

## SCHEDULES

### SCHEDULE 5

Article 69

#### TABLE OF PUNISHMENTS

(1) <i>Provision of this Order creating offence</i>	(2) <i>General nature of offence</i>	(3) <i>Mode of prosecution</i>	(4) <i>Punishment</i>
Article 3(1)(a)	Purchase, acquisition or possession of handgun without firearm certificate	Indictment	10 years or a fine or both
Article 3(1)(b)	Purchase, acquisition or possession of firearm other than handgun without firearm certificate	(a) Summary (b) Indictment	(a) 1 year or a fine of the statutory maximum or both (b) If the offence is committed in an aggravated form within the meaning of Article 67(4), 7 years or a fine or both. In any other case, 5 years or a fine or both
Article 3(2)	Purchase, acquisition or possession of ammunition without firearm certificate	(a) Summary (b) Indictment	(a) 1 year or a fine of the statutory maximum or both (b) 5 years or a fine or both
Article 6(6)	Failure to comply with condition of firearm certificate	Summary	1 year or level 5 or both
Article 10(3)	Failure to surrender firearm certificate, firearms or ammunition when certificate is revoked or to produce firearm certificate when partially revoked	Summary	Level 3

**Draft Legislation:** This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: The Firearms (Northern Ireland) Order 2004 No. 702

(1) <i>Provision of this Order creating offence</i>	(2) <i>General nature of offence</i>	(3) <i>Mode of prosecution</i>	(4) <i>Punishment</i>
Article 13(2)	Failure to surrender expired firearm certificate or firearms or ammunition to which it related	Summary	Level 3
Article 15(10)	Failure to comply with condition of visitor’s firearm permit	Summary	1 year or level 5 or both
Article 16(2)	Failure to surrender visitor’s firearm permit	Summary	Level 3
Article 21(4)	Failure to surrender expired European firearms pass	Summary	Level 3
Article 23(6)	Failure to produce European firearms pass or Article 7 authority, etc.	Summary	3 months or level 5 or both
Article 24(1)	Manufacturing, selling, repairing, etc. without firearms dealer’s certificate	(a)	(a) Summary 1 year or a fine of the statutory maximum or both
		(b)	(b) Indictment 5 years or a fine or both
Article 27(6)	Failure to comply with condition of firearms dealer’s certificate	Summary	1 year or level 5 or both
Article 30(1)	Failure of firearms dealer to surrender certificate or record of transactions on expiration or revocation of certificate	Summary	Level 3
Article 35(9)	Contravention of condition of occasional permit	Summary	1 year or level 5 or both
Article 36(3)	Failure to surrender occasional permit	Summary	Level 3
Article 37(1), (2)	Sale to any person, other than firearms dealer, who does not produce firearm certificate; repair for	(a)	(a) Summary 1 year or a fine of the statutory maximum or both

(1) <i>Provision of this Order creating offence</i>	(2) <i>General nature of offence</i>	(3) <i>Mode of prosecution</i>	(4) <i>Punishment</i>
	a person, other than not produce firearm certificate		
		(b)	(b) Indictment 5 years or a fine or both
Article 37(4)	Production of firearm certificate which is false, or in which a false entry has been made or making false statement with a view to purchasing or acquiring firearm	(a)	(a) Summary 1 year or a fine of the statutory maximum or both
		(b)	(b) Indictment 5 years or a fine or both
Article 37(5)	Pawnbroker taking firearm in pawn	Summary	3 months or level 3 or both
Article 38(7)	Failure to keep records or to permit inspection; making false record	Summary	1 year or level 5 or both
Article 39(3)	Failure to produce firearm certificate or comply with its instructions; transfer otherwise than in person	(a)	(a) Summary 6 months or a fine of the statutory maximum or both
		(b)	(b) Indictment 5 years or a fine or both
Article 40(4)	Failure to notify the Chief Constable of sale, etc. of firearm	(a)	(a) Summary 6 months or a fine of the statutory maximum or both
		(b)	(b) Indictment 5 years or a fine or both
Article 41(5)	Failure to notify Chief Constable of loss, repair, etc. of firearm tested under Article 54	(a)	(a) Summary 6 months or a fine of the statutory maximum or both
		(b)	(b) Indictment 5 years or a fine or both
Article 42(2)	Failure to notify Chief Constable of sale,	(a)	(a) Summary 6 months or a fine of the statutory maximum or both

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	etc. of firearm outside Northern Ireland		
		(b)	(b) Indictment 5 years or a fine or both
Article 42(4)	Failure to notify Chief Constable of loss, etc. of firearm or ammunition outside Northern Ireland	(a)	(a) Summary 6 months or a fine of the statutory maximum or both
		(b)	(b) Indictment 5 years or a fine or both
Article 43(5)	Failure to notify Chief Constable of purchase or acquisition of a firearm in another member State	Summary	3 months or level 5 or both
Article 44(6)	Failure to notify Chief Constable of sale of firearm to non-resident for export	Summary	6 months or level 5 or both
Article 45 (1)(a), (b), (c), (d), (e) and (g)	Manufacture, dealing in or possession of prohibited weapons	Indictment	10 years or a fine or both
Article 45(1)(f)	Manufacture, dealing in or possession of prohibited weapon designed for discharge of noxious liquid etc.	(a)	(a) Summary 1 year or a fine of the statutory maximum or both
		(b)	(b) Indictment 10 years or a fine or both
Article 45(2)(a)	Possession of or dealing in firearm disguised as other object	Indictment	10 years or a fine or both
Article 45(2)(b), (c), (d), (e), (f) or (g)	Possession of or dealing in other prohibited weapons	(a)	(a) Summary 6 months or a fine of the statutory maximum or both
		(b)	(b) Indictment 10 years or a fine or both
Article 45(5)	Failure to comply with conditions of authority	Summary	1 year or level 5 or both

