Chapter 26 - Northern Ireland

26.1 Section 60(3) of the 1968 Act provides that the Act shall not extend to Northern Ireland, where the possession of firearms is subject to separate legislation (see the Firearms (Northern Ireland) Order 2004 (No. 702) (N.I.3)). This chapter provides some information about the differences and similarities between firearms controls in Northern Ireland and Great Britain. It also offers more detailed information about the movement of firearms and ammunition from England, Wales and Scotland to Northern Ireland.

General

26.2 In Northern Ireland, unlike in Great Britain, all firearms, including shotguns, air weapons (except those with a kinetic energy of one joule or less, as stated in Schedule 1, paragraph 9 of the 2004 Order) and de-activated guns (unless they are de-activated to the 1995 Home Office standard, as updated in 2010 – see chapter 2.17) are subject to firearm certificate control and it is illegal for any person under the age of eighteen to be in possession of a firearm. In certain circumstances sixteen to eighteen year olds are permitted to possess stipulated types of firearms and ammunition for particular purposes. These particular provisions are stated within section 7 of the 2004 Order.

Firearm Certificates

26.3 The definition of “firearm certificate” in section 57(4) of the 1968 Act specifically includes a firearm certificate granted in Northern Ireland. A firearm certificate issued in Northern Ireland is thus valid in Great Britain and, if the holder of such a certificate takes up residence in Great Britain, the certificate may be varied or revoked and the conditions subject to which it is held may be varied as if it were a certificate granted in Great Britain.

26.4 Section 15 of the 1968 Act provides that a person holding a firearm certificate issued in Northern Ireland authorising them to possess a shotgun is exempt from the provision in section 2(1) of the 1968 Act which makes it an offence to possess, purchase or acquire a shotgun without a certificate.

26.5 The period of validity of a firearm certificate issued in Northern Ireland is five years, the same as elsewhere in the United Kingdom. The proviso to section 26(3) of the 1968 Act provides that, subject to the power of a chief officer of police in Great Britain to renew for a period of five years, a certificate granted or last renewed in Northern Ireland shall not continue in force for a longer period than that for which it was so granted or last renewed. On expiry the holder should apply for a certificate to be granted by the chief officer of police in the area where they reside.
Registered Firearms Dealers

26.6 The provision in section 57(4) of the 1968 Act in relation to a firearms dealer also covers the holder of a firearms dealer's certificate in Northern Ireland. The provisions as to firearms dealers in sections 3(1) to (5), 4(2) to (4), 8(1) and (2), and 45 of the 1968 Act and sections 6, 7(3), 13 and 18(2) to (5) of the 1988 Act apply to persons holding firearms dealers' certificates in Northern Ireland. Section 34(1) of the 1968 Act prohibits the registration in Great Britain of a person who has been prohibited from being granted a certificate by order of a court in Northern Ireland. Article 2 of the Firearms (Northern Ireland) Order 2004 (NI 3) provides that, "holder of a firearms dealer's certificate" includes a person registered under section 33 of the Firearms Act 1968 (c. 27). Accordingly, a person registered as a dealer in Great Britain may trade in or with Northern Ireland.

Sale, repair, test, proof, hire, gift or loan

26.7 It should be noted that the prohibitions in section 3(2) and 3(3) of the 1968 Act apply to persons within the United Kingdom, and therefore include Northern Ireland. Section 35 of the 1997 Act with regard to sales etc. of firearms and ammunition not only applies to transactions with persons in Great Britain but also to transactions with persons in Northern Ireland. However, the additional requirements of sections 32, 33 and 34 of the 1997 Act, which specifically requires that transfers take place in person, are limited to Great Britain.

Taking firearms from Great Britain to Northern Ireland

26.8 The holder of either a firearm or shotgun certificate granted in England, Wales or Scotland who wishes to take a related firearm into Northern Ireland is required to provide the Chief Constable of the Police Service of Northern Ireland with such particulars of the firearm and ammunition as he may require. They must also obtain from the Chief Constable of the Police Service of Northern Ireland a Certificate of Approval (see article 17 of the 2004 Order).

26.9 Firearms (including air weapons) may only be taken into, possessed or used in Northern Ireland in accordance with any condition imposed on the Certificate of Approval. Certificate of Approval application forms are obtainable from the Chief Constable, Police Service of Northern Ireland, Firearms and Explosives Branch, Lisnasharragh, 42 Montgomery Road, Belfast BT6 9LD (028 9065 0222). Application for a Certificate of Approval must be made not less than one month before the proposed date of arrival in Northern Ireland. No fee is payable for a Certificate of Approval.

26.10 The documents required and the procedures to be followed in cases of firearms (including air weapons) taken into Northern Ireland by persons resident in Great Britain are set out in Appendix 8.

26.11 The Firearms (Removal to Northern Ireland) (Revocation) Order 2003 (SI 2003/3228), which came into force on 1 January 2004, revoked the Firearms (Removal to Northern Ireland) Order 1990 (SI 1990/2621) and ended the system of prior approvals for section 1 firearms and ammunition.