

## VCR Bill – Airsoft defence

Attendees: [REDACTED] (Chair), [REDACTED]

Apologies: [REDACTED]

The Chairman began by stating that although there will not be a defence on the face of the Bill for the manufacture, sale and import of realistic imitation firearms used in airsoft skirmishing, the Bill does contain a regulation making power through which a defence (rather than an exemption) will be made for airsoft. He added that Royal Assent was likely to be in early November but the controls on realistic imitations were not likely to be commenced until early spring. The Chairman added that the Government does not want to cut across 'best practice' and are supportive of self regulatory provisions. Proportionality is important.

### Definition of airsoft skirmishing

The Chairman asked if there was a simple definition and made it clear that the Government wished to distinguish this from re-enactment. [REDACTED] described what skirmishing involved, that it was not just military simulation, but also role play. [REDACTED] suggested that skirmishing was not a sport but a game and the Chairman asked whether 'organized airsoft games' would be a sufficient description. [REDACTED] suggested that this definition would cover a lot of airsoft activities organized on site by site owners which are generally based on military and law enforcement themes.

[REDACTED] suggested the following wording to describe skirmishing:

*The organized enactment of military and law enforcement scenarios using airsoft replicas*

It was agreed that this was a good basis for the definition and [REDACTED] agreed to amend the wording and notify the Home Office.

Action: [REDACTED] to confirm wording by the end of November.

### Insurance

The Chairman asked if third party insurance was necessary for site operators. [REDACTED] confirmed that where land is let out third party insurance is necessary to cover the land owner, but in other cases third party cover is not necessary. He added that the insurance details do not describe the activity.

The Chairman stated that in terms of a definition in the regulations that we wanted to exclude those who were non-genuine airsofters. Ideally the definition would cover genuine re-enactors on an insured ground who were members of an insured organization. [REDACTED] added that defining membership is difficult (in terms of confirming whether someone is a genuine

airsofter). The Chairman suggested, however, that the insurance 'test' was viable as an insurer would be unlikely to cover a badly organized site and an insurance grant suggests that the club is serious. The Chairman went on to suggest that members belonging to clubs which have been granted insurance could be considered bona fide airsofters by sellers. [REDACTED] added that to get insurance clubs needed to show that they were properly run, for example, if under 18s take part the club needs to have a proper child protection policy.

[REDACTED] asked if there were lower limits on insurance and what the payment was for the clubs. [REDACTED] confirmed that this was £1million and around £7,000-8,000 per annum for the clubs' fees. [REDACTED] and the Chairman agreed that this was a high enough rate to suggest that only serious clubs would insure themselves and receive cover.

### **Proof of buyers' membership**

The Chairman confirmed that this is not something that we'd need to address on the face of the Regulations. [REDACTED] suggested that there were practical matters that needed resolving to determine, from a retailer or seller's point of view, whether a buyer was a genuine airsofter. The Chairman suggested that where there was a bulk sale to a recognized club that membership queries would probably be unlikely to arise. However, where there was a sale to a single person the retailer would require proof from the buyer, for example a membership card, to show that they were a genuine member of a genuine club.

[REDACTED] recognized that it would be up to the retailer to satisfy themselves that the person was legitimate. A national scheme would have to find a way of recognizing membership and legitimate airsofters would have to protect themselves.

### **'Best Practice' for retailers**

[REDACTED] expressed concern over UKARA's responsibility to inform retailers of requirements under the regulations. The Chairman recognized that UKARA could only inform its members about the effect of regulations made under the Bill and was prepared to involve other organization in discussions if necessary.

### **Under 18s**

[REDACTED] asked if there were many players under eighteen. [REDACTED] and [REDACTED] confirmed that there are a significant number. [REDACTED] and the Chairman clarified that while the regulations prevent the sale direct to under 18s that they did not prevent under 18s from playing or owning airsoft guns. [REDACTED] explained that under 18 membership would contain the parents' consent. The Chairman added that it wouldn't be lawful for a tackle shop to sell to a child with a membership card.

Procedure around internet sales to minors is something that also needs to be resolved among airsofters. As a starting point, [REDACTED] suggested that sales to under 18s on the internet could be resolved by having the airsoft gun sent to a club.

### **Imports: Foreign players and weapon power**

Some games were played by foreign players here. The Chairman stated that the bill banned the import of realistic imitations and asked how the defence could be applied to foreign players. [REDACTED] suggested that they'd have to show evidence that they were in the UK for a specific event at a specific recognized airsoft site.

[REDACTED] suggested that for British Citizens going abroad and returning to the UK that they should take a membership card or a skirmishing card to demonstrate why they are 'importing' realistic imitations into the UK. [REDACTED] suggested that as these would be for personal use, it should be sufficient for airsofters to show their membership card to Customs.

### **Imports: Sales**

For retailers to benefit from the defence, the Chairman suggested that it would probably be sufficient to show an order book to Customs showing the consignment. [REDACTED] suggested the retailer would have to prove that they had membership of a legitimate organization. [REDACTED] suggested that proof of UKARA membership might be one way of establishing this. If particular retailers became well known as importers it would probably become easier over time. The Chairman suggested that it may be an idea to invite Customs and the Gun Trade Association to future meetings.

The Chairman asked whether there were any wholesalers. [REDACTED] confirmed that the vast majority of retailers imported directly and wondered if a system could be established through which Customs could establish whether an import was a legitimate shipment.

### **Second hand sales**

As for first time sales, the seller has to be satisfied that the buyer is genuine.

### **Manufacturers**

Will have to show that they have orders.

### **Practical pistol/Target Skirmishing**

The Chairman confirmed that this activity will not be covered by the defence.

[REDACTED] pointed out that there was an increasing number of former hand gun owners participating in this area and that they would therefore have to use non-realistic imitation airsoft guns.

## **Actions**

[REDACTED], [REDACTED] and [REDACTED] to confirm the definition of airsoft for the regulations by the end of November. As of 23<sup>rd</sup> October, this was defined as the "Organized enactment of military and law enforcement scenarios using airsoft replicas".

[REDACTED] to send best practice information on retail to [REDACTED] and [REDACTED].