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STATUTORY INSTRUMENTS

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**2004 No. 702**

**The Firearms (Northern Ireland) Order 2004**

**PART V**

**PROHIBITION OF CERTAIN WEAPONS AND CONTROL OF ARMS TRAFFIC**

**Weapons subject to general prohibition**

**45.**—(1) Subject to Article 46, a person who, without the authority of the Secretary of State, has in his possession, or purchases or acquires, or manufactures, sells or transfers—

- (a) any firearm which is so designed or adapted that two or more missiles can be successively discharged without repeated pressure on the trigger;
- (b) any self-loading or pump-action rifle other than one which is chambered for .22 rimfire cartridges;
- (c) any self-loading or pump-action smoothbore firearm which is not an air gun or chambered for .22 rimfire cartridges and either has a barrel less than 60.96 centimetres in length or is less than 102 centimetres in length overall;
- (d) any smoothbore revolver firearm other than one which is chambered for 9 mm. rimfire cartridges or a muzzle-loading firearm;
- (e) any rocket launcher, or any mortar, for projecting a stabilised missile, other than a launcher or mortar designed for line-throwing or pyrotechnic purposes or as signalling apparatus;
- (f) any weapon of whatever description designed or adapted for the discharge of electricity or any noxious liquid, gas or other thing; and
- (g) any cartridge with a bullet designed to explode on or immediately before impact, any ammunition containing or designed or adapted to contain any such noxious thing as is mentioned in sub-paragraph (f) and, if capable of being used with a firearm of any description, any grenade, bomb (or other like missile), or rocket or shell designed to explode on or immediately before impact,

shall be guilty of an offence.

(2) Subject to Article 46, a person who without the authority of the Secretary of State has in his possession, or purchases or acquires, or sells or transfers—

- (a) any firearm which is disguised as another object;
- (b) any rocket or ammunition not falling within paragraph (1)(g) which consists in or incorporates a missile designed to explode on or immediately before impact and is for military use;
- (c) any launcher or other projecting apparatus not falling within paragraph (1)(e) which is designed to be used with any rocket or ammunition falling within sub-paragraph (b) or with ammunition which would fall within that sub-paragraph but for its being ammunition falling within paragraph (1)(g);

- (d) any ammunition for military use which consists in or incorporates a missile designed so that a substance contained in the missile will ignite on or immediately before impact;
- (e) any ammunition for military use which consists in or incorporates a missile designed, on account of its having a jacket and hard-core, to penetrate armour plating, armour screening or body armour;
- (f) any ammunition which is designed to be used with a pistol and incorporates a missile designed or adapted to expand on impact;
- (g) anything which is designed to be projected as a missile from any weapon and is designed to be, or has been, incorporated in—
  - (i) any ammunition falling within sub-paragraphs (b) to (f); or
  - (ii) any ammunition which would fall within any of those sub-paragraphs but for its being specified in paragraph (1),shall be guilty of an offence.

(3) An authority given to a person by the Secretary of State under this Article shall be in writing and shall be subject to such conditions as may be specified in the authority.

(4) The conditions of the authority shall include such as the Secretary of State, having regard to the circumstances of each particular case, thinks fit to impose for the purpose of ensuring that the prohibited weapon or ammunition to which the authority relates will not endanger public safety or the peace.

(5) It is an offence for a person to whom an authority is given under this Article to fail to comply with any of its conditions.

(6) The Secretary of State may at any time revoke an authority given to a person under this Article by notice in writing requiring him to surrender the authority to such person as may be specified in the notice within 21 days from the date of the notice; and if he fails to comply with that requirement, he shall be guilty of an offence.

(7) For the purposes of this Article and Article 46—

- (a) any rocket or ammunition which is designed to be capable of being used with a military weapon shall be taken to be for military use;
- (b) references to a missile designed so that a substance contained in it will ignite on or immediately before impact include any missile containing a substance that ignites on exposure to air; and
- (c) references to a missile's expanding on impact include its deforming in any predictable manner on or immediately after impact.

(8) For the purposes of paragraph (1)(c), any detachable, folding, retractable or other movable butt-stock shall be disregarded in measuring the length of any firearm.

(9) In this Article "muzzle-loading firearm" means a firearm which is designed to be loaded at the muzzle end of the barrel or chamber with a loose charge and a separate ball (or other missile).

(10) The Secretary of State may by order add any firearm or any ammunition to the weapons or ammunition specified in paragraph (1) whether by altering the description of any weapon or ammunition in that paragraph or otherwise.