# SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

**No. 5326 GIBRALTAR Tuesday 14th July 2026**

LEGAL NOTICE NO. 212 OF 2026

**TREATY ON GIBRALTAR AND THE EUROPEAN UNION ACT 2026**

**TGEU IMPLEMENTATION (TRANSFER OF FIREARMS BETWEEN GIBRALTAR AND THE EUROPEAN UNION) REGULATIONS 2026**

In exercise of the powers conferred on the Government by section 13 of the Treaty on Gibraltar and the European Union Act 2026, and all other enabling powers, and for the purposes of implementing, in part, Article 63 and paragraph 3 of Annex 9 to the Agreement in respect of Gibraltar between the European Union and the European Atomic Energy Community of the one part and the United Kingdom of Great Britain and Northern Ireland of the other part; and for connected purposes, the Government has made the following Regulations-

**Title.**

1. These Regulations may be cited as the TGEU Implementation (Transfer of Firearms between Gibraltar and the European Union) Regulations 2026.

**Commencement.**

2. These Regulations come into operation on the Implementation Date.

**Interpretation.**

3. In these Regulations-

"ammunition" has the same meaning as in section 2 of the Firearms Act;

"collector" means a person dedicated to the gathering and conservation of firearms, essential components or ammunition for historical, cultural, scientific, technical, educational, heritage or recreational purposes;

"competent authority" means-

(a) for Gibraltar, the Commissioner of Police;

(b) for Member States, the authority competent to issue a European Firearms Pass, a Consent to Purchase Document, or such other authorisations as fall within the scope of these Regulations;

"Consent to Purchase Document" means-

(a) for Gibraltar residents, a document issued by the Commissioner of Police which records the authorisation of the Commissioner of Police for a purchase or acquisition in a Member State of a Category B firearm, or ammunition for a Category B firearm, to which a section 4 certificate relates;

(b) for residents of Member States, a document issued by the competent authority of the Member State of residence which records the authorisation of that competent authority for the purchase or acquisition in Gibraltar of a Category B firearm, or ammunition for a Category B firearm, as described in Schedule 1;

"essential component" has the same meaning as in section 2 of the Firearms Act;

"European Firearms Pass" or "Pass" means a document, issued by the competent authority in the jurisdiction where the holder primarily resides, for the movement of firearms-

(a) within the European Union; or

(b) between the European Union and Gibraltar;

"Firearms Directive" means Directive (EU) 2021/555 of the European Parliament and of the Council of 24 March 2021 on the control of the acquisition and possession of weapons;

"Minister" means the minister with responsibility for justice;

"prohibited weapon" has the same meaning as in section 2 of the Firearms Act;

"firearms broker" has the same meaning as in section 2 of the Firearms Act;

"firearms dealer" has the same meaning as in section 2 of the Firearms Act;

"section 4 certificate" means a certificate issued by the Commissioner of Police under section 4 of the Firearms Act;

"temporary movement" means the temporary transfer of firearms, essential components or ammunition into Gibraltar and out of Gibraltar, whether through importation or exportation; and

"transfer" means the importation into or exportation from Gibraltar of firearms, essential components or ammunition.

**Provisions of the Firearms Act.**

4.(1) Unless the context otherwise requires, words or expressions contained in these Regulations shall have the same meaning as in the Treaty on Gibraltar and the European Union Act and the Firearms Act.

(2) These Regulations shall be in addition to and not in derogation of any provisions of the Firearms Act or any other domestic law relating to the manufacture, sale, transfer, purchase, acquisition or possession of firearms.

(3) Section 8 of the Firearms Act, and the powers afforded to police officers under that Act, shall apply in relation to a European Firearms Pass or other document, permit or authorisation to which these Regulations relate.

**Scope.**

5.(1) Subject to subregulations (2) and (3), these Regulations apply to the transfer or movement of firearms, essential components and ammunition between Gibraltar and the Member States.

(2) These Regulations shall not apply to the movement of firearms or ammunition transferred to or from Gibraltar destined for the armed forces of the United Kingdom, the Royal Gibraltar Police or any public authorities.

(3) These Regulations shall not apply to airsoft or air weapons, insofar as they do not fall within the scope of the Directive.

**Classification of firearms for the purposes of these Regulations.**

6.(1) Subject to subregulations (2) and (3), for the purposes of these Regulations firearms shall be classified in accordance with Schedule 1.

(2) A prohibited weapon which would, under the Firearms Directive, be classified as a Category B or Category C firearm is, for the purposes of transfer to Gibraltar, to be classified as Category A (prohibited firearm).

(3) The movement of a firearm to a Member State is subject to any information supplied to the Commissioner of Police by that Member States in relation to firearms, essential components or ammunition where any of these-

(a) are prohibited from transfer to that Member State;

(b) are subject to prior authorisation for transfer by that Member State; or

(c) may be transferred without authorisation.

**Meaning of resident of a Member State.**

7.(1) For the purposes of these Regulations, a person shall be considered to be a resident of a Member State where that person's residence is confirmed by way of an address appearing on an official document issued by that Member State, including a passport or an official identity card.

(2) Where an address does not appear on any document referred to in subregulation (1), the person's country of residence shall be determined by the provision of any other evidence of residence as recognised by the Member State concerned.

**Communications with competent authorities of Member States.**

8.(1) The Commissioner of Police is designated as the competent authority-

(a) for the purposes of receiving and sending communications from and to the competent authorities of Member States concerning firearms, essential components, and ammunition where these-

(i) are prohibited weapons;

(ii) are subject to prior authorisation for import into Gibraltar; or

(iii) may be transferred without authorisation; and

(b) for any other cooperation and exchange of information under the Firearms Directive.

