

Weaponry Hire at the Altrincham Garrick

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This document details regulations covering weapons and how it effects TV, Video and Filming - both indoors and outdoors.

Satisfy us of Your Credentials

Note that the Altrincham Garrick will only hire weaponry after you have provided sufficient information to satisfy us that the weaponry is in the script and/or is necessary to satisfy the filming. In certain circumstances, we will also require Proof of Police Clearance.

The Violent Crime Reduction Act 2006

This Act tightened up many aspects of “Real Guns and Real Weapons”.

The latest legislation covering weapons has also simplified several of the previous restrictions for “Non-Practical” Weapons. You should carefully read and understand the definitions and the notes in this document.

This act, while referring to both the existing Firearms Regulations and the Criminal Justice Act, specifically allows a “**defence in law**” for the use of deactivated, replica, prop and blank firing guns, together with blunted swords and knives, in Film and TV situations ... provided they are in a “closed environment”.

The situation (as we understand it) for “Non-Practical Weapons” is as follows.

Guns

Any item having the “external appearance” of a gun is now considered to be a “realistic imitation firearm”.

It doesn't matter whether it is plastic, alloy, a cap gun, a deactivated gun, an imitation gun, a prop gun, a dummy gun, a water pistol, a gun made by your props team, whether blank-firing or otherwise, in fact anything having the “external appearance” of a gun. If it is good enough to give the appearance of a gun to an on-looker, then in the Act it is a “Realistic Firearm”.

1. Realistic firearms can be used in a closed environment, where you can prove that they are being used for the purposes of filming. A closed environment includes film studios and any enclosed space from which members of the public are excluded.
2. Realistic firearms are banned “in all public places”.

However this Act provides a legal defence in law if you can prove that they are

“required and necessary” for a specific production. (Section 37 Paragraph 238).

We strongly advise that, if you plan to use our guns in a public place, you prove to yourselves and set down in writing the need for such guns, so as to have this available should you be requested. (For example, you could refer to the actual pages in the script.)

Weapons

The act also covers edged weapons, swords, daggers, knives, spears, pikes, halberds, in fact anything that could be said to have an “edge or point”.

The act does not define “edge or point” nor does it define “the material” the weapon is made of. It could be interpreted that a wooden or plastic sword is a “Weapon”.

1. All these items can be used in a closed environment as detailed above in the Guns section.
2. All these items are banned “in all public places”.

However, again there is a legal defence for these Weapons, but the wording differs from the Guns section above.

The legal defence in the law for Weapons is for you to **prove** that they are “required and necessary” for the purposes of “filming and rehearsals”. (Section 43 Paragraph 259).

Note the differences in the wording, “rehearsals” are not mentioned in the Guns section. We therefore assume that (in a public place) guns must not be used for rehearsals, only for the actual filming. Whereas swords can also be used for rehearsals.

We again strongly advise that you prove to yourselves and set down in writing the need for such weapons, so as to have this available on request.

What do you need to do if in a “public space”?

You must check to ensure that you do not have any imitation firearms or other weapons in an “unguarded state”. This includes even toy guns and plastic swords.

In practice this means those items must be constantly in the possession of the relevant actor, or under the supervision of the Props Department. All these items should be locked away whenever not needed, and always be in the charge of someone over 18 years of age.

When you identify any guns or weapons in the script, you must determine if they are for display (set-dressing / costume-dressing only) or if they are practical (blank-firing guns or fighting weapons). If they are practical, more rules apply.

For each practical “weapon” used in a public space you must carry out a written Risk Assessment.

Extra rules in addition to the new Act

Situations Not Fitting into the Above Scenarios

In addition to the rules set out below, it is almost certain that all weapons will be classed as “accompanied weapons” - ie they must never leave the possession/sight of the nominated person. In all probability they will be classed as Home Office Section 5.

Outdoors and in any Public Place

You must have written permission from the Police. The Police must be notified “prior” to any weapons being used - or even carried - outdoors.

(Note that if a member of the public phones the Police to say “I can see someone with a gun” or “I heard a gun shot”, you are likely to get a visit from the full Armed Response Unit.)

Security

The Police will also want reassurance about security of weapons when not actually in use on set. They must not be left with the actors - they must be booked in and out of the secure area. It has been established that locking weapons inside a vehicle is not a “secure area”.

Blank-firing guns

These are covered by the above guidelines, but will require additional disclaimers regarding the actual venue and all use of these outdoors will have to have Police Clearance.

Edged weapons used for “fighting”

The actual weapons are covered by this Act’s regulations, but their use is not. See the HSE publication *Weapons In Productions*.

All fighting swords/weapons must be supplied through a registered Fight Arranger, who will not only supply the swords, but also have the necessary personal and product liability insurance cover. It is not possible to hire “fighting weapons” without going through a Fight Arranger.

People under 18 years of age

The Act specially refers to young people and defines maximum sentences for offences.

Risk Assessments

These are required. You should refer to the HSE publication *Management of Firearms and Other Weapons In Productions* HSE Ref ETIS20 10/03 C150.

Section 5 Items

These can only be supplied through a full Section 5 Authority Armourer.

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Section 5 covers amongst almost everything except “Non Practical weapons” as above: ”real guns”, sword sticks, practical swords and knives, banned weapons (e.g. flick knives and expanding batons). Police notification will still be required, but we assume that this should be arranged through the armourer.

Summary

In many ways this Act simplifies previous regulations, for indoor “closed set” filming, for non-practical, replica and similar weapons, particularly in relation to edged weapons.

There had previously been contradictory rules between the Firearm Regulations and the Criminal Justice Act. This has been simplified under one piece of legislation.

However this Act is more rigorous for “Outdoors and/or in any Public Place”.

Note: a “public place” is any place where any person other than the Filming Staff have access.

The new Act is more pedantic in its interpretation of “proof of need”.

- It is now illegal to have in your possession “in a public place” any gun or something having the external appearance of a gun, or any sword, knife, etc even if they are made of plastic, wood, etc.
- You can only “prove a defence” under the Act if the items are actually being used in Filming **and** are detailed in the script.

Conclusion

These guidelines have been prepared in good faith by the Altrincham Garrick for your benefit. It is intended to be a brief summary, rather than a full detailed document of everything to do with weapons.

For legal interpretation please refer to the *Violent Crime Reduction Act 2006*, the various Acts covering guns and firearms, the *Criminal Justice Acts* and the HSE publication *Weapons in Productions*.

Staff at the Altrincham Garrick will be pleased to discuss weapons in our hire stock in connection with this Act.