instructions contained in the certificate or permit produced by the transferee.
- (3) A failure by the transferor or transferee to comply with paragraph (2) shall be an offence.
- (4) Paragraph (1) does not apply where a shot gun is lent for a period of not more than 24 hours.

28 Notification of transfers involving firearms

- (1) This Article applies where any firearm to which Article 2 applies is sold, let on hire, lent or given.
- (2) Any party to a transfer to which this Article applies who is the holder of a firearm certificate or, as the case may be, a visitor's permit which relates to the firearm in question shall within 72 hours of the transfer give notice to the Connétable of the parish in which the certificate holder resides and to the States of Jersey Police Force, or in the case of a visitor's permit, to the Chief Officer.²⁴
- (3) A notice required by paragraph (2) above shall –

- (a) contain a description of the firearm in question (giving its identification number if any); and
 - (b) state the nature of the transaction and the name and address of the other party.
- (4) A failure by a party to a transaction to which this Article applies to give the notice required by this Article shall be an offence.

29 Notification of de-activation, destruction or loss of firearms etc.

- (1) Where –
- (a) a firearm to which a firearm certificate relates; or
 - (b) a firearm to which a visitor's permit relates,
- is de-activated, destroyed or lost (whether by theft or otherwise) the certificate or permit holder who was last in possession of the firearm before that event shall within 7 days of that event give notice of it to the Connétable of the parish in which the certificate holder resides and to the States of Jersey Police Force or, in the case of a visitor's permit, to the Chief Officer.²⁵
- (2) Where any ammunition to which Article 2 applies, and a firearm certificate or a visitor's permit relates, is lost (whether by theft or otherwise), the certificate or permit holder who was last in possession of the ammunition before that event shall within 7 days of the loss give notice of it to the Connétable of the parish in which the certificate holder resides, and to the States of Jersey Police Force, or, in the case of a visitor's permit, to the Chief Officer.²⁶
- (3) A notice required by this Article shall –
- (a) describe the firearm or ammunition in question (giving the identification number of the firearm if any);
 - (b) state the nature of the event.
- (4) A failure, without reasonable excuse, to give a notice required by this Article shall be an offence.
- (5) For the purposes of this Article and Article 30 a firearm is de-activated if it would, by virtue of Article 51 be presumed to be rendered incapable of discharging any shot, bullet or other missile.

30 Notification of events taking place outside Jersey involving firearms etc.

- (1) Where, outside Jersey, any firearm is sold or otherwise disposed of by a transferor whose acquisition or purchase of the firearm was authorized by a firearm certificate, the transferor shall within 14 days of the disposal give notice of it to the Connétable of the parish in which the transferor resides or last resided and to the States of Jersey Police Force.²⁷
- (2) A failure, without reasonable excuse, to give a notice required by paragraph (1) shall be an offence.
- (3) Where, outside Jersey –
- (a) a firearm to which a firearm certificate relates is de-activated, destroyed or lost (whether by theft or otherwise); or

- (b) any ammunition to which Article 2 applies, and a firearm certificate relates, is lost (whether by theft or otherwise),

the certificate holder who was last in possession of the firearm or ammunition before that event shall within 14 days of the event give notice of it to the Connétable of the parish in which the certificate holder resides or last resided and to the States of Jersey Police Force.²⁸

- (4) A failure, without reasonable excuse, to give a notice required by paragraph (3) shall be an offence.
- (5) A notice required by this Article shall –
- (a) contain a description of the firearm or ammunition in question (including any identification number); and
 - (b) state the nature of the event and, in the case of a disposal, the name and address of the other party.
- (6) A notice required by this Article shall be given within 14 days of the disposal or other event, and, if sent from a place outside Jersey, shall be sent in such manner as most closely corresponds to the use of the registered post or recorded delivery service.

31 Penalty for offences under Articles 27 to 30

An offence under Article 27, 28, 29 or 30 shall be punishable by a fine or imprisonment for a term not exceeding 5 years, or both.

PART 5

UNLAWFUL, PROHIBITED AND OFFENSIVE WEAPONS: PUBLIC SAFETY, PREVENTION OF CRIME AND LAW ENFORCEMENT

32 Possession of unlawful weapons

- (1) Subject to paragraph (2), any person who is at any time in possession of –
- (a) an unlawful weapon;
 - (b) any part of an unlawful weapon;
 - (c) any part specially intended or adapted for use as part of an unlawful weapon;
or
 - (d) any ammunition for an unlawful weapon,
- shall before the expiry of one month after the date of an Order of the Minister under Article 57(2)(a)(ii) declaring the weapon to be an unlawful weapon cause the weapon to be destroyed or exported from Jersey, or delivered to a police officer.
- (2) The Minister may, after consultation with the Connétable of the parish in which the person resides, by licence in writing authorize any person in any special case and for any special reason to have in the person's possession, for such period as shall be specified in the licence, any –
- (a) unlawful weapon;

- (b) part or parts of an unlawful weapon;
 - (c) ammunition for an unlawful weapon,
- subject to such conditions as the Minister may impose.
- (3) Any person who is in possession of any weapon or parts or ammunition contrary to this Article or who fails to comply with any condition imposed under paragraph (2) shall be guilty of an offence and liable to a fine or to imprisonment for a term not exceeding 3 years, or to both.
 - (4) The Minister shall forward a copy of a licence issued under this Article to the Connétable of the parish in which the licence holder resides.

