STATUTORY INSTRUMENTS

2004 No. 702

The Firearms (Northern Ireland) Order 2004

PART II N.I.

FIREARM CERTIFICATES, ETC.

Firearm certificates

Firearm certificate required N.I.

3.—(1) A person who—

(a) has in his possession, or purchases or acquires, a handgun without holding a firearm certificate or otherwise than as authorised by a firearm certificate, or

(b) has in his possession, or purchases or acquires, a firearm other than a handgun without holding a firearm certificate or otherwise than as authorised by a firearm certificate,

shall be guilty of an offence.

(2) A person who has in his possession, or purchases or acquires, any ammunition without holding a firearm certificate or otherwise than as authorised by a firearm certificate or in quantities in excess of those so authorised shall be guilty of an offence.

(3) Paragraphs (1) and (2) have effect subject to Schedule 1 and the other provisions of this Order.

(4) Schedule 1 (exemptions) shall have effect.

Application for firearm certificate N.I.

4.—(1) An application for the grant of a firearm certificate must—

(a) be made to the Chief Constable on a form provided by him for the purpose;

(b) contain such information as may be required by the form; and

(c) comply with any other requirements specified in the form.

(2) The application must be accompanied in accordance with any requirements specified in the form by—

(a) the appropriate fee (if any);

(b) two photographs of the applicant; and

(c) the names and addresses of two appropriate persons who have agreed to act as referees.

(3) Subject to paragraphs (4) to (6), a person is an appropriate person for the purposes of paragraph (2)(c) if he has known the applicant for at least two years and is of good character.

(4) A person is not an appropriate person for the purposes of paragraph (2)(c) if he is—

(a) a relative of the applicant;

(b) a firearms dealer;

(c) a police officer or a member of the police support staff; or

(d) resident outside the United Kingdom.

(5) If the application includes a statement that the applicant—

(a) is a member of a firearms club authorised under Article 49; and

(b) requires any firearm or ammunition in respect of which the application is made wholly or partly for target shooting,

paragraph (6) applies instead of paragraphs (3) and (4) and in paragraph (6) "firearms club" means a firearms club authorised under Article 49.

(6) For the purposes of paragraph (2)(c)—

(a) one person is an appropriate person if he—

(i) is an officer of a firearms club of which the applicant is a member but not a relative of the applicant or resident outside the United Kingdom; and

(ii) has known the applicant for at least one year and is of good character;

(b) the other is an appropriate person if he—

(i) is not a member of any firearms club or a person described in paragraph (4); and

(ii) has known the applicant for at least two years and is of good character.

(7) Before considering the application the Chief Constable must have—

(a) permission from the applicant to approach his general practitioner to obtain factual details of his medical history which the general practitioner considers relevant to the application; and

(b) the following provided by each referee in such manner as the Chief Constable may require—

(i) verification of any information provided by the applicant;

(ii) verification of the likeness to the applicant of the photographs submitted with the application;

(iii) a statement that he knows of no reason why the applicant should not be permitted to possess a firearm; and

(iv) such other statements or information in connection with the application as the Chief Constable may require.

Grant of firearm certificate N.I.

5.—(1) If he is satisfied that the applicant can be permitted to have in his possession without danger to public safety or to the peace the firearm or ammunition in respect of which the application is made, the Chief Constable may grant a firearm certificate.

(2) The Chief Constable shall not grant a firearm certificate unless he is satisfied that the applicant—

(a) is a fit person to be entrusted with a firearm; and

(b) has a good reason for having in his possession, or for purchasing or acquiring, each firearm and any ammunition to which the certificate relates.

(3) Subject to Article 7, the Chief Constable shall not grant a firearm certificate to a person under the age of 18.

(4) The Chief Constable shall not grant a firearm certificate to a person who is prohibited by this Order from possessing a firearm.

(5) The Chief Constable may, if he is satisfied that it is necessary to do so, provide the holder of a firearm certificate with a duplicate certificate **[**[F1]or an updated certificate**]** on payment of the appropriate fee.

