

FIREARMS (NORTHERN IRELAND) ORDER 2004

S.I. 2004 No. 702 (N.I. 3)

EXPLANATORY MEMORANDUM

NOTES ON ARTICLES

Article 70 - Minimum sentence for certain offences

Provides for mandatory minimum sentences of 5 years (for persons aged 21 years and over) and 3 years (for those under 21) for the unauthorised possession of certain prohibited weapons under Articles 45(1),(a),(b),(c),(d),(e),(g) and (2)(a), provided the offender had attained the age of 16 years at the time the offence was committed. It also applies the mandatory minimum sentences to the offence of purchase, acquisition or possession of a handgun under Article 3(1)(a). The Article provides the court with a discretionary power to impose an alternative penalty in exceptional circumstances.