

1990 No. 128

FIREARMS

**Firearms (Appeals and Applications) Regulations
(Northern Ireland) 1990***Made* 12th March 1990*Coming into operation* 1st June 1990*To be laid before Parliament*

The Secretary of State, in pursuance of Articles 2(2), 55 and 58 of the Firearms (Northern Ireland) Order 1981(a), hereby makes the following regulations:—

Citation and commencement

1. These regulations may be cited as the Firearms (Appeals and Applications) Regulations (Northern Ireland) 1990 and shall come into operation on 1st June 1990.

Appeals and applications to the Secretary of State

2.—(1) The provisions of paragraph (2) shall have effect in relation to an appeal under Articles 28(10), 29(3), 30(2), 35(5), 37(5), 38(3), 39(7), 40(4) or 53(5) of the Firearms (Northern Ireland) Order 1981 (appeals to the Secretary of State by persons aggrieved by certain decisions of the Chief Constable), and in relation to an application under Article 22(6) of that Order (applications to the Secretary of State for removal of prohibition by persons prohibited from purchasing, acquiring or possessing a firearm or ammunition).

(2) Such an appeal or application shall be made in accordance with the rules set out in the Schedule to these regulations.

Revocation

3. The Firearms Acts (Northern Ireland) 1920 to 1968 (Appeals) Rules (Northern Ireland) 1969(b) are hereby revoked.

Northern Ireland Office
12th March 1990

P. L. Brooke
One of Her Majesty's Principal
Secretaries of State

(a) S.I. 1981/155 (N.I. 2)
(b) S.R. & O (N.I.) 1969 No. 31

Rules for appeals under Articles 28(10), 29(3), 30(2), 35(5), 37(5), 38(3), 39(7), 40(4) and 53(5), and applications under Article 22(6)

1. An appeal or application shall be made by the person aggrieved or subject to the prohibition serving written notice of appeal or application upon the Secretary of State.

2. In the case of an appeal, the notice shall be served not later than the expiration of a period of one month from the date on which the decision of the Chief Constable against which appeal is made is notified to the appellant, or of such longer period as the Secretary of State may in special circumstances allow.

3. The notice shall state the name and address of the appellant or applicant. In the case of an appeal, if the appellant's address is different from the address to which notification was sent of the decision against which he is appealing, the notice shall also state the latter address.

4. In the case of an application, if the applicant's address is different from his address at the time of the commencement of the prohibition for the removal of which he is applying, the notice shall also state the latter address.

5. In the case of an appeal, the notice shall state:—

- (a) the decision of the Chief Constable against which the appeal is made; and
- (b) the grounds of the appeal.

6. In the case of an application, the notice shall state the grounds of the application.

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These regulations provide for the procedure on appeal to the Secretary of State from the decision of the Chief Constable as to—

- (a) the grant, variation, renewal and revocation of a firearm certificate; or
- (b) the conditions imposed on a firearm certificate or the variation of such conditions; or
- (c) the refusal to register a firearms dealer or the removal of his name from the register, or the imposition or variation of, or refusal to vary or revoke any condition imposed under such registration; or
- (d) the refusal to enter in the register of firearms dealers a place of business for the carrying on of business of such dealer or the removal of a place of business from the register; or
- (e) the grant or revocation of a special permit or a condition attached to it; or
- (f) the destruction or disposal of any firearm or ammunition.

They also provide for the procedure on an application to the Secretary of State to remove a prohibition on the purchase, acquisition or possession of a firearm or ammunition placed on persons who have been subject to certain sentences or orders.

1990 No. 129

**Road Races (Tandragee 100) Order
(Northern Ireland) 1990**

This Order, being of a temporary character, is not printed at length in this volume.