

**2005 No. 3**

**FIREARMS**

**Firearms (Appeals and Applications) Regulations  
(Northern Ireland) 2005**

*Made* - - - - - *3rd January 2005*

*Coming into operation* *1st February 2005*

*To be laid before Parliament*

The Secretary of State, in pursuance of Articles 2(2), 63, 74 and 80 of the Firearms (Northern Ireland) Order 2004(a), hereby makes the following regulations:

**Citation and commencement**

**1.** These Regulations may be cited as the Firearms (Appeals and Applications) Regulations (Northern Ireland) 2005 and shall come into operation on 1st February 2005.

**Appeals and applications to the Secretary of State**

**2.—(1)** The provisions of paragraph (2) shall have effect in relation to an appeal under Article 74(1) of the Firearms (Northern Ireland) Order 2004 (appeals to the Secretary of State by persons aggrieved by certain decisions of the Chief Constable), and in relation to an application under Article 63(7) 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 (Appeals and Applications) Regulations (Northern Ireland) 1990(b) are hereby revoked.

*P. Murphy*

Northern Ireland Office  
3rd January 2005

One of Her Majesty's Principal Secretaries of State

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(a) S.I. 2004/702 (N.I. 3)  
(b) S.R. & O. (N.I.) 1990 No. 128

## SCHEDULE

Regulation 2(2)

### RULES FOR APPEALS UNDER ARTICLE 74(1) AND APPLICATIONS UNDER ARTICLE 63(7)

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 prescribe the procedure for making appeals to the Secretary of State regarding decisions of the Chief Constable made under the Firearms (Northern Ireland) Order 2004 and with applications to the Secretary of State for the removal of statutory prohibition on the holding of firearms and ammunition.

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