

BORROWING RIFLES ON PRIVATE PREMISES

Incorporating amendments from the Policing and Crime Act 2017
The detail in this fact sheet becomes law on 2nd May 2017

Section 11A of the Firearms Act 1968 subsumes the rifle exemption at Section 16 of the Firearms Act 1968. New Section 11A allows a non-certificate holder to borrow a rifle and use it in the presence of a certificate holder on private premises. The following criteria must be met

- The borrower of a rifle must be aged 17 or older.
- The lender must be aged 18 or older and have a certificate in respect of the rifle.
- The borrower must be in the presence of the lender i.e. in sight and earshot.
- The use of a rifle must comply with any conditions on the certificate held in respect of that rifle.
- The purpose of the loan is only for hunting animals, shooting game or vermin or shooting artificial targets.
- The lender must be;
 - a) a person who has the right to allow others to enter the premises for the purpose of hunting animals or shooting game or vermin, or
 - b) a person authorised by them in writing.

Notes:

1. Written permission (b) is a new requirement and must be obtained prior to shooting. Verbal permission is no longer permitted.
2. The exemption does not extend to other types of Section 1 firearms.
3. Section 57(4) of the 1968 Act defines “premises” as including any land. The foreshore is land, however it is predominately Crown or Duchy owned but some for example, is owned or leased by private individuals, local authorities or other groups. The rifle exemption may only be utilised on foreshore in England and Wales where the lender is an owner/occupier/lease holder who maintains the shooting rights. In the case of a lease, the lease must allow the use of rifles. Crown leases do not allow the use of rifles. In England and Wales the foreshore is that part of the seashore which is more often than not covered by the flux and reflux of the four ordinary tides occurring midway between springs and neaps.

In Scotland there is a general right to recreation on the foreshore (except on Orkney and Shetland). This includes the shooting of wildfowl (using a shotgun only) and where the right has not been taken away by statute, e.g. nature reserves. Accordingly the public may not use the foreshore to use or lend rifles. In Scotland the foreshore is the area of land between the high and low water marks of ordinary spring tides.

For further information see BASC’s Night Shooting code of practice - <https://basc.org.uk/cop/lamping/>

ENQUIRIES TO: Phone 01244-573010
E-mail: firearms@basc.org.uk