33 Prohibited weapons and ammunition

- (1) Subject to paragraph (2), no person shall without the authority of the Minister (who shall consult the Connétable of the parish in which the person resides before granting such authority), manufacture, sell, transfer, purchase, acquire, or have in the person's possession any –
 - (a) firearm which is so designed or adapted that 2 or more missiles can be successively discharged without repeated pressure on the trigger;
 - (b) weapon of whatever description designed or adapted for the discharge of any noxious liquid, gas or other thing or for inflicting electric shock;
 - (c) 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 sub-paragraph (b) and, if capable of being used with a firearm of any description, any grenade, bomb (or other like missile), rocket or shell designed to explode as aforesaid;
 - (d) shot gun ammunition containing less than 5 pellets larger than .23 of an inch in diameter;
 - (e) smooth-bore revolver gun other than one which is chambered for 9mm. rim-fire cartridges or loaded at the muzzle end of each chamber;
 - (f) rocket launcher or mortar for projecting a stabilized missile, other than a mortar designed for line throwing or pyrotechnic purposes or as signalling apparatus; or
 - (g) firearm or ammunition declared by the Minister under Article 57(2)(a)(iii) to be prohibited for the purposes of this Article.
- (2) A person in the service of the Crown, a police officer or a customs officer may purchase, acquire or have in his or her possession any –
 - (a) firearm;
 - (b) weapon;
 - (c) ammunition,

of the type referred to in paragraph (1) whilst acting in the course of his or her duties.
- (3) Any person who contravenes paragraph (1) shall be guilty of an offence and liable to a fine or to imprisonment for a term not exceeding 5 years, or to both.

- (4) Where the Minister is satisfied, on the application of a person in charge of a theatrical performance, that a prohibited weapon is required for the performance, the Minister may authorize the person to have possession of the prohibited weapon and may authorize such other persons as the person may select to have possession while taking part in the performance.
- (5) An authority under paragraph (4) shall be in writing and may specify conditions to be complied with, including such conditions as the Minister, having regard to the circumstances of each case thinks fit to impose.
- (6) A person authorized under paragraph (4) who fails to comply with any conditions specified under paragraph (5) shall be guilty of an offence and liable to a fine or to imprisonment for a term not exceeding 3 months, or to both.
- (7) The Minister may revoke an authority given under this Article by notice in writing.
- (8) A notice under paragraph (7) shall require the surrender of the authority in accordance with the terms of the notice.
- (9) Any person who fails to comply with the terms of a notice issued under paragraph (7) shall be guilty of an offence and liable to a fine not exceeding level 2 on the standard scale.

34 Power to prohibit removals of firearms and ammunition

- (1) The Minister may, if he or she considers it necessary in the interests of public safety, by Order prohibit the removal of any firearms or ammunition –
 - (a) from one place to another in Jersey; or
 - (b) for export from Jersey,unless the removal is authorized by a person specified in the Order and unless such other conditions as may be specified in the Order are complied with.
- (2) An Order under paragraph (1) may apply –
 - (a) generally to all removals, or to removals from and to any localities specified in the Order;
 - (b) to all firearms and ammunition or to firearms and ammunition of such class and description as may be specified; or
 - (c) to all modes of conveyance or to such modes of conveyance as may be specified.
- (3) No Order under paragraph (1) shall prohibit a certificate holder from carrying with the holder any firearm or ammunition authorized by the firearm certificate to be carried.
- (4) Any police officer may search for and seize any firearms or ammunition which he or she has reason to believe are being removed or to have been removed in contravention of any Order made under paragraph (1), and any person having the control or custody of any firearms or ammunition in course of transit shall, on demand by a police officer, allow the police officer all reasonable facilities for their examination and inspection, and shall produce to the police officer any documents in the person's possession relating to them.
- (5) Any person who –

- (a) contravenes an Order made under paragraph (1); or
- (b) fails to comply with a demand made under paragraph (4),

shall be guilty of an offence and liable to a fine or to imprisonment for a term not exceeding 3 months, or to both, for each firearm or parcel of ammunition in respect of which the offence is committed; and if the offender is the owner of the firearms or ammunition, the court before which he or she is convicted may make such Order as it thinks fit as to the forfeiture of the firearms or ammunition.

