Changes to Legislation: as of 11 November 2026, this Act is up to date with all changes known to be in force.



Number 17 *of* 1925

FIREARMS ACT 1925

REVISED

Updated to 1 September 2026

This Revised Act is an administrative consolidation of the *Firearms Act 1925*. It is prepared by the Law Reform Commission in accordance with its function under the *Law Reform Commission Act 1975* (3/1975) to keep the law under review and to undertake revision and consolidation of statute law.

All Acts up to and including the *Development (Strategic Gas Reserve) Act 2026* (36/2026), enacted 23 July 2026, and all statutory instruments up to and including the *Insurance (Disregard of Certain Medical History and Miscellaneous Provisions) Act 2026 (Commencement) Order 2026* (S.I. No. 443 of 2026), made 24 August 2026, were considered in the preparation of this Revised Act.

Disclaimer: While every care has been taken in the preparation of this Revised Act, the Law Reform Commission can assume no responsibility for and give no guarantees, undertakings or warranties concerning the accuracy, completeness or up to date nature of the information provided and does not accept any liability whatsoever arising from any errors or omissions. Please notify any errors, omissions and comments by email to revisedacts@lawreform.ie.

Number 17 *of* 1925.

FIREARMS ACT 1925

REVISED

Updated to 1 September 2026

ARRANGEMENT OF SECTIONS

Section

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Section

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24. Search orders.
25. Punishments.
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25CA. Delegation of certain functions of Superintendent.
25D. Liability of officers of bodies corporate.
26. Savings.
26A. Regulations regarding disposal of certain firearms.
27. Minister may make regulations.
27A. Laying of orders or regulations before Houses of Oireachtas.
27B. Provision of information by Commissioner to Minister for purposes of Act and Firearms (Firearm Certificates For Non-Residents) Act 2000.
28. Partial continuance of Firearms (Temporary Provisions) Act, 1924.
29. Repeal.
30. Short title and commencement.

ACTS REFERRED TO

Firearms (Temporary Provisions) Act, 1924	No. 9 of 1924
Firearms (Temporary Provisions) (Continuance) Act, 1925	No. 10 of 1925

Number 17 *of* 1925.

FIREARMS ACT 1925

REVISED

Updated to 1 September 2026

AN ACT TO PLACE RESTRICTIONS ON THE POSSESSION OF FIREARMS AND OTHER WEAPONS AND AMMUNITION, AND FOR THAT AND OTHER PURPOSES TO AMEND THE LAW RELATING TO FIREARMS AND OTHER WEAPONS AND AMMUNITION. [6*th June*, 1925.]

BE IT ENACTED BY THE OIREACHTAS OF SAORSTÁT ÉIREANN AS FOLLOWS:—

Annotations

Modifications (not altering text):

C1 Application of collectively cited *Firearms Acts 1925 to 1990* extended (27.04.2022) by *European Union (Acquisition and Possession of Weapons and Ammunition) Regulations 2022* (S.I. No. 209 of 2022), reg. 20.

Provisions of Firearms Acts and other statutes

20. The provisions of the Firearms Acts and other relevant statutes, including provisions relating to powers of the Garda Síochána and Customs Officers, shall extend to a European Firearms Pass or other document to which these Regulations relate and a reference in those enactments to a firearm certificate shall, where the context so admits, include reference to any such document.

C2 Functions transferred and references to "Department of Finance" and "Minister for Finance" construed (29.07.2011) by *Finance (Transfer of Departmental Administration and Ministerial Functions) Order 2011* (S.I. No. 418 of 2011), arts. 2, 3, 5 and sch. 1 part 2, in effect as per art. 1(2).

2. (1) The administration and business in connection with the performance of any functions transferred by this Order are transferred to the Department of Public Expenditure and Reform.

(2) References to the Department of Finance contained in any Act or instrument made thereunder and relating to the administration and business transferred by paragraph (1) shall, on and after the commencement of this Order, be construed as references to the Department of Public Expenditure and Reform.

3. The functions conferred on the Minister for Finance by or under the provisions of —

(*a*) the enactments specified in Schedule 1, and

(*b*) the statutory instruments specified in Schedule 2,

are transferred to the Minister for Public Expenditure and Reform.

...

5. References to the Minister for Finance contained in any Act or instrument under an Act and relating to any functions transferred by this Order shall, from the commencement of this Order, be construed as references to the Minister for Public Expenditure and Reform.

...

Schedule 1

Enactments

...

Part 2

1922 to 2011 Enactments

Number and Year (1)	Short Title (2)	Provision (3)
...	...	...
No. 17 of 1925	Firearms Act 1925	Sections 3B, 3C, 4B(6) and 27
...	...	...

C3 Application of Act extended (28.01.1964) by *Firearms Act 1964* (1/1964), s. 5, commenced on enactment.