(2) When undertaking their functions under these Regulations, the Minister and the Commissioner of Police shall have regard to any information supplied by a competent authority of a Member State in relation to firearms, essential components or ammunition where any of these-

(a) are prohibited from transfer to a Member State;

(b) are subject to prior authorisation for transfer; or

(c) may be transferred without authorisation.

(3) Where the Commissioner of Police receives notification from a Member State of any list of firearms which may be transferred to the territory of that Member State without prior authorisation in accordance with Article 16(4) of the Firearms Directive, the Commissioner of Police shall-

(a) record that information for the purposes of transfer decision-making; and

(b) communicate that information to

(i) the Minister;

(ii) registered firearms dealers in Gibraltar; and

(iii) such other persons or bodies as the Commissioner considers appropriate.

*Acquisition and authorisations to acquire*

**Visitor's permit for acquisition or purchase of a firearm in Gibraltar.**

9.(1) Subject to the provisions of this regulation, a resident of a Member State may be granted a visitor's permit authorising the acquisition or purchase by them of a Category A or a Category B firearm in Gibraltar from a registered firearms dealer provided that-

(a) the person has not been in Gibraltar for more than thirty days in the preceding twelve months; and

(b) the firearm is purchased for the sole purpose of being exported from Gibraltar without first coming into that person's possession.

(2) No person shall be required to hold or obtain a section 4 certificate in order to be granted a permit under this regulation.

(3) The Commissioner of Police may, on an application by a registered firearms dealer, on behalf of a person specified in the application, grant a permit under this regulation to the specified person if he is satisfied that the person-

(a) is visiting or intending to visit Gibraltar;

(b) has good reason for acquiring each firearm and the ammunition to which the permit relates, while he is a visitor to Gibraltar; and

(c) will be exporting that firearm or ammunition from Gibraltar.

(4) No permit shall be granted under this regulation if the Commissioner of Police has reason to believe-

(a) that the acquisition, purchase or possession of the firearm or ammunition in question would represent a danger to the visitor, to public safety or to the peace; or

(b) that, if the visitor seeking the permit were a resident of Gibraltar, he would be prohibited or unable to acquire the firearms or ammunition under the Firearms Act.

(5) No permit shall be granted under this regulation in respect of a firearm in Category A without prior consultation with and approval of the Minister in accordance with section 18 of the Firearms Act.

(6) No permit shall be granted under this regulation in relation to any firearm unless-

(a) for Category B firearms, the Commissioner of Police is provided with a Consent to Purchase Document issued by the competent authority of the relevant Member State of residence of the person specified in the application; or

(b) for Category A firearms, the Commissioner of Police is provided with evidence that the acquisition or purchase is-

(i) in connection with the carrying on of activities in respect of which the visitor (or the person on whose behalf he is purchasing the firearm) is recognised by the law of the relevant Member State as a collector of firearms or is part of a body concerned in the cultural or historical aspects of weapons; and

(ii) authorised by the Member State of residence of the person specified in the application.

(7) A permit under this regulation-

(a) may be subject to such conditions as the Commissioner of Police considers appropriate; and

(b) must specify the numbers and the description of firearms to which it relates, including their identification numbers where available, and as respects ammunition, the quantities authorised to be purchased or acquired.

(8) The Commissioner of Police may, by notice in writing to the registered firearms dealer who applied for the permit under subregulation (3)-

(a) vary or modify the conditions imposed on the permit;

(b) revoke the permit.

(9) A permit may only be revoked by the Commissioner of Police under subregulation (8(b)) where he considers there is good reason to do so.

(10) A permit under this regulation shall come into force on such date as is specified in it and shall continue in force for such period, not exceeding twelve months, as is so specified on the permit.

(11) On the grant of a permit under this regulation a fee of £50 shall be payable.

(12) The form of-

(a) the application; and

(b) form of permit,

shall be as the Minister may specify from time to time.

(13) A person-

(a) who knowingly and wilfully makes a statement that is false in a material particular for the purpose of procuring the grant of a permit under this regulation; or

(b) who fails to comply with a condition of a permit, without reasonable excuse,

commits an offence and is liable, and on summary conviction, to imprisonment for a term of 3 months, or a fine at level 3 on the standard scale, or both.

**Restricted acquisition of a Category A firearm by a Gibraltar Resident in a Member State.**

10.(1) Subject to subregulation (2) and (3), a Gibraltar resident may not acquire or purchase a Category A firearm in a Member State.

(2) The Minister may, on a case-by-case basis, issue an authorisation for the acquisition of a Category A firearm in a Member State only to those persons who would be eligible to purchase a prohibited weapon under section 18 of the Firearms Act.

(3) Any authorisation given under this regulation shall be in writing and subject to such conditions as may be specified therein, and a person who fails to comply with any of the conditions to an authorisation commits an offence and is liable, on summary conviction, to imprisonment for six months and to a fine not exceeding level 5 on the standard scale or both.

(4) The Minister may impose such conditions as, having regard to all the circumstances of the particular case, he thinks fit to impose for the purpose of securing that the Category A firearm or ammunition to which the authorisation relates will not endanger the public.

(5) The Minister may, at any time by notice in writing, revoke an authorisation given by him under this regulation where he considers there is a good reason to do so, and shall require the holder to deliver up the authorisation within 21 days from the date of the notice.

(6) A person who fails to comply with a notice issued under subregulation (5) commits an offence and is liable, on summary conviction, to imprisonment for a term not exceeding 3 months or a fine not exceeding level 5 on the standard scale or both.

**Acquisition of a Category A firearm by resident of a Member State in Gibraltar.**

11.(1) A resident of a Member State may only acquire a Category A firearm in Gibraltar provided they hold-

(a) a valid authorisation in writing from the competent authority of the Member State of their residence, issued in accordance with that Member State's national law which implements the Firearms Directive; and

(b) a visitors permit issued by the Commissioner of Police under regulation 9.