35 Purchase and possession of firearms by young persons

- (1) No person under the age of 14 years shall have in the person's possession any firearm or ammunition to which Article 2 applies except in circumstances permitted by Article 13(1) or Article 14(2), (4) or (6).
- (2) No person shall part with possession of a firearm or ammunition to which Article 2 applies to a person whom he or she knows or has reason to believe to be under the age of 14 years except in circumstances permitted by Article 13(1), or Article 14(2), (4) or (6).
- (3) No person shall make a gift of or lend any firearm or ammunition to which Article 2 applies to a person whom he or she knows or has reason to believe to be under the age of 14 years.
- (4) No person under the age of 17 years shall –
 - (a) purchase or hire any firearm; or
 - (b) purchase any ammunition except in the circumstances permitted by Article 14(2).
- (5) No person shall –
 - (a) sell or let on hire any firearm to a person under the age of 17 years; or
 - (b) sell any ammunition to a person under that age, other than a person who, by virtue of Article 14(2), is permitted to purchase and be in possession of that ammunition.
- (6) Any person who contravenes this Article shall be guilty of an offence and liable to a fine or to imprisonment for a term not exceeding 3 months, or to both.
- (7) In proceedings for an offence under paragraph (5) it shall be a defence to prove that the person charged did not know and had no reasonable cause to believe that the person to whom he or she sold or let on hire the firearm or ammunition was a person under the age of 17 years.

36 Supply of firearms to persons drunk or of unsound mind

Any person who –

- (a) sells or transfers any firearm or ammunition to; or
- (b) repairs, proves or tests any firearm or ammunition for,

any person whom the person knows or has reason to believe to be drunk or of unsound mind, shall be guilty of an offence and liable to a fine or to imprisonment for a term not exceeding 3 months, or to both.

37 Possession of firearms by persons previously convicted of crime

- (1) A person sentenced to imprisonment or detention, whether in Jersey, or elsewhere in the British Islands or (subject to paragraph (5)) in any place outside the British Islands, for a term of 3 years or more shall not at any time have a firearm or ammunition in the person's possession.
- (2) A person sentenced to imprisonment or detention, whether in Jersey or elsewhere in the British Islands, or (subject to paragraph (5)) in any place outside the British Islands, for a term of 3 months or more but less than 3 years shall not, at any time before the expiry of a period of 5 years from expiration of the person's sentence, have a firearm or ammunition in the person's possession.
- (3) A person prohibited from possessing any firearm or ammunition –
 - (a) by paragraph (1), may apply to the Court for the removal of the prohibition once during each fifth year from the date of prohibition; or
 - (b) by paragraph (2), may apply to the Court for the removal of the prohibition, and if the application is granted this Article shall cease to apply to the person.
- (4) In this Article “imprisonment or detention” includes imprisonment, detention in a young offenders' centre, detention in a young offender institution or detention imposed under Article 12 or 13, or a sentence of borstal training passed under Article 16, of the Children (Jersey) Law 1969 (prior to the repeal of those Articles by the Criminal Justice (Young Offenders) (Jersey) Law 1994) and where the sentence was imposed in a place outside Jersey, it includes any sentence which is equivalent to any of the aforementioned types of sentence.
- (5) Paragraphs (1) and (2) shall only have effect in relation to a person sentenced to imprisonment in a place outside the British Islands if –
 - (a) the conduct amounting to the offence for which that person was so sentenced would have constituted an offence if it had occurred in Jersey;
 - (b) that offence was committed after the commencement of this Law; and
 - (c) at the time when that sentence was imposed arrangements were in existence, between Jersey and the place where that sentence was imposed, for the surrender of fugitive criminals.
- (6) No person shall –
 - (a) sell or transfer a firearm or ammunition to; or
 - (b) repair, test or prove a firearm or ammunition for,any person whom the person knows or has reason to believe, to be prohibited by this Article from having a firearm or ammunition in the person's possession.
- (7) Any person who contravenes or fails to comply with this Article shall be guilty of an offence and liable to a fine or to imprisonment for a term not exceeding 5 years, or to both.

38 Possession of firearms with intent to injure

Any person who has in the person's possession any firearm or ammunition with intent to endanger life or cause serious injury to property, or to enable any other person to endanger life or cause injury to property, shall be guilty of an offence and, whether any

injury to person or property has been caused or not, liable to a fine or to imprisonment for life, or to both.²⁹

39 Use of firearms to resist arrest, etc.

- (1) Any person who makes or attempts to make any use of a firearm or imitation firearm with intent to resist or prevent the lawful arrest of himself, herself or any other person, shall be guilty of an offence and liable to a fine or to imprisonment for life, or to both.³⁰
- (2) Where a person commits an offence under this Article in respect of the lawful arrest of himself or herself for any other offence committed by him or her, the person is liable to the penalty provided by this Article in addition to any penalty to which he or she may be sentenced for that other offence.
- (3) For the purposes of this Article, the definition of “firearm” in Article 1(1) shall apply without sub-paragraphs (b) and (c) of that definition and “imitation firearm” shall be construed accordingly.