(1) <i>Provision of this Order creating offence</i>	(2) <i>General nature of offence</i>	(3) <i>Mode of prosecution</i>	(4) <i>Punishment</i>
	relating to prohibited weapons		
Article 45(6)	Failure to surrender authority relating to prohibited weapons	Summary	Level 3
Article 48(4)	Contravention of an order prohibiting the removal of firearms or ammunition	Summary	1 year or, for each firearm or parcel of ammunition in respect of which the offence is committed, level 3, or both
Article 49(5)(a)	Operating or participating in the activities of unauthorised firearms club	(a)	(a) Summary 1 year or a fine of the statutory maximum or both
		(b)	(b) Indictment 3 years or a fine or both
Article 49(5)(b)	Contravention of conditions or limitations of an authorisation	(a)	(a) Summary 1 year or a fine of the statutory maximum or both
		(b)	(b) Indictment 3 years or a fine or both
Article 51(2)	Obstructing person inspecting firearms club premises	Summary	Level 3
Article 52(4)	Obstructing constable or member of police support staff in exercise of search powers	Summary	6 months or level 5 or both
Article 53(2)	Failure to hand over firearm to constable for examination by him	Summary	1 year or level 5 or both
Article 53(5)	Failure to stop vehicle when required to do so by constable or refusal to permit it to be searched	Summary	1 year or level 5 or both

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Article 54(2)	Failure to produce firearm for ballistic or other tests	Summary	1 year or level 5 or both
Article 55(4)	Refusal to declare name and address or failure to give true name and address	Summary	Level 3
Article 55(5)	Failure to produce firearms pass issued in another member State	Summary	Level 3
Article 56(3)	Failure to give constable facilities for inspecting firearms or ammunition, or failure to produce documents	Summary	1 year, or for each firearm or parcel of ammunition in respect of which the offence is committed, level 3, or both
Article 58(1)	Possession of firearm with intent to endanger life or cause serious damage to property	Indictment	Life imprisonment
Article 58(2)	Possession of firearm with intent to cause fear of violence	Indictment	10 years or a fine or both
Article 59(1)	Use or attempted use of firearm to resist arrest	Indictment	Life imprisonment
Article 59(2)	Possession of firearm while committing offence specified in Schedule 4	Indictment	Life imprisonment
Article 60(1)	Carrying firearm with criminal intent	Indictment	Life imprisonment
Article 61(1)	Carrying firearm and ammunition in public place	(a) Summary (b) Indictment (but not if the firearm is an air gun)	(a) 1 year or a fine of the statutory maximum (level 5 if the firearm is an air gun) or both (b) 10 years or a fine or both
Article 61(2)	Discharge of firearm in public place	Summary	1 year or level 4 or both

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Article 62(1)	Trespassing with firearm in any building	(a)	(a) Summary year or a fine of the statutory maximum (level 5 in the case of an imitation firearm) or both  (b) <del>Indictment</del> 10 years or a fine or (but not in both the case of an imitation firearm)
Article 62(2)	Trespassing with a firearm on land	Summary	1 year or level 5 or both
Article 63(6)	Possession of firearm or ammunition by convicted person	(a)	(a) Summary year or a fine of the statutory maximum or both  (b) (b) <del>Indictment</del> 5 years or a fine or both
Article 63(8)	Sale of firearm to convicted person; repair of firearm for convicted person	(a)	(a) Summary year or a fine of the statutory maximum or both  (b) (b) <del>Indictment</del> 5 years or a fine or both
Article 64	Possession of firearm or ammunition in suspicious circumstances	(a)	(a) Summary 2 years or a fine of the statutory maximum or both  (b) (b) <del>Indictment</del> 10 years or a fine or both
Article 65	Possession of loaded firearm while drunk or under the influence of drugs	Summary	6 months or level 3 or both
Article 66	Supplying firearm or ammunition to person who is drunk, etc. or suffering from mental disorder	Summary	1 year or level 5 or both
Article 67(1), (3)	Shortening the barrel of a shotgun or converting imitation firearm into firearm	(a)	(a) Summary year or a fine of the statutory maximum or both

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		(b)	(b) Indictment 7 years or a fine or both
Article 72(2)	Failure to surrender firearm certificate when cancelled by court	Summary	Level 3
Article 73(1)	Making false statement to procure grant or variation of certificate	Summary	1 year or level 5 or both
Schedule 1 paragraph 2(2)	Failure of auctioneer, carrier or warehouseman to take reasonable precautions for safe custody of firearm or ammunition or failure to report loss or theft	Summary	6 months or level 5 or both
Schedule 2 paragraph 5(1)	Failure to comply with condition in museum firearms licence	Summary	6 months or level 5 or both
Schedule 2 paragraph 5(2)	Failure to surrender museum firearms licence	Summary	Level 3