EXPLANATORY MEMORANDUM TO

THE FIREARMS (REVOCATION, CONSEQUENTIAL AMENDMENT AND SAVING PROVISION) REGULATIONS 2026

2026 No. 118

1. Introduction

1.1 This Explanatory Memorandum has been prepared by the Home Office and is laid before Parliament by command of His Majesty.

1.2 This memorandum contains information for the Joint Committee on Statutory Instruments.

2. Declaration

2.1 Sarah Jones MP, Minister of State for Policing and Crime at the Home Office, confirms that this Explanatory Memorandum meets the required standard.

2.2 Nick Hunt, Deputy Director of the Firearms and Weapons Policy Unit at the Home Office, confirms that this Explanatory Memorandum meets the required standard.

3. Contact

3.1 Graham Widdecombe at the Home Office can be contacted by email at the following address with any queries regarding the instrument: Graham.widdecombe@homeoffice.gov.uk or alternatively the department can be contacted by telephone: 0300 071 8176.

Part One: Explanation, and context, of the Instrument

4. Overview of the Instrument

What does the legislation do?

4.1 This instrument revokes the Firearms Regulations 2019 ("the 2019 Regulations") in respect of England and Wales and Scotland. Deactivated firearms are non-lethal and not subject to firearms licensing controls. The information supplied to the Home Office regarding possession and transfer of these items, as required by the 2019 Regulations, is not seen or used by the police, whose interest lies with the control of live firing guns. The data collected therefore serves no operational or law enforcement purpose. The 2019 Regulations continue to apply to Northern Ireland in order to comply with the Windsor Framework, but the instrument makes consequential amendments to remove references to England and Wales and Scotland.

Where does the legislation extend to, and apply?

4.2 The extent of this instrument (that is, the jurisdiction(s) which the instrument forms part of the law of) is England, Wales, Scotland and Northern Ireland. However, the revocation provision only extends to England and Wales and Scotland, and the amending provision only extends to Northern Ireland.

4.3 The territorial application of this instrument (that is, where the instrument produces a practical effect) is England, Wales, Scotland and Northern Ireland.

5. Policy Context

What is being done and why?

5.1 The 2019 Regulations were made to ensure compliance with EU directives relating to the regulation of firearms. This included a requirement on members of the public to notify an "appropriate authority" (which is the Home Office in respect of Great Britain) when acquiring or transferring firearms that have been permanently deactivated, and which cannot therefore ever be converted to fire live ammunition. The police have no requirement for this information for law enforcement purposes, and so the requirement to notify the Home Office serves no purpose following the UK's withdrawal from the EU.

5.2 This de-regulation will represent a small time saving and some postage costs for collectors of deactivated firearms who are currently required by law to notify their acquisition of these items, even though they pose no risk to public safety. The 2019 Regulations will remain in force in Northern Ireland in respect of the very small number of transfers which take place there. This is necessary to ensure compliance with the Windsor Framework, but the 2019 Regulations will be amended to remove reference to England and Wales and Scotland. Strict standards will continue to apply to the process of firearm deactivation, to ensure these items are permanently deactivated and cannot ever be re-activated.

What was the previous policy, how is this different?

5.3 Under the 2019 Regulations, persons in possession of/transferring deactivated firearms were required to fill in and send a short form of notification to the "appropriate national authority", which was defined as the Secretary of State in respect of England, Wales and Scotland, and the Department of Justice in Northern Ireland in respect of Northern Ireland. The 2019 Regulations will remain in force in Northern Ireland in order to comply with the Windsor Framework. The fact that residents in Great Britain will no longer be required to notify does cause a very minor divergence in that respect, but the instrument will not impact on the ability for Northern Ireland to have unfettered access to the UK internal market.

6. Legislative and Legal Context

How has the law changed?

6.1 This instrument uses the powers at sections 14(1) and 20(1)(a) and (b) of the 2023 Act to revoke the 2019 Regulations in respect of England and Wales and Scotland meaning the requirement to notify the appropriate national authority in respect of the possession and transfer of deactivated firearms will no longer apply in England and Wales and Scotland. This instrument also makes consequential amendments in respect of Northern Ireland in light of the revocation made. These amendments include the omission of references to England and Wales and Scotland. There is also a saving provision to prevent offences being committed in respect of possessions/transfers in England and Wales and Scotland before the commencement date, where the relevant conditions are fulfilled following the commencement date.