40 Carrying firearm with criminal intent

- (1) Any person who has with the person any firearm or imitation firearm with intent to –
 - (a) commit an offence;
 - (b) resist arrest; or
 - (c) prevent the arrest of another,shall be guilty of an offence and liable to a fine or to imprisonment for a term not exceeding 14 years, or to both.³¹
- (2) In all proceedings under this Article, proof that the accused had a firearm or imitation firearm with him or her, and intended to commit an offence, resist or prevent arrest or intimidate another, shall be evidence that the accused intended to have it with him or her while doing so.

41 Carrying firearm in a public place

Any person who, without lawful authority or reasonable excuse (the proof of which shall lie on the person) has with him or her in a public place a loaded shot gun or air weapon, or any other firearm (whether loaded or not) together with ammunition suitable for use in that firearm, shall be guilty of an offence and liable to a fine or to imprisonment for a term not exceeding 5 years, or to both, or, in the case of an air weapon, to a fine or to imprisonment for a term not exceeding 6 months, or to both.

42 Trespassing with firearm

- (1) Any person who, while having a firearm or imitation firearm with him or her, enters or attempts to enter or is in any building or part of a building as a trespasser and without reasonable excuse (the proof of which shall lie on the person) shall be guilty of an offence and liable to a fine or to imprisonment for a term not exceeding

5 years, or to both, or in the case of an air weapon, to a fine or to imprisonment for a term not exceeding 6 months, or to both.

- (2) Any person who, while he or she has a firearm or imitation firearm with him or her, enters or attempts to enter or is on any land as a trespasser and without reasonable excuse (the proof of which shall lie on the person) shall be guilty of an offence and liable to a fine or to imprisonment for a term not exceeding 3 months, or to both.
- (3) In paragraph (2) “land” includes land covered with water.

43 Prohibition on the carrying of offensive weapons without lawful authority or reasonable excuse

- (1) Any person who without lawful authority or reasonable excuse (the proof of which shall lie on the person) has with him or her in any public place any offensive weapon, shall be guilty of an offence and liable to imprisonment for a term of 4 years and to a fine.³²
- (2) Where any person is convicted of an offence under paragraph (1) the court may make an order for the forfeiture or disposal of any weapon in respect of which the offence was committed.
- (3) In this Article “offensive weapon” means any article made or adapted for use for causing injury to the person, or intended by the person having it with him or her for such use by him or her or by some other person.³³

44 Discharging firearm or imitation firearm in a reckless, dangerous or careless manner

Any person who, without lawful authority or reasonable excuse (the proof of which shall lie on the person), discharges any firearm or imitation firearm in any place –

- (a) recklessly;
- (b) in a manner which is dangerous to the public having regard to all the circumstances of the case; or
- (c) carelessly,

shall be guilty of an offence and liable, in the case of an offence –

- (i) contrary to sub-paragraph (a) or (b), to a fine or to imprisonment for a term not exceeding 5 years, or to both, or in the case of an air weapon to a fine or to imprisonment for a term not exceeding 6 months, or to both; or
- (ii) contrary to sub-paragraph (c), to a fine or to imprisonment for a term not exceeding 2 years, or to both, or in the case of an air weapon to a fine not exceeding level 2 on the standard scale or to imprisonment for a term not exceeding 3 months, or to both.

45 Restrictions on hunting any bird or animal³⁴

- (1) Subject to paragraph (2), any person who hunts any animal or bird with any firearm on Sunday, Good Friday or Christmas Day or between sunset and sunrise on any other day, shall be guilty of an offence and liable to a fine of level 2 on the

standard scale, unless he or she is acting under and in accordance with the terms or conditions of a licence granted under this Article.

- (2) The Connétable of a parish may, by licence in writing, authorize a person who resides in the parish to hunt, for the purpose of preserving public health or public or air safety –
 - (a) such animals and birds as may be specified in the licence;
 - (b) in any parish, or part of a parish, specified in the licence;
 - (c) for such period as shall be specified in the licence;
 - (d) on any days in that period, or on such days in that period, as may be specified in the licence;
 - (e) between sunset and sunrise or between such times between sunset and sunrise as may be specified in the licence.
- (3) Before granting a licence under paragraph (2), a Connétable shall consult –
 - (a) the Connétable of any other parish in which the applicant proposes to hunt under the licence; and
 - (b) any other person or body whom the Minister considers it appropriate to consult.
- (4) The Connétable may grant a licence under paragraph (2) subject to such further conditions as the Connétable thinks fit.
- (5) The Connétable may revoke a licence granted under paragraph (2) if the holder of the licence has not complied with the terms and conditions on which it is granted or if the Connétable is satisfied that the holder no longer has a good reason for having the licence.
- (6) A Connétable shall –
 - (a) forward a copy of a licence granted under this Article to the Minister, to each Connétable consulted in accordance with paragraph (3) and to the Chief Officer; and
 - (b) inform each of those persons of the revocation of such a licence.
- (7) Article 2A shall apply for the purposes of the grant of a licence under this Article as it applies for the purposes of the grant of a firearm certificate.
- (8) The grant of a licence under this Article –
 - (a) is not, for the purposes of Article 5(2)(b) of the [Conservation of Wildlife \(Jersey\) Law 2000](#), authority to destroy any protected wild animal or protected wild bird within the meaning of that Law; and
 - (b) does not derogate from any requirement for a licence under that Law to make the hunting lawful.

