

NMDC response to the Home Office consultation on legislation to define antique firearms

December 2017

1. About the NMDC

The National Museum Directors' Council represents the leaders of the UK's national collections and major regional museums. Our members are the national and major regional museums in England, Northern Ireland and Scotland, the British Library, the National Library of Scotland, the National Archives and Royal Botanic Gardens Kew. NMDC acts as an advocate on behalf of members and their collective priorities and provides them with a valuable forum for discussion and debate and an opportunity to share information and work collaboratively. While our members are funded by government, the NMDC is an independent, non-governmental organisation. For more information about NMDC and our activity see our website: www.nationalmuseums.org.uk

2. Introduction

NMDC welcomes the opportunity to respond to the Government consultation on new legislation to define antique firearms and supports Government efforts to prevent criminal use of dangerous weapons.

While NMDC recognises that this new legislation is intended to tackle criminal use of weapons and is not aimed at antique firearms held in museum collections, we are keen to ensure that amendments and proposed definitions ensure clarity as outlined below, and that they do not impact negatively on museums' ability to continue to collect, manage and display such weapons. Any new legislation should account for the role museums play in collecting examples of firearms to expand public education and understanding.

3. Section 1 (Q1) Do you agree that the descriptions of ignition systems of antique firearms in Annex 1 are a good basis for the new regulations?

Yes. NMDC supports the proposal to take the descriptions of ignition systems of antique firearms as a basis for the new regulations from the guidance. The descriptions and definitions have worked for many years, they are clear and concise, and they are also familiar to museums which is important for implementation.

The pre-1939 date is well understood and reasonable, but more specific descriptions of the actual ignition systems would give museums and collectors further certainty, for example with 'all muzzle loading firearms', include all firearms with the following obsolete ignition systems, muzzle loading or not, such as; matchlock, wheel-lock, flintlock, percussion, capping breech-loading.

Breech-loading firearms using ignition systems other than rim-fire or centrefire (such as needle-fire, pin-fire and those more obscure base-fire systems such as lip-fire or teat-fire.)
Rim-fire firearms not chambered for the popular and currently manufactured rimfire cartridges; i.e. .22in. This list should also remain under review.

4. Section 1 (Q2) Do you agree that the list of obsolete cartridges at Annex 2 is a good basis for the new regulations?

Yes. The obsolete cartridge list is an excellent tool to determine if a centrefire breech-loading firearm can be considered an antique or not. It has worked successfully for the last 25 years or so. This list is very important for museums as it informs how we can utilise our collections.

Removal of obsolete cartridges from the list may result in a museum suddenly finding it requires a firearms licence which could prove a serious disadvantage to the museum, especially financially, potentially impacting on the retention of historically important objects.

5. Section 1 (Q3) Do you agree that the descriptions of propulsion systems of air weapons at Annex 3 are a good basis for the new regulations?

Yes. The museum sector would like clarity as to what they can hold, in terms of air weapons, without resorting to a Museum Firearms Licence. This is especially true for holding and acquiring air guns of the 17th to 19th centuries and in particular those built as walking sticks or canes. This list should be more widely available.

6. Section 1 (Q4) Do you have a preference for setting the upper limit for the date of manufacture of an antique firearm prior to:

For the museum sector the current date of 1 January 1939 is both important and preferable for numerous reasons. Maintaining this date ensures continued certainty over the classification of the arms that museums have spent many years, if not decades, ensuring are correct. Any change may be administratively and financially difficult to comply with.

Should the date change, say to 1900, it would disadvantage a number of museums that have been operating to date with firearms classed as antique. NMDC would suggest it is unacceptable to subsequently require them to hold a Museum Firearms Licence, as possession of a licence won't have factored into business planning or have been allocated funding to support it.

Examples of material that would be affected include some weapons of the WWI such as a German model 1918 Anti-tank rifle, the Mars pistol, a variety of experimental pistols and rifles of the 1st decade of the 20th century.

For clarity and continuity, we strongly urge to maintain the current date of 1939.

7. Section 2 (Q1) To what extent do you agree or disagree with the proposal for a non-statutory reference group to meet at least annually to monitor the situation regarding antique firearms?

NMDC supports this proposal and urges inclusion of a museum sector representative on the technical committee.

8. Section 2 (Q2) To what extent do you agree or disagree with the proposal to review the content of the new antique firearms regulations at least every three years?

NMDC supports this proposal. Review will enable a sense check to remove any inconsistencies or anomalies.

9. Section (Q3) Do you have alternative proposals for reviewing and updating the regulations?

NMDC supports the proposals with the proviso that museums are included in further developments.

In case of any queries regarding this response or if you require any further information please contact Kathryn Simpson, Policy and Projects Manager, National Museum Directors' Council: kathryn.simpson@nationalmuseums.org.uk / 020 7942 4076.