
STATUTORY INSTRUMENTS

2004 No. 702

The Firearms (Northern Ireland) Order 2004

PART VIII

MISCELLANEOUS AND GENERAL

Appeal from decision of Chief Constable

74.—(1) A person aggrieved by a decision of the Chief Constable under this Order may appeal to the [^{F1}relevant authority] if it is a decision to which this Article applies.

(2) On an appeal under this Article the [^{F2}relevant authority] may make such order as the relevant authority] thinks fit having regard to the circumstances.

(3) This Article applies to the following decisions of the Chief Constable under this Order—

- (a) a refusal to grant or vary any certificate;
- (b) a revocation of a certificate;
- (c) a condition attached to any certificate or the variation of such a condition;
- (d) a requirement to surrender a certificate of approval under Article 17(3) or 18(2);
- (e) an order under Article 72(4).

(4) In this Article—

“certificate”, except in the expression “certificate of approval”, includes a permit or authorisation under this Order;

“grant” includes issue;

“revocation” includes—

- (a) in relation to a firearm certificate, partial revocation under Article 9;
- (b) in relation to a firearms dealer's certificate, the removal of a place of business under Article 32;

“vary any certificate”, in relation to a firearms dealer's certificate, includes adding a place of business under Article 31.

[^{F3}(5) In this Article “the relevant authority” means—

- (a) the Secretary of State, in any case where the Chief Constable's decision was taken wholly or partly on the basis of information the disclosure of which may, in the view of the Secretary of State or of the Chief Constable, be against the interests of national security;
- (b) the Department of Justice, in any other case.

(6) Where the Chief Constable makes a decision within paragraph (3)(a) to (d), he must notify (as the case may be)—

- (a) the applicant, or
- (b) the holder of the certificate,

Changes to legislation: *The Firearms (Northern Ireland) Order 2004, Section 74 is up to date with all changes known to be in force on or before 28 March 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*

who the relevant authority is for the purposes of any appeal against the decision.

(7) An order under Article 72(4) must be accompanied by a written statement by the Chief Constable specifying who the relevant authority is for the purposes of any appeal against the order.]

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| <p>F1 Words in art. 74(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. 8(2) (with arts. 28-31); S.I. 2010/977, art. 1(2)</p> <p>F2 Words in art. 74(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. 8(3) (with arts. 28-31); S.I. 2010/977, art. 1(2)</p> <p>F3 Art. 74(5)-(7) 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. 8(4) (with arts. 28-31); S.I. 2010/977, art. 1(2)</p> |
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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\(4\)](#)