46 Restriction on sale of ammunition for shot guns

- (1) This Article applies to ammunition to which Article 2 does not apply and which is capable of being used in a shot gun.
- (2) It shall be an offence for a person to sell such ammunition to any other person other than a registered firearms dealer unless that other person –

- (a) produces a firearm certificate, or proof that the person is a certificate holder;
 - (b) shows that the person is by virtue of this Law entitled to have possession of a firearm without being a certificate holder; or
 - (c) produces a certificate authorizing another person to possess a firearm, or proof that such person is a certificate holder, together with that person's written authority to purchase the ammunition on the person's behalf.
- (3) A person guilty of an offence under this Article shall be liable to imprisonment for a term of 6 months and to a fine.³⁵

47 Shortening shot guns and conversion of weapons

- (1) Subject to this Article, any person who shortens the barrel of a shot gun to a length less than 24 inches shall be guilty of an offence.
- (2) It is not an offence under paragraph (1) for a registered firearms dealer to shorten the barrel of a shot gun to less than 24 inches or to possess such a shot gun for the sole purpose, (the proof of which shall lie on the person), of replacing a defective part of the barrel in order to produce a barrel not less than 24 inches in length.
- (3) Any person, other than a registered firearms dealer, who converts into a firearm anything which, though having the appearance of being a firearm, is so constructed as to be incapable of discharging any missile through its barrel, shall be guilty of an offence.
- (4) A person who is guilty of an offence against paragraph (1) or (3) shall be liable to a fine or to imprisonment for a term not exceeding 7 years, or to both.
- (5) A person who is guilty of an offence under Article 2 by having in the person's possession, or purchasing or acquiring, a shot gun which has been shortened contrary to paragraph (1) or a firearm which has been converted contrary to paragraph (3) (whether by a registered firearms dealer or not), without holding a firearm certificate authorizing the person to have it in the person's possession, or to purchase or acquire it, shall, notwithstanding Article 2(3), be liable to a fine or to imprisonment for a term not exceeding 7 years, or to both.

48 Forfeiture of firearms and cancellation of certificate or licence³⁶

- (1) Where a person –
 - (a) is convicted of an offence under this Law or is convicted of any offence for which the person is sentenced to imprisonment;
 - (b) is convicted of an offence under the Wild Life (Protection) (Jersey) Law 1947 or under the Protection of Birds (Jersey) Law 1963; or
 - (c) has been discharged under the Loi (1937) sur l'Atténuation des peines et sur la mise en liberté surveillée subject to the condition that the person shall not possess, use or carry a firearm,

the court before which the person is convicted or by which the person was conditionally discharged may make such order as to the forfeiture or disposal of any firearm or ammunition found in the person's possession as it thinks fit, and may cancel any firearm certificate or hunting licence held by the person.³⁷

- (2) Where, pursuant to paragraph (1), the court cancels a person's firearm certificate or hunting licence –
 - (a) the court shall cause notice to be sent to –
 - (i) the Connétable of the parish in which the person resides, and
 - (ii) the Chief Officer; and
 - (b) the Connétable shall by notice in writing require the person to surrender the certificate or licence, as the case requires, within the period of 21 days from the date of the notice.³⁸
- (3) A person who fails to comply with a notice given under paragraph (2)(b) shall be guilty of an offence and liable to a fine of level 2 on the standard scale.³⁹

49 Power of search with warrant

- (1) If the Bailiff or a Jurat is satisfied by information on oath that there is reasonable ground for suspecting –
 - (a) that an offence under this Law has been, is being or is about to be committed; or
 - (b) that, in connection with a firearm or ammunition, there is a danger to the public safety or to the peace,the Bailiff or Jurat may grant a warrant for any of the purposes mentioned in paragraph (2).
- (2) A warrant under this Article may authorize a police officer –
 - (a) to enter at any time any premises or place named in the warrant, if necessary by force, and to search the premises or place and every person found therein;
 - (b) to seize and detain any object mentioned in paragraph (3) which the police officer may find on those premises or place, or on any such person, in respect of which or in connection with which the police officer has reasonable grounds for suspecting –
 - (i) that an offence under this Law has been, is being or is about to be committed, or
 - (ii) that in connection with a firearm, imitation firearm or ammunition there is a danger to the public or to the peace; and
 - (c) if the premises are those of a registered firearms dealer, to examine any books relating to the business.
- (3) The objects that may be seized under a warrant are the following, namely –
 - (a) any firearm, imitation firearm or ammunition;
 - (b) any firearms certificate;
 - (c) any other document authorizing the possession, purchase, acquisition, manufacture, sale or transfer of any firearm or ammunition.
- (4) Any person who intentionally obstructs a police officer in the exercise of the police officer's powers under this Article shall be guilty of an offence and liable to imprisonment for a term of 6 months and to a fine.⁴⁰