[[F2](6) In paragraph (5)—

"duplicate certificate" means a copy of the firearm certificate as granted; and

"updated certificate" means the firearm certificate revised up to such date as may be specified on the certificate.**]**

F1 Words in art. 5(5) inserted (13.5.2016) by Justice Act (NorthernIreland) 2016 (c. 21), s. 61(1), **Sch. 5 para. 5(1)(a)**

F2 Art. 5(6) added (13.5.2016) by Justice Act (NorthernIreland) 2016 (c. 21), s. 61(1), **Sch. 5 para. 5(1)(b)**

Conditions N.I.

6.—(1) The Chief Constable may when granting a firearm certificate attach conditions to it.

(2) The Chief Constable may at any time by notice in writing—

(a) attach conditions to a firearm certificate;

(b) vary or revoke conditions attached under this Article.

(3) For the purposes of paragraph (2) the Chief Constable may by notice under that paragraph require the holder of the certificate to produce it to him within 21 days from the date of the notice.

(4) Paragraph (5) applies if—

(a) a firearm certificate is granted to a person who has not previously held a firearm certificate; or

(b) the Chief Constable considers that a firearm to which a firearm certificate relates is of a significantly different type from any firearm for which the person has previously held a certificate.

(5) Where this paragraph applies, the Chief Constable may attach to the firearm certificate a condition requiring the holder for a specified period to have any specified firearm to which the certificate relates in his possession when loaded only if he is under the supervision of a person who has attained the age of 21 and has held a firearm certificate for a firearm of that description for at least three years.

(6) A person who fails to comply with any condition subject to which a firearm certificate is held by him shall be guilty of an offence.

Grant of firearm certificate to young persons N.I.

7.—(1) In this Article "young person" means a person under the age of 18 who has attained the age of 16.

(2) The Chief Constable may grant a firearm certificate to a young person **[**[F3]for the acquisition and possession, but not for the purchase, of a firearm and ammunition**]** if—

(a) each firearm to which it relates is—

(i) an air gun to which paragraph (4) applies;

(ii) a shotgun; or

(iii) a .22 rimfire rifle that is to say of a calibre not exceeding 5.59 millimetres; [F4]. . .

(b) the Chief Constable attaches a condition under Article 6(1) that the firearm and any ammunition for it to which the certificate relates are for the purpose of—

(i) pest control; or

(ii) the protection of livestock;

on agricultural land occupied by the holder or on which he works and also resides **[**[F5]; [F6]...

(c) the young person has produced with his application to the Chief Constable, the permission in writing of a parent or guardian to the acquisition and possession of the firearm and ammunition to which the application relates.**]**[[F7]and

(d) the Chief Constable attaches a condition under Article 6(1) that arrangements must be in place for ensuring that a parent or guardian assumes responsibility for the secure storage of the firearm and ammunition to which the certificate relates.**]**

(3) The Chief Constable may grant a firearm certificate to a young person **[**[F8]for the acquisition and possession, but not for the purchase, of a firearm and ammunition**]** if—

(a) each firearm to which it relates is—

(i) an air gun to which paragraph (4) applies; or

(ii) a shotgun; [F9]...

(b) the Chief Constable attaches a condition under Article 6(1) that the holder shall have the firearm and any ammunition for it to which the certificate relates in his possession only—

(i) for sporting purposes **[**[F10]or for the purpose of pest control**]** ; and

(ii) **[**[F11]during the period until he attains the age of 18**]** under the supervision of a person who has attained the age of 21 and has held a firearm certificate for a firearm of that type for at least three years. **[**[F12]and

(c) the Chief Constable attaches a condition under Article 6(1) that arrangements must be in place for ensuring that a person who has attained the age of 21 and has held a firearm certificate for a firearm of that type for at least three years assumes responsibility for the secure storage of the firearm and ammunition to which the certificate relates.**]**

(4) This paragraph applies to an air gun which is capable of discharging a missile so that the missile has, on being discharged, a kinetic energy in excess of one joule.

