

## SCHEDULES

### SCHEDULE 5

#### AMENDMENTS OF THE FIREARMS (NORTHERN IRELAND) ORDER 2004

##### Part 2

##### Firearm certificates and other certificates

###### *Variation of firearm certificate*

**3.—(1)** In Article 11 (variation of firearm certificate), for paragraphs (3) to (5) substitute—

“(3) If a person—

- (a) sells a firearm (“the first firearm”) to the holder of a firearms dealer’s certificate (“the dealer”); and
- (b) as part of the same transaction purchases from the dealer another firearm (“the second firearm”); and
- (c) paragraph (4) applies,

the dealer may, on payment of the appropriate fee, vary that person’s firearm certificate by substituting the second firearm for the first firearm.

(4) This paragraph applies—

- (a) if both the first firearm and the second firearm are shotguns; or
- (b) if—
  - (i) the second firearm is of the same type and calibre as the first firearm; and
  - (ii) neither firearm is a prohibited weapon or a shotgun; or
- (c) if—
  - (i) the first firearm is a rifle of a description mentioned in the first column of Schedule 1A; and
  - (ii) the second firearm is a rifle of a calibre specified in relation to the same Band of Schedule 1A as the calibre of the first firearm; and

- (iii) neither firearm is a prohibited weapon, a muzzle-loading firearm as defined in Article 45(9) or a shotgun; and
  - (iv) the second firearm will not be of the same calibre as any other firearm to which the firearm certificate relates; and
  - (v) the firearm certificate is not held subject to a condition that the first firearm may be used only for the purposes of target shooting.
- (5) If a person—
- (a) sells or transfers a firearm to the holder of a firearms dealer’s certificate (“the dealer”); and
  - (b) does not as part of the same transaction purchase or acquire from the dealer another firearm,
- the dealer may, on payment of the appropriate fee (if any), vary that person’s firearm certificate by deleting that firearm.
- (6) Where the holder of a firearms dealer’s certificate (“the dealer”) varies a firearm certificate under this Article, the dealer shall—
- (a) notify the Chief Constable of the variation within 72 hours of the variation being made; and
  - (b) where the dealer receives the fee for varying the certificate, pay it to the Chief Constable.
- (7) A person who fails to comply with paragraph (6)(a) shall be guilty of an offence.
- (8) Schedule 1A (relevant firearms for Article 11(4)(c)) shall have effect.
- (9) The Department of Justice may make regulations amending Schedule 1A if a draft of the regulations has been laid before, and approved by resolution of, the Assembly.”.
- (2) After Schedule 1 insert—

## “SCHEDULE 1A

Article 11(8)

## Relevant firearms for Article 11(4)(c)

| BAND                       | CALIBRE    |
|----------------------------|------------|
| 1. Small quarry air rifles | .177       |
|                            | .20        |
|                            | .22        |
|                            | .25        |
| 2. Small quarry            | .17 Mach 2 |

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*Status: This is the original version (as it was originally enacted).*

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| BAND                        | CALIBRE                             |
|-----------------------------|-------------------------------------|
| 3. Medium quarry            | .17 HMR (Hornady Magnum Rimfire)    |
|                             | .22 LR (Long Rifle)                 |
|                             | .22 WMR (Winchester Magnum Rimfire) |
|                             | .17 Hornet                          |
|                             | .17 Remington                       |
|                             | .17 Remington Fireball              |
|                             | .22 Hornet/5.6x36Rmm                |
|                             | .222 Remington                      |
|                             | .204 Ruger                          |
|                             | .223 Remington/5.56x45mm            |
|                             | .220 Swift                          |
|                             | .22-250                             |
|                             | 4. Large quarry                     |
| .25-06                      |                                     |
| 6.5mm x 55/.256             |                                     |
| 7mm x 08 Remington          |                                     |
| .270                        |                                     |
| 7.62 x 51mm/.308 Winchester |                                     |
| .30-06”.                    |                                     |

(3) In Schedule 5 (table of punishments), after the entry relating to Article 10(3) insert—

|                |  |         |           |
|----------------|--|---------|-----------|
| “Article 11(7) | Failure of firearms dealer to notify Chief Constable of variation of firearm certificate | Summary | Level 3”. |
|----------------|--|---------|-----------|