(2) A registered firearms dealer who sells a firearm to a person who, in turn, shows that they are entitled to purchase it without holding a section 4 certificate shall, within 48 hours of the

transaction, send notice of the transaction to the Commissioner of Police in accordance with subregulation (3).

(3) The notice of a transaction referred to in subregulation (2) shall contain-

(a) the particulars of the transaction which the registered firearms dealer is required to enter in the register kept by them under section 14 of the Firearms Act;

(b) the number and place of issue of the purchaser's passport; and

(c) the particulars of the authorisation from the competent authority of the relevant Member State,

and every such notice shall be sent to the Commissioner of Police in accordance with section 14 of the Firearms Act.

(4) A registered firearms dealer who fails to comply with subregulation (2) commits an offence and is liable, on summary conviction, to imprisonment for a term not exceeding six months or a fine not exceeding level 5 on the standard scale or both.

(5) Where there is a failure to comply with subregulation (2) above which is limited to the omission from the notice of the particulars of the authorisation from the Member State, subregulation (4) above shall have effect as if for "six months" there were substituted "three months".

**Acquisition of a Category B firearm by a Gibraltar resident in a Member State**

12.(1) Subject to subregulation (2), a Gibraltar resident may not acquire a Category B firearm in a Member State without the authorisation of the Commissioner of Police and the authorisation must be in the form of a Consent to Purchase Document.

(2) A firearm recognised by a Member State to be a Category B firearm and which is, for the purposes of the Firearms Act, a prohibited weapon shall not be acquired by a Gibraltar resident in a Member State without an authorisation granted in accordance with section 18 of the Firearms Act and an authorisation granted under regulation 10.

(3) Where a person is granted, or is the holder of, a section 4 certificate for a firearm which is classified as a Category B firearm, he shall be entitled to be issued with a Consent to Purchase Document by the Commissioner of Police.

(4) An application for the issue of a Consent to Purchase Document may be made at the same time as an application for a section 4 certificate or at any time thereafter for as long as the section 4 certificate is valid.

(5) Where the Commissioner of Police has issued a Consent to Purchase Document for the purchase of a Category B firearm, and the grantee is found to be in possession of a loading device apt to be fitted to a centre-fire semi-automatic firearm or repeating firearm which-

(a) is capable of holding more than twenty rounds; or

(b) in the case of long firearms, is capable of holding more than ten rounds,

the Commissioner of Police shall revoke the Consent to Purchase Document by notice in writing and with immediate effect unless the authorisation contained in that Consent to Purchase Document expressly permits the acquisition or purchase, or that authorisation is confirmed, renewed or prolonged.

(6) Where-

(a) a person who resides in Gibraltar is proposing to purchase or acquire any firearm or ammunition in a Member State;

(b) the person is not for the time being the holder of a section 4 certificate relating to that firearm or ammunition;

(c) the firearm falls within Category B or the ammunition is capable of being used with such a firearm; and

(d) that person satisfies the Commissioner of Police that he does not intend to bring that firearm or ammunition into Gibraltar,

the Commissioner of Police may, if he thinks fit, issue that person with a document stating that, for the purposes of Article 10 of the Firearms Directive, the Commissioner of Police agrees to any purchase or acquisition by that person in another Member State of that firearm or ammunition on condition that the firearm is not imported into Gibraltar.

(7) An application for a Consent to Purchase Document or a document referred to in subregulation (6) shall be made by the filing of an application in writing in such form as may be specified by the Commissioner of Police and the payment of a fee of £50.

**Variation, endorsement, etc. of a Consent to Purchase Document.**

13.(1) Where a section 4 certificate in respect of a firearm identified in a Consent to Purchase Document has been issued, varied, revoked or cancelled, the Commissioner of Police shall make such variations to the Consent to Purchase Document as is appropriate as a consequence of that variation, revocation or cancellation, and shall, where appropriate, cancel the Consent to Purchase Document.

(2) For the purposes of performing his duty under subregulation (1), the Commissioner of Police may, by notice in writing, require the holder to produce or to surrender the Consent to Purchase document to him within 21 days of the date of the notice.

(3) Where a person is for the time being the holder of a Consent to Purchase document issued under regulation 12, the Commissioner of Police may, if he has good reason-

(a) revoke the Consent to Purchase Document; and

(b) by notice in writing require that person within twenty-one days from the date of the notice to surrender the Consent to Purchase Document to him.

(4) A person who fails to comply with a notice issued by the Commissioner of Police under subregulation (2) or (3) commits an offence and is liable on summary conviction to a term of imprisonment not exceeding three months or a fine not exceeding level 5 on the standard scale or both.

**Acquisition of a Category B firearm by a resident of a Member State in Gibraltar.**

14.(1) A resident of a Member State may not acquire a Category B firearm in Gibraltar without-

(a) a Consent to Purchase Document evidencing an authorisation of the competent authority of the Member State of their residence; and

(b) a visitors permit issued by the Commissioner of Police under regulation 9.

(2) A registered firearms dealer who sells a firearm to a person who provides evidence to show that he is entitled to purchase it without holding a section 4 certificate shall, within 48 hours from the transaction, send notice of the transaction to the Commissioner of Police in accordance with the requirements under subregulation (3).

(3) The notice of a transaction under subregulation (2) shall contain-

(a) the particulars of the transaction which the registered firearms dealer is required to enter in the register in accordance with section 14 of the Firearms Act;

(b) the number and place of issue of the purchaser's passport; and

(c) the particulars of the authorisation contained in the Consent to Purchase Document,

and every such notice shall be sent to the Commissioner of Police in accordance with section 14 of the Firearms Act.