F3 Words in art. 7(2) inserted (28.7.2010) by Firearms (Amendment) Regulations 2010 (S.I. 2010/1759), **reg. 5(2)(a)**

F4 Word in art. 7(2)(a) omitted (28.7.2010) by virtue of Firearms (Amendment) Regulations 2010 (S.I. 2010/1759), **reg. 5(2)(b)(i)**

F5 Art. 7(2)(c) and preceding word inserted (28.7.2010) by Firearms (Amendment) Regulations 2010 (S.I. 2010/1759), **reg. 5(2)(b)(ii)**

F6 Word in art. 7(2)(b) omitted (12.12.2019) by virtue of The Firearms Regulations 2019 (S.I. 2019/1420), regs. 1(1), **5(2)(a)(i)**

F7 Art. 7(2)(d) and word inserted (12.12.2019) by The Firearms Regulations 2019 (S.I. 2019/1420), regs. 1(1), **5(2)(a)(ii)**

F8 Words in art. 7(3) inserted (28.7.2010) by Firearms (Amendment) Regulations 2010 (S.I. 2010/1759), **reg. 5(2)(a)**

F9 Word in art. 7(3)(a) omitted (12.12.2019) by virtue of The Firearms Regulations 2019 (S.I. 2019/1420), regs. 1(1), **5(2)(b)(i)**

F10 Words in art. 7(3)(b)(i) inserted (13.5.2016) by Justice Act (NorthernIreland) 2016 (c. 21), s. 61(1), **Sch. 5 para. 2(1)**

F11 Words in art. 7(3)(b)(ii) substituted (28.7.2010) by Firearms (Amendment) Regulations 2010 (S.I. 2010/1759), **reg. 5(2)(c)**

F12 Art. 7(3)(c) and word inserted (12.12.2019) by The Firearms Regulations 2019 (S.I. 2019/1420), regs. 1(1), **5(2)(b)(ii)**

Content and duration of firearm certificate N.I.

8.—(1) A firearm certificate shall—

(a) describe each firearm to which it relates and specify any quantities of ammunition authorised to be held at any one time; and

(b) specify—

(i) any conditions subject to which the certificate is held;

(ii) the date on which it ceases to be in force; and

(iii) any firearms club of which the holder is a member.

(2) A firearm certificate shall (unless revoked or cancelled) continue in force for five years from the date on which it is granted.

(3) The **[**[F13]Department of Justice**]** may by order substitute for the period mentioned in paragraph (2) such period as is specified in the order.

F13 Words in art. 8(3) 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(b)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**

Revocation of firearm certificate N.I.

9.—(1) The Chief Constable shall revoke a firearm certificate if he is satisfied that the holder cannot be permitted to have in his possession or to purchase or acquire any firearm or ammunition to which the certificate relates without danger to public safety or to the peace.

(2) The Chief Constable may revoke a firearm certificate if he has reason to believe that the holder—

(a) is not a fit person to be entrusted with a firearm; or

(b) does not have a good reason for having in his possession, or for purchasing or acquiring, any firearm or ammunition to which the certificate relates.

(3) The Chief Constable shall revoke a firearm certificate if he is satisfied that the holder is prohibited by this Order from possessing a firearm.

(4) The Chief Constable may revoke a firearm certificate if the holder fails to produce it in accordance with a notice under Article 6(2) (firearm certificate to be produced to Chief Constable within 21 days).

(5) The Chief Constable may, subject to paragraph (6), partially revoke a firearm certificate, that is to say, he may revoke the certificate in relation to any firearm or ammunition which the holder is authorised by virtue of the certificate to have in his possession or to purchase or acquire.

(6) The Chief Constable may partially revoke a firearm certificate under paragraph (5) only if he has reason to believe that the holder does not have a good reason for having in his possession, or for purchasing or acquiring, the firearm or ammunition to which the partial revocation relates.

