

# Firearms Licensing: Planning for Bereavement (Certificate Holders)



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## Thinking Ahead

As a certificate holder, you will be fully aware of the legal requirements that come with possessing firearms or shotguns. However, upon the death of a certificate holder, families and loved ones can often be left feeling confused and overwhelmed about what the certificate holder has left behind and what they should do next. This guide is designed to help you consider what you can do to help provide some peace of mind and direction to your loved ones at a difficult time.

It is really important that you speak to your loved ones now, so they know what you want to happen with your guns, and what they will need to do after you are gone, so they can ensure your guns are dealt with safely and legally.

It is recommended that you sit down with your family and write a letter or note, explaining it as you go. This letter should have all the key information that your family will need when they find themselves having to deal with your guns. It is vitally important that any letter you prepare also reflects what you have decreed in your will as it is the will which will ultimately be used to distribute your estate as that will always take precedence after you are gone. You should document information based on the sections of guidance below.

## Your Options

What would be your preferred option in respect of the guns? These options could include:

- Selling them to an individual of your choosing;
- Selling them to a Registered Firearms Dealer;
- Placing them with an Auction House;
- Gifting them to a member of the family or a friend who can legally possess them;
- Gifting them to a member of the family or a friend who CANNOT legally possess them (although this person will require to have them stored legally elsewhere until such times that they hold a certificate to legally possess them);
- Gifting them to a shooting club or museum;
- Having the guns deactivated by a gunsmith; or



- Having the guns destroyed.

## Important Information to Capture

Your instructions should detail all firearms and shotguns held, including:

- The serial numbers of each gun, so your family know exactly which gun is which;
- What ancillaries (e.g. riflescopes, fittings, slings, etc.) go with each gun;
- The estimated value of the individual guns, so if your family are to sell them, they know they are not being taken advantage of;
- Make a note of where your guns are, if they are not held in your own cabinet. Your family may not know you share them with a friend or keep them at your shooting club; **DO NOT INCLUDE ANY INFORMATION WHICH UNDERMINES THE CURRENT SECURITY OF YOUR GUNS**
- Details of the Firearms Licensing Office you deal with, along with the telephone number and email address;
- Provide a note of your certificate numbers, and a copy of them if you are able to. The originals will be taken by the police, so it's good to have a note of them;
- Detail any plans you have already put in place in terms of your guns. Have you arranged a family member or friend, who can legally possess them, to take ownership of the guns in the short term until things are sorted? Is there a Registered Firearms Dealer arranged who can take possession and store the guns until your next of kin makes a decision about them (remember there may be a cost for storage)? Make sure you provide contact details and make sure beforehand, if it is a friend or loved one, they can legally possess the guns on their existing certificate.
- Sign and date the letter. Make your family aware of its existence, and where to find it in the event of your death.



## Temporary Permits

Alternatively, you could suggest to someone within the family, or a friend, to apply for a temporary permit under Section 7 of the Firearms Act 1968. This gives them the legal authority to hold your guns while they manage their disposal. This is a big responsibility for anyone at such a time, so please speak to them beforehand. The Police will need to quickly assess their suitability and make sure that should the permit be granted, there is no danger to public safety or to the peace. Please consider this yourself and think about how your death may affect the individual taking on this responsibility.

## Security and Access

The security of your guns will always have been a key priority for you, and this will have included tightly controlling the access to your guns. However, after your death, your family will need to get access to them. To achieve this safely, options for you to consider include:

- Sharing your guns with another certificate holder prior to your death. This would allow that other person to be made aware of the location of security keys or the number to the safe as they share the guns and security with you;
- If you have notified Police where keys are stored, have your family contact them to identify what information you provided at your last renewal to the Firearms Enquiry Officer.

## Gifting Guns to Another Person

As you will be aware, the law is quite strict in terms of the reasons why someone can possess firearms and shotguns. Although shotgun certificates allow for the possession of guns under their certification for sentimental reasons, a firearm certificate does not. Simply inheriting a firearm is not good reason to be provided with a firearm certificate. The person who inherits the firearm, will have to apply for a firearm certificate when they have a good reason to possess it. The person who inherits the firearm may only take possession of the firearm when he or she has a certificate which authorises possession for the particular firearm.



If you have someone in mind, please talk to them. It may be worthwhile for them to start gaining experience in safe shooting and making an application prior to your death. This way you can teach and support them and will be confident in them as future certificate holders and worthy individuals to have possession of your prized guns. Please consider these individuals and how they will cope in the time following your death. Guns can only be held where there is no risk of danger to public safety or to the peace, so you have to consider if they would be capable of supporting your wishes in the time following your death. If they are unable to, it does not mean they cannot have the guns in the future - it just means that in the short term, the guns cannot be with them and arrangements will have to be made as to what to do with the guns until they are ready to take possession of them.

Further information on applying for a certificate is available here: [Devon and Cornwall Police – Firearms Licensing](#)

## Conclusion

We understand that planning for these circumstances is never easy. However, by following this guidance, and making your family and friends aware of your plans, you can continue to be there for them after you are gone. This will help them stay both safe and legal and give them the peace of mind that they are doing all they can to carry out your wishes.