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## STATUTORY INSTRUMENTS

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# 2004 No. 702

## The Firearms (Northern Ireland) Order 2004

### PART VIII

#### MISCELLANEOUS AND GENERAL

##### Application of Order to Crown servants

77.—(1) Articles 3 to 13 and paragraphs 1 and 4 of Schedule 1 apply, subject to the modifications specified in paragraph (2), to persons in the service of the Crown in their capacity as such so far as those provisions relate to the purchase and acquisition, but not so far as they relate to the possession, of firearms and ammunition.

(2) The modifications referred to in paragraph (1) are the following—

- (a) a person in the service of the Crown in right of Her Majesty's Government in the United Kingdom duly authorised in writing in that behalf may purchase or acquire firearms or ammunition for the public service without holding a firearm certificate;
- (b) a person in the service of the Crown in right of Her Majesty's Government in Northern Ireland duly authorised in writing by the [<sup>F1</sup>Department of Justice] may purchase or acquire firearms or ammunition for the public service without holding a firearm certificate;
- (c) a person in the armed forces shall, if he satisfies the Chief Constable on an application under Article 4 that he is required to purchase or acquire a firearm or ammunition for his own use in his capacity as such, be entitled without payment of any fee to the grant of a firearm certificate authorising the purchase or acquisition.

(3) For the purposes of this Article and section 7 of the Interpretation Act (Northern Ireland) 1954 (c. 33) (Crown not bound), the persons specified in paragraph (4) shall be deemed to be in the armed forces, in so far as they are not otherwise in the armed forces or treated as being in the armed forces.

(4) The persons referred to in paragraph (3) are the following—

- (a) members of any foreign force when they are serving with the armed forces;
- (b) members of any cadet corps approved by the Secretary of State when—
  - (i) they are engaged as members of the corps in, or in connection with, drill or target shooting; and
  - (ii) in the case of possession of prohibited weapons or prohibited ammunition when engaged in target shooting, they are on service premises; and
- (c) persons providing instruction to any members of a cadet corps who fall within subparagraph (b).

(5) In paragraph (4)—

“foreign force” means any of the naval, military or air forces of a country other than the United Kingdom; and

“service premises” means any place, including any ship or aircraft, used for any purpose of the armed forces.

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**Changes to legislation:** *The Firearms (Northern Ireland) Order 2004, Section 77 is up to date with all changes known to be in force on or before 24 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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**F1** Words in **art. 77(2)(b)** substituted (12.4.2010) by Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 9, **Sch. 11 para. 3(g)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**

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**Modifications etc. (not altering text)**

**C1** **Art. 77(3)** applied (6.4.2007 for specified purposes and 1.10.2007 to the extent not already in force) by Violent Crime Reduction Act 2006 (c. 38), ss. 51, 66(2), **Sch. 2 para. 14(4)**; S.I. 2007/858, **art. 2(j)(ii) (cc)**; S.I. 2007/2180, **art. 4(d)(ii)**

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**Changes and effects yet to be applied to the whole Order associated Parts and Chapters:**

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- art. 6(3A) inserted by [2019 c. 17 s. 62\(2\)](#)
- art. 6A inserted by [2019 c. 17 s. 62\(3\)](#)
- art. 11(1A) inserted by [2019 c. 17 s. 62\(4\)](#)