Consequences of revocation N.I.

10.—(1) Where a firearm certificate is revoked under Article 9(1), (2), (3) or (4) or Article 12(2) the Chief Constable shall by notice in writing require the holder to surrender it and the relevant firearms and ammunition.

(2) Where a firearm certificate is partially revoked under Article 9(5) or 12(2), the Chief Constable shall by notice in writing require the holder to—

(a) produce the certificate to him for amendment; and

(b) surrender the relevant firearms and ammunition.

(3) The holder shall be guilty of an offence if he fails to comply with a notice under paragraph (1) or (2) within—

(a) 21 days from the date of the notice in the case of revocation or partial revocation under Article 9,

(b) such period as may be specified in the notice in the case of revocation or partial revocation under Article 12(2),

or within such further period as the Chief Constable may in special circumstances allow.

(4) Subject to paragraph (5), where a firearm certificate is revoked or partially revoked, the Chief Constable may by notice in writing require the holder to dispose of the relevant firearms and ammunition within such period from the date of the notice as may be specified in the notice.

(5) If an appeal is brought against the revocation or partial revocation, paragraph (4) shall not apply unless the appeal is abandoned or dismissed, and shall then apply as if the reference to the date of the notice were to the date on which the appeal was abandoned or dismissed.

(6) If the holder does not comply with a notice under paragraph (4) within the period specified in the notice (or that period as modified by paragraph (5)) or within such further time as the Chief Constable may in special circumstances allow, the Chief Constable may order that the relevant firearms or ammunition shall be destroyed or otherwise disposed of.

(7) In this Article "relevant firearms and ammunition" means—

(a) where a firearm certificate is revoked under Article 9(1), (2), (3) or (4) or Article 12(2), the firearms and ammunition to which it relates;

(b) where a firearm certificate is partially revoked under Article 9(5) or 12(2), the firearms and ammunition to which the partial revocation relates.

Variation of firearm certificate N.I.

11.—(1) The Chief Constable may vary a firearm certificate on the application of the holder and payment of the appropriate fee (if any).

(2) If an application is made under paragraph (1) for a firearm or ammunition to be added to a firearm certificate, paragraphs (1) and (2) of Article 5 shall apply to the variation of the certificate as they apply to the grant of a certificate.

[[F14](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.**]**

F14 Art. 11(3)(9) substituted for art. 11(3)-(5) (13.5.2016) by Justice Act (NorthernIreland) 2016 (c. 21), s. 61(1), **Sch. 5 para. 3(1)**

Certificate for prohibited weapon N.I.

12.—(1) The Chief Constable shall not refuse to grant, and shall not revoke or partially revoke, a firearm certificate in respect of a prohibited weapon or prohibited ammunition if the applicant or the holder is authorised by the Secretary of State under Article 45 to have possession of that weapon or ammunition.

(2) If the Secretary of State revokes an authority to purchase or have possession of a prohibited weapon or prohibited ammunition, the Chief Constable shall revoke or, as the case may be, partially revoke the firearm certificate relating to that weapon or ammunition.

Surrender etc. of firearms on expiration of firearm certificate N.I.

13.—(1) The Chief Constable may by notice in writing require the holder of a firearm certificate which has expired to surrender it and any firearms and ammunition to which it related immediately before its expiration and for which there is no firearm certificate in force.

(2) The holder of a firearm certificate which has expired shall be guilty of an offence if he fails to comply with a notice under paragraph (1) within 21 days from the date of the notice or within such further time as the Chief Constable may in special circumstances allow.

(3) The Chief Constable may by notice in writing require the holder of a firearm certificate which has expired to dispose of any firearms or ammunition mentioned in paragraph (1) within 21 days from the date of the notice.

(4) If the holder does not comply with a notice under paragraph (3) within the period specified in the notice or within such further period as the Chief Constable may in special circumstances allow, the Chief Constable may order that the firearms or ammunition shall be destroyed or otherwise disposed of.