(4) A registered firearms dealer who fails to comply with subregulation (2) commits an offence and is liable on summary conviction to imprisonment for a term not exceeding six months or a fine not exceeding level 5 on the standard scale or both.

(5) Where there is a failure to comply with subregulation (2) above which is limited to the omission from the notice of the particulars of an authorisation contained in a Consent to Purchase Document, subregulation (4) above shall have effect as if for "six months" there were substituted "three months".

**Acquisition of a Category C firearm by a resident of Gibraltar in a Member State.**

15.(1) Subject to subregulations (2) and (3) below, where-

(a) a person who resides in Gibraltar purchases or otherwise acquires a firearm in a Member State; and

(b) that firearm falls within Category C for the purposes of Schedule 1,

he shall, within 14 days of the transaction, send notice of the transaction to the Commissioner of Police.

(2) A person shall not be required to give notice under subregulation (1) of a transaction under which he acquires a firearm on terms which-

(a) restrict his possession of the firearm for the whole or a part of a period of a visit to the Member State where the transaction takes place; and

(b) preclude the removal of the firearm from that Member State.

(3) A person shall not be required to give notice under subregulation (1) of a transaction under which he purchases, or acquires, a firearm if-

(a) he is for the time being the holder of a certificate under the Firearms Act relating to that firearm and containing, in relation to that firearm, a condition that he may have the firearm in his possession only for the purpose of it being kept or exhibited as part of a collection; or

(b) he would, if in Gibraltar, be authorised by virtue of a licence granted by the Minister for educational, cultural or historical reasons to have that firearm in his possession.

(4) A notice under subregulation (1) shall contain a description of the firearm (giving the identification number, if any) and state the nature of the transaction and the name and address in Gibraltar of the person giving the notice.

(5) A notice under subregulation (1) must be sent-

(a) by registered post;

(b) by permitted electronic means; or

(c) in the case where it is sent from outside Gibraltar, otherwise, in such manner as most closely resembles registered post.

(6) A notice is sent by permitted electronic means for the purposes of subregulation (5) if it is sent by an electronic form of communication which the Commissioner of Police has directed may be used for the purposes of these Regulations, from time to time.

(7) A person who fails to comply with this regulation commits an offence and is liable on summary conviction to imprisonment for a term not exceeding three months, or a fine not exceeding level 5 on the standard scale, or both.

**Acquisition of a Category C firearm by a resident of a Member State.**

16.(1) Subject to subregulation (2), a resident of a Member State may purchase, from or in Gibraltar, a Category C firearm without prior authorisation from the competent authority of the Member State of that person's residence.

(2) Where a Member State has communicated to the Commissioner of Police that a firearm to which this regulation applies is prohibited, or subject to authorisation for transfer to its territory, and the person seeking to purchase such a firearm is a resident of that Member State, prior authorisation from that Member State will be required.

(3) A registered firearms dealer who sells a Category C firearm to a person who shows that he is entitled to purchase it without holding a section 4 certificate shall, within 48 hours from the transaction, send notice of the transaction to the Commissioner of Police in accordance with subregulation (4).

(4) The notice of a transaction under subregulation (3) shall contain-

(a) the particulars of the transaction which the registered firearms dealer is required to enter in the register under section 14 of the Firearms Act; and

(b) the number and place of issue of the purchaser's passport,

and every such notice shall be sent to the Commissioner of Police in accordance with section 14 of the Firearms Act.

(5) A registered firearms dealer who fails to comply with subregulation (3) commits an offence and is liable on summary conviction to imprisonment for a term not exceeding six months or a fine not exceeding level 5 on the standard scale, or both.

(6) Where the Commissioner of Police receives a notice of a transaction under this regulation, he must inform the competent authority of the Member State in which the purchaser or transferee resides of the transaction.

(7) A Category C firearm acquired or purchased by a resident of a Member State may be handed over to him if-

(a) he has been authorised in accordance with regulation 19 to effect a transfer to his country of residence; or

(b) he-

(i) submits a written declaration confirming or signifying his intention to be in possession of the firearm in Gibraltar; and

(ii) he fulfils the applicable conditions for possession of a firearm in Gibraltar.

**Selling of firearms, essential components or ammunition by means of distance contracts.**

17.(1) Where a registered firearms dealer or a registered firearms broker is involved in the sale of firearms, essential components or ammunition by means of a distance contract to a resident of a Member State, the firearms dealer or broker shall ensure, prior to completion of a sale, that the purchaser is duly and properly authorised by the competent authority of the relevant Member State to purchase those items and the applicable regulations on the different categories shall apply as if the person acquiring or purchasing the firearm was doing so in person.

(2) In this regulation, a "distance contract" means any contract concluded between the registered firearms dealer or broker and the consumer under an organised distance sale or service-provision scheme without the simultaneous physical presence of the firearms dealer or broker and the consumer, through the exclusive use of one or more means of distance communication up to and including the time at which the contract is concluded.

(3) A registered firearms dealer or a registered firearms broker who proceeds with a sale by means of distance contract without ensuring that the purchaser is duly and properly authorised to purchase a firearm, essential components or ammunition commits an offence and is liable on summary conviction to imprisonment for 3 months and to a fine at level 3 on the standard scale.

*Transfer of firearms*

**Transfer of firearms and ammunition into Gibraltar.**

18.(1) Save where the transfer of firearms is permitted in accordance with regulation 20 in respect of the temporary movement of firearms by the holder of a valid European Firearms Pass, no firearm or essential component shall be transferred to Gibraltar from a Member State except in accordance with section 31 of the Firearms Act and this regulation.