Why was this approach taken to change the law?

6.2 Section 14(1) of the 2023 Act provides a power to revoke secondary retained EU law. Section 20(1) of the 2023 Act provides a regulation-making power which includes the power to make (a) different provision for different areas; and (b) consequential and

saving provision. This is the only possible approach in order to make the required changes.

7. Consultation

Summary of consultation outcome and methodology

7.1 A formal public consultation was not undertaken on this instrument because there is no cost to business. However, engagement at various times in the course of normal business with the police and deactivation dealers, as the principal stakeholders, clearly demonstrated that there was no utility in keeping the information and that the requirement to notify should be discontinued. This view was also reflected in comments made at the time of notification and in general correspondence received from members of the public about the need for notification.

8. Applicable Guidance

8.1 No detailed guidance is necessary but the existing firearms pages on GOV.UK will be amended on the lay date to make it clear that notification is no longer required.[1] The police and gun trade will also be informed directly of the change.

Part Two: Impact and the Better Regulation Framework

9. Impact Assessment

9.1 An impact assessment has not been drafted as this measure is not a regulatory provision and the costs of the measure to the public sector are expected to be negligible.

9.2 It is expected that this would result in a small time saving to the Home Office of 50% of one Executive Officer's time, which would amount to approximately £22,300 per annum. There would be a negligible time saving to registered firearms dealers who would no longer need to fill out a short form which is usually submitted electronically.

Impact on businesses, charities and voluntary bodies

9.3 There is no, or no significant, impact on business, charities or voluntary bodies because it simply revokes an unnecessary notification process.

9.4 The legislation does not impact small or micro businesses.

9.5 There is no, or no significant, impact on the public sector because it will revoke assimilated law which serves no purpose in England and Wales and Scotland.

10. Monitoring and review

What is the approach to monitoring and reviewing this legislation?

10.1 The approach to monitoring this legislation is to do so as part of the regular monitoring of all firearms legislation.

10.2 As this instrument is only made under the relevant European Union Acts, no review clause is required.

[1] https://www.gov.uk/government/publications/circular-0102019-firearms-regulations-2019-and-the-firearms-amendment-no2-rules-2019/0102019-firearms-regulations-2019-and-the-firearms-amendment-no2-rules-2019

Part Three: Statements and Matters of Particular Interest to Parliament

11. Matters of special interest to Parliament

11.1 This instrument was laid in draft for sifting under its current title on15 January 2026. The Sifting Committees approved the instrument should proceed as a negative SI. The powers being exercised in this instrument are those conferred to revoke secondary assimilated law in section 14(1) of the 2023 Act, make different provision for different areas in section 20(1)(a) of the 2023 Act and make saving and consequential provision in section 20(1)(b) of the 2023 Act.

12. European Convention on Human Rights

12.1 As the instrument is subject to the negative resolution procedure and does not amend primary legislation, no statement is required.

13. The Relevant European Union Acts

13.1 This instrument is made under sections 14 and 20 of the 2023 Act and therefore relates to the reform of assimilated law. The Minister has made any relevant statements, below, under the 2023 Act.

13.2 The Minister of State for Policing and Crime at the Home Office, Sarah Jones MP, has made the following statement regarding use of legislative powers in the 2023 Act:

"In my view The Firearms (Revocation, Consequential Amendment and Saving Provision) Regulations 2026 should be subject to annulment in pursuance of a resolution of either House of Parliament (i.e. the negative procedure)".

This is the case because this legislation revokes assimilated law which serves no useful purpose and has no operational benefits for the police. Paragraph 5.1 above refers.

13.3 The Minister of State for Policing and Crime at the Home Office, Sarah Jones MP, has made the following statement(s):

"The draft instrument does not amend, repeal or revoke a provision or provisions in the Equality Act 2006 or the Equality Act 2010 or subordinate legislation made under those Acts".