Museum firearms licences

Museum firearms licence N.I.

14. Schedule 2 (which exempts firearms and ammunition in museums and similar institutions from certain provisions of this Order) shall have effect.

Visitor's firearm permits

Visitor's firearm permit N.I.

15.—(1) The holder of a visitor's firearm permit may, without holding a firearm certificate—

(a) have in his possession any firearm specified in the permit; and

(b) have in his possession, purchase or acquire any ammunition in accordance with the permit.

(2) The Chief Constable may, on an application made by a person resident in Northern Ireland on behalf of a person specified in the application, grant a permit (a "visitor's firearm permit") to the specified person.

(3) An application for a visitor's firearm permit under this Article must—

(a) be made on a form provided by the Chief Constable for the purpose; and

(b) be accompanied by the appropriate fee (if any).

(4) The Chief Constable shall not grant a visitor's firearm permit unless he is satisfied that the specified person—

(a) is visiting or intending to visit Northern Ireland;

(b) has a good reason for having each firearm and the ammunition to which the permit relates in his possession, or, as respects ammunition, for purchasing or acquiring it, while he is a visitor to Northern Ireland; and

(c) may, under the law of the country in which he resides, lawfully possess that firearm and ammunition.

(5) The Chief Constable shall not grant a person a visitor's firearm permit as respects any firearm or ammunition if he has reason to believe that—

(a) his possession of the firearm or ammunition in question would represent a danger to public safety or to the peace; or

(b) he is prohibited by this Order from possessing it.

(6) The Chief Constable shall not grant a visitor's firearm permit as respects any firearm unless—

(a) there is produced to him a document**[**[F15]or copy of same**]** which—

(i) has been issued in **[**[F16]a member State**]** under provisions corresponding to the provisions of this Order for the issue of European firearms passes;

(ii) identifies the firearm as a firearm to which the document**[**[F15]or copy of same**]** relates; and

(iii) is valid;

(b) the applicant shows that the person specified in the application is a person who, by reason of his place of residence or any other circumstances, is not entitled to be issued with such a document in any of the [F17]... member States; or

(c) the applicant shows that the person specified in the application requires the permit exclusively in connection with the carrying on of activities in respect of which—

(i) that person; or

(ii) the person on whose behalf he is proposing to make use of the authorisation conferred by the permit,

is recognised for the purposes of the law of **[**[F16]a member State**]** relating to firearms, as a collector of firearms or a body concerned in the cultural or historical aspects of weapons;

and if, in a case where a document**[**[F18]or copy**]** has been produced to the Chief Constable in pursuance of sub-paragraph (a), he grants a visitor's firearm permit, he shall endorse on the document**[**[F19]or, where a copy has been produced on the copy**]** a statement which identifies the permit and the firearm to which it relates and briefly describes the effect of the permit.

(7) A visitor's firearm permit shall specify—

(a) the conditions subject to which it is held; and

(b) the number and description of the firearms to which it relates, including their identification numbers and, as respects ammunition, the quantities authorised to be purchased or acquired and to be held at any one time.

(8) A visitor's firearm permit shall come into force on such date as is specified in it and continue in force for such period, not exceeding twelve months, as is so specified.

(9) A single application (a "group application") may be made under this Article for the grant of not more than 20 visitor's firearm permits to persons specified in the application if it is shown to the satisfaction of the Chief Constable that their purpose in having the firearms in question in their possession while visiting Northern Ireland is—

(a) using them for sporting purposes on the same private premises during the same period; or

(b) participating in the same competition or other event or the same series of competitions or other events.

(10) A person who fails to comply with a condition subject to which a visitor's firearm permit is held by him shall be guilty of an offence.

(11) Any reference in this Order to a person who is entitled to possess, purchase or acquire any firearm or ammunition without holding a firearm certificate includes a reference to a person who is so entitled by virtue of a visitor's firearm permit.