(2) An application for authorisation under this regulation shall be made to the Minister and shall be submitted prior to a transfer, together with such information as the Minister may require, including, but not limited to-

(a) the identity and address of the person or entity seeking to transfer the firearm, essential component or ammunition;

(b) the identity and address of the person or entity in Gibraltar receiving the firearm, essential component or ammunition;

(c) the place from which the item is to be dispatched and the place to which it is to be consigned in Gibraltar;

(d) the nature, quantity (where applicable) and identifying particulars of the firearm, essential component, or ammunition;

(e) the means and proposed route of transport; and

(f) the proposed date of dispatch and estimated date of arrival in Gibraltar.

(3) In determining whether to grant an authorisation under this regulation, the Minister shall have regard, in particular, to-

(a) public safety and public order;

(b) the security and traceability of the transfer;

(c) compliance of the firearm, essential component or ammunition with domestic law; and

(d) confirmation that any consent, authorisation or notification required under the law of the transferring Member State has been obtained.

(4) An authorisation granted under this regulation shall be subject to such conditions as the Minister considers necessary, including conditions relating to security, transport, duration, documentation and record-keeping.

(5) An authorisation granted under this regulation shall be communicated to the relevant Member State by the Commissioner of Police in accordance with regulation 8.

(6) A document issued by a competent authority of a Member State in accordance with Article 16 of the Firearms Directive evidencing a grant of authorisation, shall accompany the firearm, essential component, or ammunition during the transfer to Gibraltar and shall be produced upon request to the Commissioner of Police.

(7) In addition to the requirements in subregulations (1) to (5) above, Category A firearms may not be transferred to Gibraltar from a Member State except with the prior authorisation of the Minister either-

(a) authorising the acquisition of the firearm; or

(b) confirming the acquisition is lawful.

(8) An authorisation issued under this regulation shall be in such form as the Minister shall specify.

(9) A firearm will be deemed to be deactivated and may be transferred into Gibraltar as a deactivated firearm only where-

(a) the deactivation has been carried out in accordance with the standards prescribed by law; and

(b) the firearm is accompanied by a deactivation certificate issued in accordance with Commission Implementing Regulation (EU) 2015/2403 of 15 December 2015.

(10) For the purposes of these Regulations, a deactivated firearm which does not comply with the requirements referred to in subregulation (9) shall be treated as a firearm which has not been deactivated.

**Transfer of firearms from Gibraltar to a Member State.**

19.(1) Save where the transfer of firearms is permitted in accordance with regulation 20 in respect of the temporary movement of firearms by the holder of a valid European Firearms Pass, no person shall transfer, or attempt to transfer, a firearm, essential component or ammunition from Gibraltar to a Member State without having first obtained the prior authorisation of the Minister in accordance with section 31 of the Firearms Act and this regulation.

(2) Where a firearm, essential component or ammunition is proposed to be transferred from Gibraltar to a Member State, the person seeking to transfer shall apply to the Minister and shall provide the following information;

(a) the names and addresses of the person-

(i) selling or disposing of the firearm, essential component or ammunition; and

(ii) the person purchasing or acquiring the firearm, essential component or ammunition or, where appropriate, the owner;

(b) the address to which the firearm is to be consigned or transported;

(c) the number of firearms, essential components or ammunition to be consigned or transported;

(d) the particulars enabling the firearm, essential component or ammunition to be identified and an indication that, where the item to be transferred is a firearm, the firearm has undergone a check in accordance with the Convention of 1 July 1969 on the Reciprocal Recognition of Proofmarks on Small Arms;

(e) the means of transfer;

(f) the date of departure and the estimated date of arrival.

(3) The particulars referred to in subregulation (2) shall be provided not less than 7 days prior to the proposed date of transfer.

(4) When considering whether to issue an authorisation under this regulation, the Minister shall examine the conditions under which the transfer is to be carried out, and shall have regard, in particular, to-

(a) the public safety and public order;

(b) the security and traceability of the transfer; and

(c) the compliance with the law of the receiving Member State.

(5) An authorisation shall be in such form as the Minister may specify, and must include all particulars referred to in subregulation (2).

(6) The Minister may grant a registered firearms dealer a continuing authorisation to transfer firearms to a registered dealer in a Member State for a specified period not exceeding three years.

(7) An authorisation issued by the Minister under subregulation (5) or, in the case of a continuing authorisation issued under subregulation (6), a document confirming the existence of a continuing authorisation, shall accompany the firearm, essential component or ammunition until it reaches its destination and shall be produced whenever so required by a competent authority of a Member State.

(8) The Minister shall not grant an authorisation or a continuing authorisation under this regulation unless he is satisfied that any consent, authorisation or notification required under the law of the receiving Member State for the importation or possession of the firearm or ammunition has been obtained.

*Temporary movement of firearms*

**Permission for temporary movement of firearms between Gibraltar and Member States.**

20.(1) Subject to regulation 26 in respect of firearms classified in Category B, the holder of a valid European Firearms Pass issued by a competent authority of a Member State may temporarily import a firearm which is not a prohibited weapon into Gibraltar for lawful purposes without requiring an authorisation for importation under section 31 of the Firearms Act or regulation 18.

(2) Subject to subregulations (3), (4) and (5), where a person holds a European Firearms Pass issued by the Commissioner of Police, that person may travel to any Member State with any firearm and ammunition for such firearm in respect of which the European Firearms Pass has been issued.

(3) Where a person travels from Gibraltar to a Member State with a firearm or ammunition which requires the prior authorisation of the competent authority of that Member State for the importation of the firearm, that authorisation must be obtained prior to departure from Gibraltar.

(4) Where a person travels from Gibraltar to a Member State with a firearm or ammunition and the journey requires transit through one or more other Member States, where the prior authorisation of the competent authority of any Member State of transit is required under the law of that Member State, it must be obtained prior to departure from Gibraltar.

