
STATUTORY INSTRUMENTS

2005 No. 1966

The Firearms (Amendment) (Northern Ireland) Order 2005

Title and commencement

1.—(1) This Order may be cited as the Firearms (Amendment) (Northern Ireland) Order 2005.

(2) This Order comes into operation on the expiration of two months from the day on which it is made.

Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954 (c. 33) applies to this Order as it applies to an Act of the Assembly.

(2) In this Order—

“the principal Order” means the Firearms (Northern Ireland) Order 2004 (NI 3).

Prohibition of certain air guns

3.—(1) In Article 45(1) of the principal Order (list of weapons subject to general prohibition) after sub-paragraph (a) insert—

“(aa) any air gun which uses, or is designed or adapted for use with, a self-contained gas cartridge system;”.

(2) In Article 70 of the principal Order (minimum sentence for certain offences) in paragraph (1) (a)(ii) after “45(1)(a)” insert “, (aa) ”.

(3) In Schedule 5 to the principal Order (table of punishments) in the first column of the entry relating to Article 45(1)(a), (b), (c), (d), (e) and (g) after “45(1)(a)” insert “, (aa) ”.

(4) In the Customs and Excise Management Act 1979 (c. 2)—

(a) in section 50(5A)(b) (penalty for improper importation of goods);

(b) in section 68(4A)(b) (offences in relation to exportation of prohibited or restricted goods);
and

(c) in section 170(4A)(b) (penalty for fraudulent evasion of duty, etc.),

after “45(1)(a)” insert “, (aa) ”.

Order adding to list of prohibited weapons

4.—(1) After Article 45(10) of the principal Order (order adding to list of prohibited weapons) insert—

“(11) An order under paragraph (10) may make such consequential amendments to this Order or to any other statutory provision as the Secretary of State thinks fit.”.

(2) In Article 81(3) of the principal Order (saving and transitional provisions) for the words “or 8(3)” substitute the words “, 8(3) or 45(10) ”.

Carrying an air gun or imitation firearm in a public place

5.—(1) In Article 61(1) of the principal Order (carrying a firearm in a public place) for the words from “in a public place a loaded shotgun” to the words “for use in that firearm” substitute the words—

“in a public place—

- (a) a loaded shotgun;
- (b) an air gun (whether loaded or not);
- (c) any other firearm (whether loaded or not) together with ammunition suitable for use in that firearm; or
- (d) an imitation firearm.”

(2) In Schedule 5 to the principal Order (table of punishments) in the entry relating to Article 61(1)—

- (a) in the second column (general nature of offence) for the words “firearm and ammunition” substitute the words “firearm or imitation firearm”; and
- (b) in the third column (mode of prosecution) after the word “not” insert the words “in the case of an imitation firearm or”.

(3) ^{F1}

<p>F1 Art. 5(3) repealed (1.3.2007) by Police and Criminal Evidence (Amendment) (Northern Ireland) Order 2007 (S.I. 2007/288 (N.I. 2)), arts. 1(2), 41(2), Sch. 2</p>

A. K. Galloway
Clerk of the Privy Council

Changes to legislation:

There are currently no known outstanding effects for the The Firearms (Amendment) (Northern Ireland) Order 2005.