F15 Words in art. 15(6)(a) inserted (29.11.2012) by The Firearms (Northern Ireland) Order 2004 (Amendment) Regulations 2012 (S.R. 2012/395), **regs. 1**, 2(a)

F16 Words in Order substituted (31.12.2020 immediately before IP completion day) by The Law Enforcement and Security (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1371), regs. 1, **5(3)**

F17 Word in art. 15(6)(b) omitted (31.12.2020 immediately before IP completion day) by virtue of The Law Enforcement and Security (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1371), regs. 1, **5(4)**

F18 Words in art. 15(6) inserted (29.11.2012) by The Firearms (Northern Ireland) Order 2004 (Amendment) Regulations 2012 (S.R. 2012/395), **regs. 1**, 2(b)

F19 Words in art. 15(6) inserted (29.11.2012) by The Firearms (Northern Ireland) Order 2004 (Amendment) Regulations 2012 (S.R. 2012/395), **regs. 1**, 2(c)

Revocation or variation of visitor's firearm permit N.I.

16.—(1) The Chief Constable may by notice in writing to the holder of a visitor's firearm permit revoke the permit or vary the conditions subject to which it is held.

(2) Subject to paragraph (3), where the Chief Constable revokes a visitor's firearm permit, he may by notice in writing require the holder to surrender it, and if the holder fails to do so within such period as may be specified in the notice or within such further period as the Chief Constable may in special circumstances allow, the holder shall be guilty of an offence.

(3) If an appeal is brought against the revocation, paragraph (2) shall not apply unless the appeal is abandoned or dismissed and shall then apply with the substitution for the reference to the date of the notice of a reference to the date on which the appeal was abandoned or dismissed.

Certificates granted in Great Britain, etc.

Firearm certificate or shotgun certificate granted in Great Britain N.I.

17.—(1) The holder of a Great Britain certificate may, subject to any applicable conditions, have in his possession in Northern Ireland any firearm and ammunition to which the certificate relates [F20]....

[F21](2) . . . . . .

[F21](3) . . . . . .

(4) In this Article—

"applicable conditions" means the conditions under which the Great Britain certificate is held[F22]...;

[F23]...

"Great Britain certificate" means a firearm certificate or shotgun certificate granted in Great Britain;

[F23]...

F20 Words in art. 17(1) repealed (13.5.2016) by Justice Act (NorthernIreland) 2016 (c. 21), s. 61(1), **Sch. 5 para. 6(1)(a)**

F21 Art. 17(2)(3) repealed (13.5.2016) by Justice Act (NorthernIreland) 2016 (c. 21), s. 61(1), **Sch. 5 para. 6(1)(b)**

F22 Words in art. 17(4) repealed (13.5.2016) by Justice Act (NorthernIreland) 2016 (c. 21), s. 61(1), **Sch. 5 para. 6(1)(c)(i)**

F23 Words in art. 17(4) repealed (13.5.2016) by Justice Act (NorthernIreland) 2016 (c. 21), s. 61(1), **Sch. 5 para. 6(1)(c)(ii)**

Air guns held without a firearm certificate in Great Britain N.I.

18.—(1) A person resident in Great Britain may, without holding a firearm certificate, have an air gun **[**[F24]to which paragraph (3) applies**]** in his possession in Northern Ireland if—

(a) he may have the air gun in his possession in Great Britain without a firearm certificate by virtue of section 1(3)(b) and (4)(b) of the Firearms Act 1968 (c. 27);

(b) he has provided the Chief Constable with such information about the air gun and such other information as the Chief Constable may require; and

(c) he holds a document ("a certificate of approval") authorising that possession issued to him by the Chief Constable **[**[F25]on payment of the appropriate fee**]** .

(2) The Chief Constable may at any time require the holder of a certificate of approval to surrender it.