(5) Where prior authorisation is expressly not required by a Member State, a hunter, in respect of a firearm in Category C, or a marksman, in respect of a firearm in Category B or C, may travel to that Member State with a firearm in such Category and ammunition for such firearm provided he is in possession of a European Firearms Pass listing such firearm.

(6) Where a person does not hold a European Firearms Pass, any temporary transfer of a firearm or ammunition from Gibraltar to a Member State shall be subject to and conducted in accordance with the requirements of the Member State of destination.

(7) Nothing in this regulation authorises any transfer of a firearm in contravention of a prohibition or restriction imposed by-

(a) Gibraltar; or

(b) the transferring Member State.

**Issue of documents for temporary movement of firearms.**

21.(1) Where a person is a holder of a section 4 certificate in respect of a firearm falling within the Categories in the Schedule, he shall be entitled to be issued with a European Firearms Pass containing the required particulars, by the Commissioner of Police.

(2) An application for the issue of a European Firearms Pass may be made at the same time as an application for a section 4 certificate or subsequently while the section 4 certificate remains valid.

(3) An application for a European Firearms Pass shall be made by the filing of an application in writing in such form as may be specified by the Minister and the payment of a fee of £20.

(4) Where a Member State has prohibited the movement of a particular type or category of firearm or ammunition into its jurisdiction, the following shall apply-

(a) the Commissioner of Police, at the time of issue of the European Firearms Pass, shall include in that Pass an express statement to the effect that the firearm may not be transferred to that particular Member State; and

(b) the holder of the European Firearms Pass shall not transfer or attempt to transfer the relevant firearm to that Member State.

(5) Where the prior consent of a Member State is required before the transfer of a particular category of firearm into its jurisdiction, the following shall apply-

(a) the Commissioner of Police, at the time of issue of the European Firearms Pass, shall include in the Pass an express statement to the effect that the firearm may not be transferred to that particular Member State without that prior consent; and

(b) the holder of the European Firearms Pass shall not transfer or attempt to transfer the relevant firearm without the prior consent of that Member State.

**Form of the European Firearms Pass.**

22.(1) The Commissioner of Police shall issue the European Firearms Pass in Gibraltar in accordance with the model set out in Schedule 2.

(2) The Minister may amend, modify, revoke or substitute Schedule 2 by notice in the Gazette.

**Validity of European Documents.**

23.(1) The period of validity of a European Firearms Pass issued under regulation 21 shall be whichever is the shortest in time of the following-

(a) the period ending on the expiry of a certificate in respect of a firearm identified in the European Firearms Pass; or

(b) the maximum period for the duration of the European Firearms Pass.

(2) For the purposes of subregulation (1), the maximum period for the duration of a European Firearms Pass shall be 3 years.

**Renewal of a European Firearms Pass.**

24.(1) Where, in relation to a firearm-

(a) the Commissioner of Police has issued a section 4 certificate and a European Firearms Pass; and

(b) the section 4 certificate remains valid but the European Firearms Pass is due to expire,

an application for the renewal of the Pass may be made to the Commissioner of Police by the holder of the section 4 certificate.

(2) Where-

(a) a European Firearms Pass has been issued in respect of and identifies more than one firearm; and

(b) a section 4 certificate issued in respect of any of those firearms has expired or is due to expire,

the Commissioner of Police may renew the Pass but only in respect of those firearms for which a section 4 certificate continues to be valid, and he shall amend the Pass accordingly by deleting references to the firearm in respect of which the relevant section 4 certificate has expired or is due to expire.

(3) Where, on an application to the Commissioner of Police, under subregulation (1) or (2)-

(a) the European Firearms Pass in question is produced to him; and

(b) a section 4 certificate in respect of a firearm identified in the Pass has been renewed or remains valid beyond the date on which the Pass would otherwise expire,

he shall renew that pass, subject to any amendments required under subregulation (2), for the shorter of the periods referred to in regulation 23.

(4) Where a European Firearms Pass ceases to be valid in accordance with these Regulations, the Commissioner of Police may, by notice in writing, require the holder, within 21 days of the date of that notice, to deliver the European Firearms Pass to him, and where the person fails to deliver the Pass in accordance with the notice, he commits an offence and is liable-

(a) on summary conviction, to imprisonment for six months or to a fine at level 3 on the standard scale, or both;

(b) on indictment, to imprisonment for two years or a fine, or both.

**Variation, endorsement, etc. of a European Firearms Pass**

25.(1) Where-

(a) a section 4 certificate in respect of a firearm identified in a European Firearms Pass has been issued, varied, revoked or cancelled;

(b) the Commissioner of Police receives information that details contained in a European Firearms Pass need to be modified by addition, deletion or variation; or

(c) the holder of a European Firearms Pass makes an application to have particulars of another firearm added to the European Firearms Pass,

the Commissioner of Police shall make such amendments to a European Firearms Pass as are appropriate and may, where he considers it appropriate, revoke the European Firearms Pass.

(2) For the purposes of complying with his duty under subregulation (1), the Commissioner of Police may, by notice in writing, require the holder to produce the European Firearms Pass to him within 21 days from the date of the notice, and where the person fails to comply with the notice, he commits an offence and is liable, on summary conviction, to a term of imprisonment for 3 months or a fine at level 5 on the standard scale, or both.

**Additional permission for Category B firearms: visitor's permit for possession**

26.(1) In addition to the requirements of regulation 20, a person seeking to temporarily transfer into Gibraltar a firearm classified in Category B of the Schedule must obtain, prior to arrival in Gibraltar, a visitor's permit for possession issued under this regulation.