Contravention of orders under sections 3 and 4.

5.—A person who contravenes a provision of an order under section 3 or section 4 of this Act shall be guilty of an offence under the Principal Act.

C4 Exemption for certain proofs in relation to prosecutions under Act provided (28.01.1964) by *Firearms Act 1964* (1/1964), s. 24, commenced on enactment.

Onus of proof.

24.—(1) Where, in a prosecution for an offence under the Principal Act, the existence or non-existence of a firearm certificate, a licence under section 17 of the Principal Act, an authorisation under section 2 of the Principal Act, a permit under section 3 of this Act or an authorisation under section 13 of this Act is material, it shall not be necessary to prove that the certificate, licence, authorisation or permit does not exist.

(2) Where, in a prosecution for an offence under the Principal Act, possession, use or carriage of a firearm or ammunition by a person is proved, it shall not be necessary to prove that the person was not entitled to have in his possession, use or carry a firearm or ammunition.

Editorial Notes:

E1 Previous affecting provisions: application of collectively cited *Firearms Acts 1925 to 1990* extended (9.12.1993) by *European Communities (Acquisition and Possession of Weapons and Ammunition) Regulations 1993* (S.I. No. 362 of 1993), reg. 8; revoked (27.04.2022) by *European Union (Acquisition and Possession of Weapons and Ammunition) Regulations 2022* (S.I. No. 209 of 2022), reg. 40(a).

E2 The possession of articles connected with certain offences under the collectively cited *Firearms Acts 1925 to 1990* is also an offence as provided (3.09.1998) by *Offences Against the State (Amendment) Act 1998* (39/1998), s. 7(1), commenced on enactment and continued in force to 30.06.2013 by motions of Dáil Éireann on 13.06.2012 and Seanad Éireann on 20.06.2012 in accordance with s. 18(2).

E3 Offences under collectively cited *Firearms Act 1925 to 1971* designated scheduled offences for the purposes of Part V of the *Offences against the State Act 1939* (13/1939) (30.05.1972) by *Offences Against The State (Scheduled Offences) Order 1972* (S.I. No. 142 of 1972).

E4 Previous affecting provisions: definition of firearm extended (1.01.1991) by *Firearms and Offensive Weapons Act 1990* (12/1990), s. 4(1), S.I. No. 313 of 1990. Definition was replaced (1.08.2006) by *Firearms Act 1925* (17/1925), s. 1, as inserted (1.08.2006) by *Criminal Justice Act 2006* (26/2006), s. 26, S.I. No. 390 of 2006.

Definitions and interpretation.

1.—F1**[**(1) In this Act—

"ammunition" (except where used in relation to a prohibited weapon) means ammunition for a firearm and includes—

(*a*) grenades, bombs and other similar missiles, whether or not capable of being used with a firearm,

(*b*) any ingredient or component part of any such ammunition or missile, and

(*c*) restricted ammunition, unless the context otherwise requires;

"Commissioner" means the Commissioner of the Garda Síochána or a member of the Garda Síochána, or members of a particular rank in the Garda Síochána, not below the rank of superintendent appointed in writing by the Commissioner for the purpose of performing any of the Commissioner's functions under this Act;

F2**[**"Directive" means Directive (EU) 2021/555 of the European Parliament and of the Council of 24 March 2021[1] on control of the acquisition and possession of weapons (codification), and includes Articles 12 and 13 of Directive 2014/28/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to the making available on the market and supervision of explosives for civil uses (recast)[3];**]**

"firearm" means—

(*a*) a lethal firearm or other lethal weapon of any description from which any shot, bullet or other missile can be discharged,

(*b*) an air gun (including an air rifle and air pistol) with a muzzle energy greater than one joule or any other weapon incorporating a barrel from which any projectile can be discharged with such a muzzle energy,

(*c*) a crossbow,

(*d*) any type of stun gun or other weapon for causing any shock or other disablement to a person by means of electricity or any other kind of energy emission,

(*e*) a prohibited weapon,

(*f*) any article which would be a firearm under any of the foregoing paragraphs F3**[**or paragraph (*h*)**]** but for the fact that, owing to the lack of a necessary component part or parts, or to any other defect or condition, it is incapable of discharging a shot, bullet or other missile or projectile or of causing a shock or other disablement, as the case may be,

(*g*) except where the context otherwise requires, any component part of any article referred to in any of the foregoing paragraphs and, without prejudice to the generality of the foregoing, the following articles shall be deemed to be such component parts:

(i) telescope sights with a light beam, or telescope sights with an electronic light amplification device or an infra-red device, designed to be fitted to a firearm specified in paragraph (*a*), (*b*), (*c*) or (*e*),

(ii) a silencer designed to be fitted to a firearm specified in paragraph (*a*), (*b*) or (*e*), and