[[F26](3) This paragraph applies to an air gun which is capable of discharging a missile so that the missile has, on being discharged, a kinetic energy in excess of one joule.**]**

F24 Words in art. 18(1) inserted (13.5.2016) by Justice Act (NorthernIreland) 2016 (c. 21), s. 61(1), **Sch. 5 para. 6(2)(a)(i)**

F25 Words in art. 18(1)(c) added (13.5.2016) by Justice Act (NorthernIreland) 2016 (c. 21), s. 61(1), **Sch. 5 para. 6(2)(a)(ii)**

F26 Art. 18(3) added (13.5.2016) by Justice Act (NorthernIreland) 2016 (c. 21), s. 61(1), **Sch. 5 para. 6(2)(b)**

Issue, etc. of documents for European purposes

Issue of European firearms pass N.I.

19.—(1) Where a person who resides in Northern Ireland is granted, or is the holder of, a firearm certificate, he shall be entitled to be issued by the Chief Constable with a European firearms pass.

(2) A European firearms pass is a document—

(a) to which a person is entitled under paragraph (1); and

(b) which contains the particulars required by paragraph (3).

(3) The particulars required by this paragraph are—

(a) particulars identifying the person to whom the pass is issued;

(b) particulars identifying every firearm which—

(i) that person has applied to have included in a European firearms pass; and

(ii) is a firearm in relation to which a firearm certificate granted to that person is in force;

(c) a statement in relation to every firearm identified in the pass as to the category into which it falls for the purposes of Annex I to the European weapons directive;

(d) the date of the issue of the pass and the period from its issue for which the pass is to be valid;

(e) the statements required by paragraph (f) of Annex II to that directive (statements as to travel in the member States with the firearms identified in the pass).

(4) A European firearms pass shall contain space for the making of entries by persons authorised to so do under the law of any member State.

(5) A person may make an application under paragraph (1)—

(a) at the same time as an application for a firearm certificate which will entitle him to the issue of the pass; or

(b) subsequently while the firearm certificate is in force.

Duration of European firearms pass N.I.

20.—(1) The period specified in a European firearms pass as the period for which it is to be valid shall be whichever is the shorter of the following—

(a) the period until the earliest time when a firearm certificate relating to a firearm identified in the pass expires; and

(b) the maximum period for the duration of that pass.

(2) For the purposes of paragraph (1) the maximum period for the duration of a European firearms pass is—

(a) in the case of a pass identifying only a firearm stated in the pass to fall within category D for the purposes of Annex I to the European weapons directive, ten years; and

(b) in any other case, five years.

Renewal of European firearms pass N.I.

21.—(1) On an application for a firearm certificate relating to a firearm identified in a European firearms pass, the applicant may apply to the Chief Constable for the renewal of the pass.

(2) Where—

(a) a firearm certificate relating to a firearm identified in a European firearms pass is to expire without another firearm certificate for that firearm being granted; but

(b) a firearm certificate relating to another firearm identified in that pass will continue in force after the other firearm certificate expires,

the holder of the pass may apply to the Chief Constable for the renewal of the pass subject to the deletion of the reference to any firearm to which the expiring firearm certificate relates.

(3) Where, on an application to the Chief Constable under paragraph (1) or (2)—

(a) the pass in question is produced to him; and

(b) a firearm certificate relating to a firearm identified in the pass is granted or will continue in force after the time when the pass would (apart from its renewal) have ceased to be valid,

he shall renew the pass, subject to any appropriate deletion, from that time to whichever is the shorter of the periods specified in Article 20(1)(a) and (b).

(4) Where a European firearms pass ceases to be valid without being renewed under this Article, the Chief Constable shall by notice in writing require the person to whom the pass was issued to surrender it; and if that person fails to do so within 21 days from the date of the notice or within such further time as the Chief Constable may in special circumstances allow, he shall be guilty of an offence.

Article 7 authorities N.I.

22.—(1) In this Order "Article 7 authority" means a document issued under paragraph (2) or (4).