(2) The holder of a visitor's permit for possession may, without holding a section 4 certificate, have in his possession a Category B firearm and ammunition for such a firearm in Gibraltar.

(3) The Commissioner of Police may, on an application in such form as the Minister may specify, grant a visitor's permit for possession under this regulation if he is satisfied that the applicant-

(a) is due to visit Gibraltar for a specific period; and

(b) has a good reason for having any firearm and the ammunition to which the permit relates in his possession while he is a visitor to Gibraltar.

(4) An application may be made for the grant of not more than 20 permits in respect of persons specified in a single application (a "group application") where it is shown to the satisfaction of the Commissioner of Police that their purpose for having the firearms in question in their possession while visiting Gibraltar is-

(a) to use them for sporting purposes on the same private premises during the same period; or

(b) to participate in the same competition or event or the same series of competitions or events.

(5) The inclusion of a person in a group application does not affect the individual nature of each permit granted on a group application.

(6) The Commissioner of Police shall not grant a permit if he has reason to believe-

(a) that the possession of the firearms or ammunition in question would represent a danger to the public safety, to the public order or to the peace; or

(b) that the applicant is, or would be, prohibited by or under the Firearms Act from possessing the firearm or ammunition.

(7) A permit granted under this regulation shall-

(a) be in such form as the Minister may specify;

(b) be subject to such conditions as the Commissioner of Police may specify; and

(c) specify the number and description of the firearms to which it relates, including their identification numbers and, in respect of ammunition, the quantities authorised to be held at any one time.

(8) The Commissioner of Police may, by notice in writing to the holder, vary the conditions subject to which the permit is issued.

(9) A permit under this regulation shall come into force on such date as is specified in it and continue in force for the period specified, not exceeding twelve months.

(10) Where the Commissioner of Police grants a permit under this regulation, he shall inform the Member State of the permit holder's residence.

(11) There shall be payable on the grant of a permit under this regulation a fee of £50 except that where six or more permits are granted on a group application the fee shall be £250 in respect of those permits taken together.

(12) A person commits an offence if he-

(a) knowingly and wilfully makes a statement which is false in a material particular for the purpose of procuring the grant of a permit under this regulation; or

(b) fails to comply with a condition subject to which such permit is held by him;

and is liable on summary conviction to a term of imprisonment of 3 months or a fine at level 3 on the standard scale, or both.

**Handing over or temporary transfer of a firearm in certain circumstances.**

27.(1) Notwithstanding any provision restricting the transfer of firearms, a firearm may be temporarily transferred—

(a) from a section 4 certificate holder in Gibraltar to a registered firearms dealer established in a Member State; or

(b) from a person in a Member State to a registered firearms dealer registered in Gibraltar,

for the sole purpose of having the firearm cleaned, lawfully converted, repaired, or deactivated.

(2) A transfer under subregulation (1) shall be permitted only where-

(a) the firearm remains at all times in the custody or control of a firearms dealer, licensed in Gibraltar or in a Member State, acting in the course of that dealer's professional activities;

(b) the transfer is temporary and the firearm is returned to the lawful owner or otherwise lawfully disposed of upon completion of the authorised work; and

(c) the transfer complies with any notification, authorisation, or record-keeping requirements imposed under the Firearms Act, these Regulations or the applicable law of the receiving jurisdiction.

(3) The Minister or the Commissioner of Police, as the case may be having regard to the classification of the firearm, may impose such conditions as are considered necessary in relation to security, transport, duration, documentation and verification of the purpose of the transfer.

(4) Nothing in this regulation shall be taken to authorise-

(a) the sale, permanent transfer, or change of ownership of the firearm; or

(b) the possession of the firearm by any person other than a registered firearms dealer acting in accordance with this regulation.

**Lost or stolen firearm.**

28. (1) Where a firearm identified in a valid European Firearms Pass is lost or stolen, the holder of the pass shall immediately-

(a) inform the Commissioner of Police of the loss or theft; and

(b) produce the European Firearms Pass to the Commissioner of Police for the endorsement of particulars of the loss or theft.

(2) Where a firearm to which an endorsement under subregulation (1) relates is returned to the possession of the holder of the European Firearms Pass concerned, the Commissioner of Police, upon the production to him of the Pass, shall make such endorsement as may be appropriate.

(3) A person who fails to comply with this regulation commits an offence and is liable, on summary conviction to imprisonment for three months or a fine at level 3 on the standard scale, or both.

**Appeals.**

29.(1) A person aggrieved by a decision of the Commissioner of Police under these Regulations to—

(a) refuse to grant, issue, renew, vary or amend a permit, a Consent to Purchase Document or a European Firearms Pass;

(b) revoke, cancel, vary or amend a document referred to in paragraph (a); or

(c) impose a condition in relation to any of the documents referred to in paragraph (a),

may appeal to the Magistrates' Court in accordance with Schedule 1 to the Firearms Act as if the decision were a decision of the Commissioner of Police appealable under section 4 of that Act.

(2) A person aggrieved by a decision of the Minister under these Regulations may appeal to the Magistrates' Court in accordance with Schedule 1 to the Firearms Act, and for that purpose Schedule 1 shall apply with the necessary modifications and as if—

(a) references to the Commissioner of Police were references to the Minister;

(b) references to a certificate or register were references to the permit, authorisation, consent, document or other matter which is the subject of the appeal; and

(c) references to the decision of the Commissioner of Police were references to the decision of the Minister.

(3) No appeal lies against a decision of the Commissioner of Police under regulation 25 to amend a European Firearms Pass where the amendment gives effect to—

(a) the issue, variation, revocation or cancellation of a section 4 certificate;

(b) the correction of an error or omission; or

(c) the amendment is required further to information the Commissioner has received from a competent authority of a Member State.