- (5) The Court may order any firearm or ammunition seized and detained under this Law to be destroyed or otherwise disposed of.

PART 6

MISCELLANEOUS AND GENERAL

50 Visitor's permit

- (1) A visitor or intended visitor to Jersey who wishes to bring to Jersey any firearm and ammunition to which Article 2 applies may apply to the Chief Officer for a visitor's permit.⁴¹
- (1A) The Chief Officer may grant a visitor's permit if the applicant –
- (a) is the holder of a valid certificate issued in any place outside Jersey authorizing the applicant to possess firearms and ammunition and has produced the certificate or a certified true copy of the certificate to the Chief Officer; or
 - (b) is resident in a place that does not require the applicant to have a permit for the firearm that he or she wishes to bring to Jersey and the application is supported in writing by an official of a shooting club,
- and has paid the prescribed fee.⁴²
- (1B) The visitor's permit shall be in the prescribed form and shall authorize the applicant, without being a certificate holder –
- (a) to possess the firearm described in the permit; and
 - (b) to possess and acquire the quantity of ammunition that is described in the permit,
- for such period not exceeding one year from the date of grant of the permit as shall be specified in the permit.⁴³
- (1C) There shall be payable for the grant of a visitor's permit such fee as may be prescribed and different fees may be prescribed for different circumstances.⁴⁴
- (2) The Chief Officer may on the grant of a permit under this Article, impose such conditions as the Chief Officer thinks fit, and any such conditions shall be endorsed on the permit.
- (3) The Chief Officer may at any time after the grant of a permit under this Article –
- (a) add, vary or remove any condition; or
 - (b) cancel the permit.
- (4) Any person who –
- (a) knowingly or recklessly makes a statement false in any material particular or produces any false document in connection with the issue of a permit under this Article; or
 - (b) fails to comply with any of its conditions,
- shall be guilty of an offence and liable to a fine or to imprisonment for a term not exceeding 3 years, or to both.

(5) ⁴⁵

(6) ⁴⁶

51 De-activated weapons

For the purposes of this Law it shall be presumed, unless the contrary is shown, that a firearm has been rendered incapable of discharging any shot, bullet or other missile, and has consequently ceased to be a firearm for the purposes of this Law, if –

- (a) it bears a mark which has been approved by the Minister for denoting that fact and which has been made by a person approved by the Minister for the purposes of this Article; and
- (b) that person has certified in writing that work has been carried out on the firearm in a manner approved by the Minister for rendering it incapable of discharging any shot, bullet or other missile.

52 Particular savings

- (1) The provisions of this Law relating to ammunition shall be in addition to and not in derogation of any enactment relating to the keeping and sale of explosives.
- (2) Nothing in this Law relating to firearms shall apply to an antique firearm which is sold, transferred, purchased, acquired or possessed as a curiosity or ornament.

53 Offence by body corporate

- (1) Where an offence under this Law which has been committed by a body corporate is proved to have been committed with the consent or connivance, or to be attributable to any neglect on the part of, a director, manager, secretary or other similar officer of the body corporate, or any person who was purporting to act in any such capacity, he or she as well as the body corporate shall be guilty of the offence and be liable to be proceeded against accordingly.
- (2) Where the affairs of a body corporate are managed by its members paragraph (1) shall apply in relation to the acts and defaults of a member in connection with his or her functions of management as if the member were a director of the body corporate.

54 Accessories and abettors, etc.

Any person who aids, abets, counsels or procures the commission of an offence under this Law shall be liable to be dealt with, tried and punished as a principal offender.

