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STATUTORY INSTRUMENTS

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**2004 No. 702**

**The Firearms (Northern Ireland) Order 2004**

**PART VII**

**ENFORCEMENT AND OFFENCES**

*Offences with firearms*

**Prohibition of possession, etc. of firearm by certain persons**

**63.**—(1) Subject to paragraph (7), a person who has been sentenced to—

- (a) imprisonment; or
- (b) detention in a young offenders centre,

shall not at any time purchase, acquire or have in his possession a firearm or ammunition unless the term of imprisonment or detention to which he was sentenced was less than three years.

(2) Subject to paragraph (7), a person who has been sentenced to—

- (a) imprisonment for a term of three months or more but less than three years; or
- (b) detention in a young offenders centre or a juvenile justice centre for such a term,

shall not at any time before the expiration of the period of eight years from the date of his conviction, purchase, acquire or have in his possession a firearm or ammunition.

(3) Subject to paragraph (7), while a person is prohibited by section 21 of the Firearms Act 1968 in Great Britain from having a firearm or ammunition in his possession, he shall also be prohibited from purchasing, acquiring or having in his possession a firearm or ammunition in Northern Ireland.

(4) Subject to paragraph (7), a person who has been sentenced to detention during the pleasure of the Secretary of State under Article 45(1) of the [Criminal Justice \(Children\) \(Northern Ireland\) Order 1998 \(NI 9\)](#) shall not purchase, acquire or have in his possession a firearm or ammunition.

(5) A person shall not, while he is subject to—

- (a) a recognizance to keep the peace or to be of good behaviour, a condition of which is that he shall not possess, use or carry a firearm;
- (b) a probation order containing a requirement that he shall not possess, use or carry a firearm, or
- (c) a licence under Article 46 of the [Criminal Justice \(Children\) \(Northern Ireland\) Order 1998](#),

purchase, acquire or have in his possession a firearm or ammunition.

(6) A person who contravenes any of the foregoing provisions of this Article shall be guilty of an offence.

(7) A person prohibited under paragraph (1), (2), (3) or (4) from purchasing, acquiring or having in his possession a firearm or ammunition may apply to the Secretary of State to remove the prohibition, and, if the application is granted, the prohibition shall not then apply to that person.

(8) A person who sells or transfers a firearm or ammunition to, or repairs, tests or proves a firearm or ammunition for, a person whom he knows or has reasonable ground for believing to be prohibited by this Article from purchasing, acquiring or having in his possession a firearm or ammunition, shall be guilty of an offence.

(9) In this Article “sentenced” means sentenced in any part of the United Kingdom.