
STATUTORY INSTRUMENTS

2004 No. 702 (N.I. 3)

NORTHERN IRELAND

The Firearms (Northern Ireland) Order 2004

Made - - - - 10th March 2004

Coming into operation in accordance with Article 1

THE FIREARMS (NORTHERN IRELAND) ORDER 2004

PART I

INTRODUCTORY

1. Title and commencement
2. Interpretation

PART II

FIREARM CERTIFICATES, ETC.

Firearm certificates

3. Firearm certificate required
4. Application for firearm certificate
5. Grant of firearm certificate
6. Conditions
7. Grant of firearm certificate to young persons
8. Content and duration of firearm certificate
9. Revocation of firearm certificate
10. Consequences of revocation
11. Variation of firearm certificate
12. Certificate for prohibited weapon
13. Surrender etc. of firearms on expiration of firearm certificate

Museum firearms licences

14. Museum firearms licence

Visitor's firearm permits

15. Visitor's firearm permit
16. Revocation or variation of visitor's firearm permit

Status: This is the original version (as it was originally made).

Certificates granted in Great Britain, etc.

17. Firearm certificate or shotgun certificate granted in Great Britain
18. Air guns held without a firearm certificate in Great Britain

Issue, etc. of documents for European purposes

19. Issue of European firearms pass
20. Duration of European firearms pass
21. Renewal of European firearms pass
22. Article 7 authorities
23. Variation, endorsement, etc. of European documents

PART III

FIREARMS DEALERS

24. Firearms dealer's certificate required
25. Application for firearms dealer's certificate
26. Grant of firearms dealer's certificate
27. Conditions
28. Content and duration of firearms dealer's certificate
29. Revocation or variation of firearms dealer's certificate
30. Consequences of expiration or revocation of firearms dealer's certificate
31. Places of business: addition to certificate
32. Places of business: removal from certificate
33. Consequences where dealer convicted of an offence
34. Exemptions from Article 24 for auctioneers
35. Occasional permits
36. Revocation or variation of occasional permit

PART IV

CONTROL OF TRANSACTIONS

37. Business and other transactions with firearms and ammunition
38. Record of transactions in firearms
39. Transfers of firearms and ammunition to be in person
40. Notification of dealings involving firearms
41. Notification of loss, repair or deactivation of firearms, etc.
42. Notification of disposal or destruction, etc. taking place outside Northern Ireland
43. Purchase or acquisition of firearms in other member States
44. Firearms acquired for export

PART V

PROHIBITION OF CERTAIN WEAPONS AND CONTROL OF ARMS TRAFFIC

45. Weapons subject to general prohibition
46. Exemptions from requirement of authority under Article 45
47. Possession of firearms on service premises, etc.
48. Power to prohibit movement of firearms and ammunition

PART VI
FIREARMS CLUBS

49. Authorisation
50. Revocation or variation of authorisation
51. Power of entry

PART VII
ENFORCEMENT AND OFFENCES

Enforcement

52. Power of search with warrant
53. Powers of constables to stop and search
54. Production of firearms for ballistic and other tests
55. Production of certificates, etc.
56. Police powers in relation to firearms traffic
57. Seizure and detention of firearms and ammunition

Offences with firearms

58. Possession with intent
59. Use of firearm to resist arrest
60. Carrying firearm with criminal intent
61. Carrying or discharging firearm in a public place
62. Trespassing with firearm
63. Prohibition of possession, etc. of firearm by certain persons
64. Possession of firearm or ammunition in suspicious circumstances
65. Possession of loaded firearm while drunk or under influence of drugs
66. Supplying firearm or ammunition to person who is drunk, etc.
67. Conversion of weapons
68. Defences

General

69. Prosecution and punishment of offences
70. Minimum sentence for certain offences
71. Power by order to exclude application of minimum sentence to those under 18
72. Forfeiture and disposal of firearms; cancellation of certificate by convicting court
73. False statements

PART VIII
MISCELLANEOUS AND GENERAL

74. Appeal from decision of Chief Constable
75. Fees
76. Application of Order to imitation firearms which are readily convertible into firearms
77. Application of Order to Crown servants
78. Application of certain provisions of this Order to police
79. Delegation of functions
80. Regulations and orders

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

- 81. Saving and transitional provisions
- 82. Amendments and repeals
Signature

SCHEDULES

SCHEDULE 1 — FIREARM CERTIFICATES – EXEMPTIONS

Firearms dealers

- 1. (1) The holder of a firearms dealer’s certificate may, without...

Auctioneers, carriers and warehousemen

- 2. (1) A person carrying on the business of an auctioneer,...

Slaughter of animals

- 3. (1) A person licensed to slaughter animals may, without holding...

Equipment for ships and aircraft

- 4. (1) A person may, without holding a firearm certificate, have...

Sporting purposes

- 5. A person carrying a firearm or ammunition belonging to another...

Athletics meetings, etc.

- 6. A person may, without holding a firearm certificate, have a...

Firearms clubs

- 7. A member of a firearms club which is authorised under...

Recreational facilities

- 8. (1) A person may, without holding a firearm certificate, acquire...

Air guns and ammunition

- 9. (1) A person may, without holding a firearm certificate, have...

Rifles

- 10. (1) A person may, without holding a firearm certificate, borrow...

Shotguns

- 11. (1) A person may, without holding a firearm certificate, borrow...

Theatre and cinema

- 12. (1) A person taking part in a theatrical performance may,...

SCHEDULE 2 — FIREARMS AND AMMUNITION IN MUSEUMS

Introductory

1. (1) In this Schedule— “licence” means a museum firearms licence;...

