

## RESTRICTED - POLICY

ANNEX

## SUMMARY OF PROPOSALS

DEREGULATION OF AIR GUNS; COMPONENT PARTS; AND DEACTIVATED FIREARMS

To permit those air weapons (that is to say air rifles, air guns or air pistols) which are designed to operate at a kinetic muzzle energy of less than 3-4 joules to be held without certificate;

To limit the legal definition of component parts to those parts which are pressure-bearing and essential to the firearm's designed purpose; and

To permit deactivated firearms, (including prohibited firearms to be held without certificate) subject to certain conditions.

GRANT AND REVOCATION OF FIREARMS CERTIFICATES

To end the system of granting full firearms certificates to non-NI residents and replace it with one of visitors' certificates of 12 months duration;

To reschedule the legal criteria for grant of a certificate to give priority to public safety considerations;

That "intemperate habits" as grounds for refusal should also include drugs and solvent abuse;

The legislation should make clear that the onus is on the applicant to show "good reason";

To extend the period of a firearm certificate from 3 to 5 years;

To replace the system of firearm certificate renewals by a more rigorous requirement for new grants and to permit the additional cost involved in the pursuit of late applications to be reflected in the cost of those regrants;

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To extend exemptions from holding firearms certificates to include borrowed shotguns and air guns in specified circumstances;

To extend theatre and cinema production exemptions from the requirement for firearms certificates to include other electronic visual media; and

To amend the law to permit the Chief Constable to take specific account of criminal convictions outside the United Kingdom.

STANDARDS OF COMPETENCY IN HANDLING FIREARMS AND MINIMUM AGE LIMITS

To introduce minimum standards of competence in firearms handling, validated by test, and make them a condition for the grant of a firearm certificate; and

To amend the legislation to permit persons aged between 14 and 18 years to use a shotgun or other firearm not exceeding .22 calibre for competition and sporting purposes including the shooting of game and for the control of vermin (on lands not owned or occupied by them but where they have permission to shoot), "on loan" from and under the direct supervision of the legal owner.

FIREARMS CLUBS

To introduce minimum statutory conditions for club authorisation by the Secretary of State;

To extend the period of club authorisation from 3 to 6 years; and

To charge an appropriate fee for authorisation and for club firearm certificates.

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FIREARMS DEALERS

To harmonise the grounds for refusal of authorisation as a firearms dealer with those for refusal of firearms certificates and firearms clubs;

To amend the legislation to replace the "need" criterion for authorisation with a "substantial extent" test;

To discontinue dealers' special permits and make provision for alternative temporary trading in the dealers' authorisation;

To clarify that dealers' records must be kept for a minimum of 5 years (rather than 10), and in written form or on computer in a manner acceptable and accessible to the Chief Constable;

To amend the legislation so that dealers' notification (to the RUC) of transactions can be in written or electronic form and may be made within 72 hours;

To extend the grounds for revoking a dealer's authorisation to include statutory prohibition; and

To extend the period of firearms dealers' authorisation from 3 to 5 years.

POWERS OF SEARCH; BALLISTICS; FORFEITURE OF FIREARMS; CROWN EXEMPTIONS; POWERS OF DELEGATION; ANTIQUE FIREARMS; MUSEUMS; CERTIFICATES AND OTHER FEES; AND PRESCRIBED DOCUMENTS

To broaden the power of search with warrant to include public safety grounds and to allow the search to be undertaken by any person duly authorised by the Chief Constable;

To extend the power to permit ballistic testing for all categories of firearms;

To amend the forfeiture arrangements under Article 53 to allow for the courts' discretionary period of 28 days;

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To extend the exemption of crown servants under Article 53 to include civilians directly employed by the Chief Constable;

To extend the Chief Constable's powers of delegation under Article 59 to include persons other than members of the RUC;

To remove the present exemption for those antique firearms which are capable of firing a shot;

To amend the legislation to permit the issue of museum firearms licences;

To charge an appropriate fee (taking account of full cost recovery and best practice) for all categories of firearms certificates, permits, authorisation, appeals and applications for the removal of statutory prohibition;

To replace the Firearms Order's reliance on prescribing forms by regulations with a general requirement that documentation be in such form and contain such information as the Chief Constable and Secretary of State may reasonably require.

FIREARMS APPEALS AND APPLICATIONS FOR REMOVAL OF STATUTORY PROHIBITION

To enable the Secretary of State to qualify her decision on appeal or limit its scope after consultation with the Chief Constable;

To charge an administrative fee for appeals which will be refundable in successful cases;

To charge an administrative fee for applications for removal of prohibitions;

To restrict prohibited persons to a single application to the Secretary of State unless there has been a substantive change in circumstances.

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To require a minimum period between the Secretary of State's decision to refuse an appeal and any subsequent application to the Chief Constable, unless there has been a material change in circumstances; and

To clarify that prohibition applies in those cases where the custodial sentence is suspended.

GUIDANCE TO THE CHIEF CONSTABLE AND CREATION OF A FIREARMS  
CONSULTATIVE FORUM

The Northern Ireland Office will issue a Memorandum on firearms law and policy for the guidance of the Chief Constable and arrange for its publication;

A Firearms Consultative Forum will be established.

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