55 Appeals⁴⁷

- (1) Any person aggrieved by –
 - (a) a refusal to grant, vary or renew a firearm certificate under Article 3;
 - (b) the revocation of a firearm certificate under Article 3(5)(a) to (d);
 - (c) the partial revocation of a firearm certificate under Article 4;

- (d) the imposition of any additional conditions under Article 9(2);
- (e) the refusal to issue a permit under Article 14(8) or any terms to which the permit is subject;
- (f) the refusal to approve a club under Article 15(1);
- (g) the imposition of any conditions on the approval of a club under Article 15(2)(a);
- (h) the variation or withdrawal of an approval under Article 15(2)(b);
- (i) the refusal to issue a permit to an auctioneer under Article 19(2) or any terms to which the permit is subject;
- (j) the refusal to register the person as a firearms dealer under Article 20(3);
- (k) the imposition or variation of, or refusal to vary or revoke, any condition of registration under Article 20(4);
- (l) the removal of the person's name from the register under Article 20(6) or Article 21(3);
- (m) a refusal to enter in the register a place of business of a registered firearms dealer under Article 22(3);
- (n) a removal from the register of a place of business of a registered firearms dealer under Article 22(3);
- (o) the refusal to grant a hunting licence under Article 45(2);
- (p) the terms and conditions of a hunting licence granted under Article 45(2);
- (q) the imposition of any further conditions on a hunting licence under Article 45(4);
- (r) the revocation of a hunting licence under Article 45(5);
- (s) the refusal to grant a visitor's permit under Article 50(1A);
- (t) the imposition of conditions on the grant of a visitor's permit under Article 50(2);
- (u) the addition, variation or removal of a condition attached to a visitor's permit under Article 50(3)(a); or
- (v) the cancellation of a visitor's permit under Article 50(3)(b),

may, within 28 days after the day on which the person receives notice of the decision in question, appeal to the Court.

- (2) On the hearing of an appeal under this Article, the Court may –
 - (a) consider any evidence or other matter whether or not it was available when the decision being appealed against was taken;
 - (b) either dismiss the appeal or give the person authorized by this Law to grant the certificate, approval, licence, registration or permit which is the subject of the appeal, such directions as the Court thinks fit as respects the certificate, approval, licence, registration or permit.

56 Service of notices

Subject to this Law, any notice required or authorized by this Law to be given to any person may be sent by registered post to the person's last or usual address, or in the case of a registered firearms dealer, to any place of business in respect of which the person is registered.

57 General power of Minister to make Orders

- (1) The Minister may make Orders for prescribing anything which under this Law is to be prescribed and generally for the purpose of carrying this Law into effect.
- (2) Without prejudice to the generality of paragraph (1), any Order under this Article may in particular –
 - (a) declare –
 - (i) any type of air weapon not to be specially dangerous for the purposes of Article 2(2)(a),
 - (ii) a weapon, other than a firearm, to be unlawful for the purposes of Article 32,
 - (iii) any firearm or ammunition which appears to the Minister to be specially dangerous or any firearm which appears to the Minister to be wholly or partly composed of material making it not readily detectable by apparatus used for detecting metal objects, to be prohibited for the purposes of Article 33;
 - (b) prescribe –
 - (i) good reasons for the purposes of the issue of a firearm certificate under Article 3(4)(b),
 - (ii) the form of firearm certificates, permits and other documents required for the purposes of this Law, and
 - (iii) fees payable under this Law.
- (3) Before making an Order under this Law, the Minister shall consult the Comité des Connétables.
- (4) For the purposes of paragraph (2)(b)(ii), the Minister may prescribe different forms of firearm certificates for different categories of firearms.
- (5) The [Subordinate Legislation \(Jersey\) Law 1960](#) shall apply to Orders made under this Law.

58 Application of fees

All fees received by a Connétable under this Law shall be applied towards the cost of maintenance of the by-roads of the parish and all other fees received under this Law shall be credited to the annual income of the States.

59 Transitional and consequential etc. provisions

- (1) The transitional provisions in the Schedule to this Law shall have effect with regard to the Firearms (Jersey) Law 1956.

- (2) The States may by Regulations make such other transitional and consequential provisions and such savings as they consider necessary or expedient in preparation for, in connection with, or in consequence of, the coming into force of any provision of this Law.
- (3) Regulations under this Article may make modifications of any enactment contained in this or in any other Law.

60 Citation

This Law may be cited as the Firearms (Jersey) Law 2000.

SCHEDULE

(Article 59)

TRANSITIONAL PROVISIONS

- (1) In so far as any certificate, authority or permit granted, Order made, registration effected or other thing done under the Firearms (Jersey) Law 1956 could have been granted, made, effected or done under a corresponding provision of this Law, it shall not be invalidated by the repeal of the Firearms (Jersey) Law 1956, but shall have effect as if granted, made, effected or done under that corresponding provision.
- (2) The mention of particular matters in this Article shall not be taken to affect the general application of Article 17 of the [Interpretation \(Jersey\) Law 1954](#) with regard to the effect of repeals.