Museum firearms licences

2. (1) The Secretary of State may, on an application in...

Variation and revocation

3. (1) The Secretary of State may by notice in writing...

Fees

4. The appropriate fee shall be payable on the grant of...

Offences and enforcement

5. (1) It shall be an offence for any of the...

SCHEDULE 3 — RECORD OF TRANSACTIONS

1. The quantities and descriptions of firearms and ammunition manufactured and...
2. The quantities and descriptions of firearms and ammunition purchased or...
3. The quantities and descriptions of firearms and ammunition accepted for...
4. The quantities and descriptions of firearms and ammunition sold or...
5. The quantities and descriptions of firearms and ammunition in possession...

SCHEDULE 4 — OFFENCES TO WHICH ARTICLE 59(2) APPLIES

1. The common law offence of rape.
2. Offences under any of the following provisions of the Offences...
3. Offences under section 7 of the Criminal Justice (Miscellaneous Provisions)...
4. Offences under any of the following provisions of the Criminal...
5. Offences under Article 172 of the Road Traffic (Northern Ireland)...
6. Offences under the Child Abduction (Northern Ireland) Order 1985 (NI...
7. Offences under section 123(1) of the Criminal Justice and Public...
8. Offences under section 66 of the Police (Northern Ireland) Act...
9. Offences under paragraph 4 of Schedule 11 to the Immigration...
10. Attempting to commit any offence specified in paragraphs 1 to...
11. Aiding, abetting, counselling or procuring the commission of any offence...

SCHEDULE 5 — TABLE OF PUNISHMENTS

SCHEDULE 6 — FEES

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

Firearm certificate

Museum firearms licence

Visitor's firearm permit

Firearms dealer's certificate

Firearms club

SCHEDULE 7 — CONSEQUENTIAL AMENDMENTS

Criminal Jurisdiction Act 1975 (c. 59)

1. In Schedule 1, for paragraph 9 substitute the following paragraph—...

Suppression of Terrorism Act 1978 (c. 26)

2. In Schedule 1, for paragraph 15 substitute the following paragraph—...

Customs and Excise Management Act 1979 (c. 2)

3. In section 50(5A)(b), for “Article 6(1)(a), (ab), (ac), (ad), (ae)...”
4. In Article 68(4A)(b), for “Article 6(1)(a), (ab), (ac), (ad), (ae),...”
5. In section 170(4A)(b), for “Article 6(1)(a), (ab), (ac), (ad), (ae)...”

Magistrates' Courts (Northern Ireland) Order 1981 (NI 26)

6. In Article 29(1), for sub-paragraph (f) substitute the following sub-paragraph—...

Repatriation of Prisoners Act 1984 (c. 47)

7. In the Schedule— (a) in the cross-heading preceding paragraph 8,...

Wildlife (Northern Ireland) Order 1985 (NI 2)

8. In Article 2(2)— (a) in the definition of “ammunition”, for...
9. In Schedule 11, in paragraph 3 for “1981” substitute “2004”....

Mental Health (Northern Ireland) Order 1986 (NI 4)

10. In Article 44(4A), for “Article 52A” and “1981” substitute respectively...

Criminal Justice Act 1988 (c. 33)

11. In section 141(13) for “1981” substitute “2004”.

Police and Criminal Evidence (Northern Ireland) Order 1989 (NI 12)

12. In Schedule 5, in Part II, after paragraph 15 add...

Criminal Justice (Northern Ireland) Order 1996 (NI 24)

13. In Article 2(9), for “Article 52A” and “1981” substitute respectively...
14. In Article 4(1), for “Article 52A(2)” and “1981” substitute respectively...
15. In Article 10(1), for “Article 52A(2)” and “1981” substitute respectively...
16. In Article 13(1), for “Article 52A(2)” and “1981” substitute respectively...

17. In Article 15(1), for “Article 52A(2)” and “1981” substitute respectively...
18. In Article 19(1), for “Article 52A(2)” and “1981” substitute respectively...
19. In Article 20(1), for “Article 52A(2)” and “1981” substitute respectively...
20. In Article 24(1), for “Article 52A(2)” and “1981” substitute respectively...

Northern Ireland Arms Decommissioning Act 1997 (c. 7)

21. In section 10(1)— (a) in paragraph (a) of the definition...
22. In paragraph 8 of the Schedule, after “1981” insert “or...

Terrorism Act 2000 (c. 11)

23. In section 77(3) for the entry relating to the Firearms...
24. In Schedule 9, in Part I, for paragraph 16 substitute...

Criminal Justice and Police Act 2001 (c. 16)

25. In Schedule 1 (powers of seizure)— (a) for paragraph 30...

Proceeds of Crime Act 2002 (c. 29)

26. In Schedule 5, in paragraph 5(2) for “Article 4(1)” and...

Sexual Offences Act 2003 (c. 42)

27. In paragraph 145 of Schedule 5 (other offences for the...
28. In paragraph 146 of that Schedule for “Article 17A” substitute...
29. In paragraph 147 of that Schedule for “Article 18(1)” substitute...
30. In paragraph 148 of that Schedule for “Article 18(2)” and...
31. In paragraph 149 of that Schedule for “Article 19” substitute...

Criminal Justice Act 2003 (c. 44)

32. In paragraph 33 of Schedule 17 (violent offences and sexual...
33. In paragraph 34 of that Schedule for “Article 17A” substitute...
34. In paragraph 35 of that Schedule for “Article 18(1)” substitute...
35. In paragraph 36 of that Schedule for “Article 18(2)” and...
36. In paragraph 37 of that Schedule for “Article 19” substitute...

SCHEDULE 8 — REPEALS

Explanatory Note