## SCHEDULE 1

## CATEGORISATION OF WEAPONS IN ACCORDANCE WITH THE FIREARMS DIRECTIVE

I. For the purposes of these Regulations,

'weapon' means:

— any firearm as defined in Article 1 of the Firearms Directive,

— weapons other than firearms as defined in the Firearms Act.

II. For the purposes of these Regulations, firearms are classified in the following categories:

Category A – Prohibited firearms

1. Explosive military missiles and launchers.

2. Automatic firearms.

3. Firearms disguised as other objects.

4. Ammunition with penetrating, explosive or incendiary projectiles, and the projectiles for such ammunition.

5. Pistol and revolver ammunition with expanding projectiles and the projectiles for such ammunition, except in the case of weapons for hunting or for target shooting, for persons entitled to use them.

6. Automatic firearms which have been converted into semi-automatic firearms, without prejudice to Article 10(5).

7. Any of the following centre-fire semi-automatic firearms:

(a) short firearms which allow the firing of more than 21 rounds without reloading, if:

(i) a loading device with a capacity exceeding 20 rounds is part of that firearm; or

(ii) a detachable loading device with a capacity exceeding 20 rounds is inserted into it;

(b) long firearms which allow the firing of more than 11 rounds without reloading, if:

(i) a loading device with a capacity exceeding 10 rounds is part of that firearm; or

(ii) a detachable loading device with a capacity exceeding 10 rounds is inserted into it.

8. Semi-automatic long firearms, that is to say firearms that are originally intended to be fired from the shoulder, that can be reduced to a length of less than 60 cm without losing functionality by means of a folding or telescoping stock or by a stock that can be removed without using tools.

9. Any firearm in this category that has been converted to firing blanks, irritants, other active substances or pyrotechnic rounds, or into a salute or acoustic weapon.

Category B – Firearms subject to authorisation

1. Repeating short firearms.

2. Single-shot short firearms with centre-fire percussion.

3. Single-shot short firearms with rimfire percussion the overall length of which is less than 28 cm.

4. Semi-automatic long firearms the loading device and chamber of which can together hold more than three rounds in the case of rimfire firearms, and more than three but fewer than twelve rounds in the case of centre-fire firearms.

5. Semi-automatic short firearms other than those listed under point 7(a) of category A.

6. Semi-automatic long firearms listed under point 7(b) of category A the loading device and chamber of which cannot together hold more than three rounds, where the loading device is detachable or where it is not certain that the weapon cannot be converted, with ordinary tools, into a weapon the loading device and chamber of which can together hold more than three rounds.

7. Repeating and semi-automatic long firearms with smooth-bore barrels not exceeding 60 cm in length.

8. Any firearm in this category that has been converted to firing blanks, irritants, other active substances or pyrotechnic rounds, or into a salute or acoustic weapon.

9. Semi-automatic firearms for civilian use which resemble weapons with automatic mechanisms other than those listed under point 6, 7 or 8 of category A.

Category C – Firearms and weapons subject to declaration

1. Repeating long firearms other than those listed in point 7 of category B.

2. Long firearms with single-shot rifled barrels.

3. Semi-automatic long firearms other than those listed in category A or B.

4. Single-shot short firearms with rimfire percussion the overall length of which is not less than 28 cm.

5. Any firearm in this category that has been converted to firing blanks, irritants, other active substances or pyrotechnic rounds, or into a salute or acoustic weapon.

6. Firearms classified in category A or B or this category that have been deactivated in accordance with Implementing Regulation (EU) 2015/2403.

7. Single-shot long firearms with smooth-bore barrels placed on the market on or after 14 September 2018.

III. For the purposes of this Schedule, objects which correspond to the definition of 'firearm' shall not be included in that definition if they:

(a) are designed for alarm, signalling, life-saving, animal slaughter or harpoon fishing or for industrial or technical purposes provided that they can be used for the stated purpose only;

(b) are regarded as antique weapons where such weapons have not been included in the categories set out in Part II and are subject to the Firearms Act.

Pending coordination throughout the Union, Member States may apply their national laws to the firearms listed in this Part.

IV. For the purposes of this Schedule:

(a) 'short firearm' means a firearm with a barrel not exceeding 30 centimetres or whose overall length does not exceed 60 centimetres;

(b) 'long firearm' means any firearm other than a short firearm;

(c) 'automatic firearm' means a firearm which reloads automatically each time a round is fired and can fire more than one round with one pull on the trigger;

(d) 'semi-automatic firearm' means a firearm which reloads automatically each time a round is fired and can fire only one round with one pull on the trigger;

(e) 'repeating firearm' means a firearm which, after a round has been fired, is designed to be reloaded from a magazine or cylinder by means of a manually-operated action;

(f) 'single-shot firearm' means a firearm with no magazine which is loaded before each shot by the manual insertion of a round into the chamber or a loading recess at the breech of the barrel;

(g) ‘ammunition with penetrating projectiles’ means ammunition for military use where the projectile is jacketed and has a penetrating hard core;

(h) ‘ammunition with explosive projectiles’ means ammunition for military use where the projectile contains a charge which explodes on impact;

(i) ‘ammunition with incendiary projectiles’ means ammunition for military use where the projectile contains a chemical mixture which bursts into flame on contact with the air or on impact.

## SCHEDULE 2

## EUROPEAN FIREARMS PASS

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

Dated: 14th July 2026.

N. FEETHAM KC,
Minister with responsibility for Justice,
For the Government.

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**EXPLANATORY MEMORANDUM**

These Regulations implement, in part, Article 63 and paragraph 3 of Annex 9 to the Agreement in respect of Gibraltar between the European Union and the European Atomic Energy Community of the one part and the United Kingdom of Great Britain and Northern Ireland of the other.