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement
Firearms (Jersey) Law 2000	L.9/2000	1 November 2001 (R&O.144/2001)
Firearms (Amendment) (Jersey) Law 2000	L.11/2000	1 November 2001 (R&O.145/2001)
States of Jersey (Amendments and Construction Provisions No. 7) (Jersey) Regulations 2005	R&O.47/2005	9 December 2005
Firearms (Amendment No. 2) (Jersey) Law 2009	L.21/2009	5 June 2009
Firearms (Amendment No. 3) (Jersey) Law 2013	L.11/2013	25 October 2013
Connétables (Miscellaneous Provisions) (Jersey) Law 2012	L.30/2012	1 August 2014 (R&O.80/2014)
States of Jersey Police Force Law 2012	L.37/2012	1 August 2014 (R&O.87/2014)
Criminal Justice (Miscellaneous Provisions) (Jersey) Law 2016	L.1/2016	20 September 2016 (R&O.98/2016)

Table of Renumbered Provisions

Original	Current
PART I	PART 1
1(2), (3)	spent, omitted from this revised edition
1(4)	(2)
1(5)	(3)
PART II	PART 2
15(2A)	15(3)
(3)	(4)
(4)	(5)
(5)	(6)
(6)	(7)
(7)	(8)
PART III	PART 3
PART IV	PART 4
PART V	PART 5
PART VI	PART 6
60	spent, omitted from this revised edition
61(1)	60
61(2)	spent, omitted from this revised edition
Schedule paragraphs (2) and (3)	spent, omitted from this revised edition
Schedule paragraph (4)	(2)

Table of Endnote References

¹	<i>This Law has been amended by the States of Jersey (Amendments and Construction Provisions No. 7) (Jersey) Regulations 2005. The amendments replace all references to a Committee of the States of Jersey with a reference to a Minister of the States of Jersey, and remove and add defined terms appropriately, consequentially upon the move from a committee system of government to a ministerial system of government</i>
² Article 1(1)	<i>amended by L.21/2009, L.37/2012</i>
³ Article 2(2)	<i>amended by L.21/2009</i>
⁴ Article 2A	<i>inserted by L.21/2009</i>
⁵ Article 2A(3)	<i>repealed by L.30/2012</i>
⁶ Article 2A(4)	<i>repealed by L.30/2012</i>
⁷ Article 3(2)	<i>amended by L.21/2009</i>
⁸ Article 3(7)	<i>substituted by L.21/2009</i>
⁹ Article 3(7A)	<i>inserted by L.21/2009</i>
¹⁰ Article 3(7B)	<i>inserted by L.21/2009</i>
¹¹ Article 3(7C)	<i>inserted by L.21/2009</i>
¹² Article 3(13)	<i>deleted by L.21/2009</i>
¹³ Article 6(2)	<i>amended by L.1/2016</i>
¹⁴ Article 7A	<i>inserted by L.21/2009</i>
¹⁵ Article 8	<i>substituted by L.21/2009</i>
¹⁶ Article 9(1)	<i>amended by L.21/2009</i>
¹⁷ Article 12	<i>substituted by L.21/2009</i>
¹⁸ Article 14	<i>heading amended by L.21/2009</i>
¹⁹ Article 14(7A)	<i>inserted by L.21/2009</i>
²⁰ Article 15(1)	<i>substituted by L.21/2009</i>
²¹ Article 15(2)	<i>amended by L.11/2000</i>
²² Article 15(3)	<i>inserted by L.11/2000</i>
²³ Article 16	<i>repealed by L.21/2009</i>
²⁴ Article 28(2)	<i>amended by L.21/2009</i>
²⁵ Article 29(1)	<i>amended by L.21/2009</i>
²⁶ Article 29(2)	<i>amended by L.21/2009</i>
²⁷ Article 30(1)	<i>amended by L.21/2009</i>
²⁸ Article 30(3)	<i>amended by L.21/2009</i>
²⁹ Article 38	<i>amended by L.11/2000</i>
³⁰ Article 39(1)	<i>amended by L.11/2000</i>
³¹ Article 40(1)	<i>amended by L.11/2000</i>
³² Article 43(1)	<i>amended by L.21/2009</i>
³³ Article 43(3)	<i>amended by L.11/2013</i>
³⁴ Article 45	<i>substituted by L.21/2009</i>
³⁵ Article 46(3)	<i>amended by L.1/2016</i>
³⁶ Article 48	<i>heading amended by L.21/2009</i>
³⁷ Article 48(1)	<i>amended by L.21/2009</i>
³⁸ Article 48(2)	<i>substituted by L.21/2009</i>
³⁹ Article 48(3)	<i>substituted by L.21/2009</i>
⁴⁰ Article 49(4)	<i>amended by L.1/2016</i>
⁴¹ Article 50(1)	<i>substituted by L.21/2009</i>
⁴² Article 50(1A)	<i>inserted by L.21/2009</i>
⁴³ Article 50(1B)	<i>inserted by L.21/2009</i>

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- ⁴⁴ *Article 50(1C)* *inserted by L.21/2009*
⁴⁵ *Article 50(5)* *deleted by L.21/2009*
⁴⁶ *Article 50(6)* *deleted by L.21/2009*
⁴⁷ *Article 55* *substituted by L.21/2009*