(2) Where a person who resides in Northern Ireland is granted, or is the holder of, a firearm certificate, he shall be entitled to be issued by the Chief Constable with a document stating that, for the purposes of Article 7 of the European weapons directive, the holder of the firearm certificate has the agreement of the United Kingdom authorities, for so long as the firearm certificate remains in

force, to any purchase or acquisition by him in **[**[F16]a member State**]** of any firearm or ammunition to which the firearm certificate relates.

(3) A person may make an application for the issue of an Article 7 authority under paragraph (2)—

(a) at the same time as an application for a firearm certificate which will entitle him to the issue of the document under that paragraph; or

(b) subsequently while the firearm certificate is in force.

(4) Where—

(a) a person who resides in Northern Ireland is proposing to purchase or acquire any firearm or ammunition in **[**[F16]a member State**]**;

(b) he is not the holder of a firearm certificate relating to that firearm or ammunition;

(c) the firearm falls within category B for the purposes of Annex I to the European weapons directive or the ammunition is capable of being used with such a firearm; and

(d) he satisfies the Chief Constable that he is not proposing to bring that firearm or ammunition into **[**[F27]Northern Ireland**]**,

the Chief Constable may issue him with a document stating that, for the purposes of Article 7 of the European weapons directive, he has the agreement of the United Kingdom authorities to any purchase or acquisition by him in **[**[F16]a member State**]** of that firearm or ammunition.

F16 Words in Order substituted (31.12.2020 immediately before IP completion day) by The Law Enforcement and Security (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1371), regs. 1, **5(3)**

F27 Words in art. 22(4)(d) substituted (31.12.2020 immediately before IP completion day) by The Law Enforcement and Security (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1371), regs. 1, **5(5)**

Variation, endorsement, etc. of European documents N.I.

23.—(1) Where—

(a) a firearm certificate—

(i) relating to a firearm identified in a European firearms pass; or

(ii) in respect of which an Article 7 authority has been issued,

is varied, revoked or cancelled;

(b) the **[**[F28]Department of Justice**]** gives notice that any European firearms pass needs to be modified by the addition or variation of any such statement as is mentioned in Article 19(3)(e); or

(c) the holder of a European firearms pass applies to have particulars of another firearm added to the pass,

the Chief Constable shall make such variations of the pass or authority as are appropriate in consequence of the variation, revocation, cancellation, notice or application or, where appropriate, cancel it.

(2) For the purpose of paragraph (1) the Chief Constable shall by notice in writing require any person who is or has been the holder of any firearm certificate to produce or surrender any European firearms pass or Article 7 authority issued to him.

(3) The Chief Constable may at any time—

(a) revoke an Article 7 authority issued under Article 22(4); and

(b) by notice in writing require the holder of the authority to surrender it.

(4) Where a firearm identified in a European firearms pass is lost or stolen, the holder of the pass shall immediately—

(a) inform the Chief Constable about the loss or theft; and

(b) produce the pass to the Chief Constable for him to endorse on it particulars of that loss or theft.

(5) Where a firearm to which an endorsement under paragraph (4) relates is returned to the holder of the pass in question, the Chief Constable may, on the production to him of that pass, make such further endorsement as may be appropriate.

(6) A person—

(a) who fails to comply with a notice given to him under paragraph (2) or (3) within 21 days from the date of the notice or within such further time as the Chief Constable may in special circumstances allow; or

(b) who fails to comply with any obligation imposed on him by virtue of paragraph (4)(a) or (b),

shall be guilty of an offence.

F28 Words in art. 23(1)(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(c)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**

Changes to legislation:
The Firearms (Northern Ireland) Order 2004, PART II is up to date with all changes known to be in force on or before 05 June 2024. 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.
View outstanding changes

Changes and effects yet to be applied to :

- art. 19 and cross-heading omitted by S.I. 2019/742 reg. 64(4) (This amendment not applied to legislation.gov.uk. S.I. 2019/742, reg. 64 omitted immediately before IP completion day by by virtue of S.I. 2020/1371, regs. 1, 4(3))

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)