

SCHEDULES

SCHEDULE 2

Article 14

FIREARMS AND AMMUNITION IN MUSEUMS

Introductory

1.—(1) In this Schedule—

“licence” means a museum firearms licence;

“museum” includes any institution which has as its purpose, or one of its purposes, the preservation for the public benefit of a collection of historical, artistic or scientific interest which includes or is to include firearms.

(2) References in this Schedule to the persons responsible for the management of a museum are to the board of trustees, governing body or other person or persons (whether or not incorporated) exercising corresponding functions.

Museum firearms licences

2.—(1) The [^{F1}Department of Justice] may, on an application in writing made on behalf of a museum, grant a licence in respect of that museum.

(2) While a licence [^{F2}granted by the Department of Justice] is in force in respect of a museum the persons responsible for its management and their employees—

(a) may, without holding a firearm certificate, have in their possession, and purchase or acquire, for the purposes of the museum firearms and ammunition which are or are to be normally exhibited or kept on its premises or on such of them as are specified in the licence; ^{F3} . . .

(b) ^{F4}

(3) The [^{F1}Department of Justice] shall not grant a licence in respect of a museum unless [^{F5}the Department of Justice] is satisfied that the arrangements for exhibiting and keeping the firearms and ammunition in question are or will be such as not to endanger public safety or the peace.

(4) A licence [^{F6}granted by the Department of Justice] shall be subject to such conditions specified in it as the [^{F1}Department of Justice] thinks necessary for securing the safe custody of the firearms and ammunition in question.

(5) A licence [^{F6}granted by the Department of Justice] shall (unless revoked or cancelled) continue in force for five years from the date on which it is granted.

(6) The [^{F1}Department of Justice] may by order substitute for the period mentioned in subparagraph (5) such longer or shorter period as is specified in the order.

F1 Words in Sch. 2 para. 2(1)(3)(4)(6) 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(h) (with arts. 28-31); S.I. 2010/977, art. 1(2)

Changes to legislation: The Firearms (Northern Ireland) Order 2004, SCHEDULE 2 is up to date with all changes known to be in force on or before 05 June 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

- F2** Words in Sch. 2 para. 2(2) inserted (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. 12(2)(a)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**
- F3** Word in Sch. 2 para. 2(2)(a) omitted (12.4.2010) by virtue of Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 9, **Sch. 11 para. 12(2)(b)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**
- F4** Sch. 2 para. 2(2)(b) omitted (12.4.2010) by virtue of Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), arts. 1(2), 9, **Sch. 11 para. 12(2)(c)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**
- F5** Words in Sch. 2 para. 2(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. 12(2)(d)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**
- F6** Words in Sch. 2 para. 2(4)(5) inserted (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. 12(2)(e)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**

Variation and revocation

3.—(1) The [^{F7}Department of Justice] may by notice in writing to the persons responsible for the management of a museum—

- (a) vary the conditions specified in a licence [^{F8}granted by the Department of Justice] in respect of the museum; or
- (b) vary the licence so as to extend or restrict the premises to which it applies.

(2) For the purposes of sub-paragraph (1) the [^{F7}Department of Justice] may by notice under that sub-paragraph require the persons in question to produce the licence to [^{F9}the Department of Justice] within 21 days from the date of the notice.

(3) The [^{F7}Department of Justice] may by notice in writing to the persons responsible for the management of a museum revoke a licence [^{F10}granted by the Department of Justice] in respect of the museum if—

- (a) at any time [^{F11}the Department of Justice] is satisfied that the continuation of the exemption conferred by the licence would result in danger to public safety or to the peace; or
- (b) those persons or any of them or any employee of theirs has been convicted of an offence under this Schedule; or
- (c) those persons have failed to comply with a notice under this paragraph requiring them to produce the licence.

(4) Where a licence [^{F12}granted by the Department of Justice] is revoked the [^{F7}Department of Justice] shall by notice in writing require the persons responsible for the management of the museum in question to surrender the licence to [^{F13}the Department of Justice].

- F7** Words in Sch. 2 para. 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(h)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**
- F8** Words in Sch. 2 para. 3(1)(a) 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. 12(3)(a)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**
- F9** Words in Sch. 2 para. 3(2) 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. 12(3)(b)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**

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- F10** Words in Sch. 2 para. 3(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. 12(3)(c)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**
- F11** Words in Sch. 2 para. 3(3)(a) 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. 12(3)(d)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**
- F12** Words in Sch. 2 para. 3(4) inserted (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. 12(3)(e)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**
- F13** Words in Sch. 2 para. 3(4) 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. 12(3)(f)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**

[^{F14}Secretary of State's power to grant museum firearms licences

- F14** Sch. 2 para. 3A inserted (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. 12(4)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**

3A.—(1) The Secretary of State may, on an application in writing made on behalf of a museum, grant a licence in respect of that museum.

(2) While a licence granted by the Secretary of State is in force in respect of a museum the persons responsible for its management and their employees may, without the authority of the Secretary of State under Article 45, have in their possession, purchase or acquire for the purposes of the museum any prohibited weapons and ammunition which are or are to be normally exhibited or kept on its premises or on such of them as are specified in the licence.

(3) The Secretary of State shall not grant a licence in respect of a museum unless the Secretary of State is satisfied that the arrangements for exhibiting and keeping the prohibited weapons and ammunition in question are or will be such as not to endanger public safety or the peace.

(4) Paragraphs 2(4) to (6) and 3 apply in relation to licences granted by the Secretary of State; and for this purpose references to the Department of Justice are to be read as references to the Secretary of State.]

Fees

4. The appropriate fee shall be payable on the grant of a licence [^{F15}by the Department of Justice] or such lesser amount as the [^{F16}Department of Justice] may in any particular case determine.

- F15** Words in Sch. 2 para. 4 inserted (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. 12(5)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**
- F16** Words in Sch. 2 para. 4 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(h)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**

Offences and enforcement

5.—(1) It shall be an offence for any of the persons responsible for the management of a museum to—

- (a) fail to comply; or

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(b) cause or permit another person to fail to comply,
with any condition specified in [^{F17}a licence] held in respect of that museum.

(2) A person who fails to comply with a notice under paragraph 3 [^{F18}(including as applied by paragraph 3A(4))] shall be guilty of an offence.

(3) In proceedings against any person for an offence under sub-paragraph (1) it is a defence for him to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.

F17 Words in Sch. 2 para. 5(1) 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. 12(6)(a)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**

F18 Words in Sch. 2 para. 5(2) inserted (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. 12(6)(b)** (with arts. 28-31); S.I. 2010/977, **art. 1(2)**

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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\(4\)](#)