(iii) any object—

(I) manufactured for use as a component in connection with the operation of a firearm, and

(II) without which it could not function as originally designed,

and

(*h*) a device capable of discharging blank ammunition and to be used as a starting gun or blank firing gun,

and includes a restricted firearm, unless otherwise provided or the context otherwise requires;

1 OJ No. L 115, 6.4.2021, p.1
3 OJ No. L 96, 29.3.2014, p. 1

"firearm certificate" means a firearm certificate granted under this Act and, unless the context otherwise requires, includes a restricted firearm certificate, a firearms training certificate and a firearm certificate granted under the Firearms (Firearm Certificates for Non-Residents) Act 2000;

"firearm dealer" means a person who, by way of trade or business, manufactures, sells, lets on hire, repairs, tests, proves, purchases, or otherwise deals in firearms or ammunition;

"firearms training certificate" has the meaning given to it by section 2A of this Act;

"issuing person", in relation to the grant or renewal of a firearm certificate, authorisation or licence, means, as the case may be, the Minister, the Commissioner or the superintendent of the Garda Síochána of the district where an applicant for or holder of the firearm certificate, authorisation or licence is residing;

"Minister" means the Minister for Justice, Equality and Law Reform;

"muzzle energy", in relation to a firearm, means the energy of a projectile discharged by it, measured at its muzzle in joules;

F4**[**"prohibited ammunition" means ammunition that is declared by order under section 2C of this Act to be prohibited ammunition;

"prohibited firearm" means a firearm that is declared by order under section 2C of this Act to be a prohibited firearm.**]**

"prohibited weapon" means and includes any weapon of whatever description designed for the discharge of any noxious liquid, noxious gas or other noxious thing, and also any ammunition (whether for any such weapon or any other weapon) which contains or is designed or adapted to contain any noxious liquid, noxious gas or other noxious thing;

"place" includes a dwelling;

"prescribed" means prescribed by regulations made under this Act;

"registered firearms dealer" means a firearms dealer who is for the time being registered in the register of firearms dealers established in pursuance of this Act;

"restricted ammunition" means ammunition which is declared under section 2B(*b*) of this Act to be restricted ammunition;

"restricted firearm" means a firearm which is declared under section 2B(*a*) of this Act to be a restricted firearm;

"working mechanism", in relation to a firearm, includes the mechanism for loading, cocking and discharging it and ejecting spent ammunition.**]**

(2) In this Act the word "port" means any authorised place of entry into Saorstát Eireann, and the words "export"and "import"include respectively export and import over a land frontier as well as export and import over a sea frontier, and all cognate words shall be construed accordingly.

F5**[**(3) In this Act references to a Superintendent of the Garda Síochána include references to an Inspector of the Garda Síochána acting as a Superintendent.**]**

Annotations

Amendments:

F1 Substituted (1.08.2006) by *Criminal Justice Act 2006* (26/2006), s. 26, S.I. No. 390 of 2006.

F2 Substituted (27.04.2022) by *European Union (Acquisition and Possession of Weapons and Ammunition) Regulations 2022* (S.I. No. 209 of 2022), reg. 34(a).

F3 Inserted (1.08.2009) by *Criminal Justice (Miscellaneous Provisions) Act 2009* (28/2009), s. 25, S.I. No. 310 of 2009.

F4 Inserted (1.08.2009) by *Criminal Justice (Miscellaneous Provisions) Act 2009* (28/2009), s. 25, S.I. No. 310 of 2009.

F5 Inserted (28.01.1964) by *Firearms Act 1964* (1/1964), s. 14, commenced on enactment.

F6 Inserted by *Criminal Law, Civil Law and Defence (Miscellaneous Provisions) Act 2026* (34/2026), s. 4(a), not commenced as of date of revision.

F7 Substituted by *Garda Síochána (Functions and Operational Areas) Act 2022* (7/2022), s. 4(1), and sch. 1 ref no. 3, subject to transitional provisions in ss. 13, 15, 26, not commenced as of date of revision.

Modifications (not altering text):

C5 Prospective affecting provision: definition of "Irish Prison Service" inserted by *Criminal Law, Civil Law and Defence (Miscellaneous Provisions) Act 2026* (34/2026), s. 4(a), not commenced as of date of revision.

F6**[**"Irish Prison Service" means the prison service of the Department of Justice, Home Affairs and Migration which is charged with the management of prisons (within the meaning of the Prisons Act 2007);**]**

C6 Prospective affecting provision: definition of "issuing person" amended by *Garda Síochána (Functions and Operational Areas) Act 2022* (7/2022), s. 4(1) and sch. 1 ref. no. 3, not commenced as of date of revision, subject to transitional provisions in ss. 13, 15, 26.

"issuing person", in relation to the grant or renewal of a firearm certificate, authorisation or licence, means, as the case may be, the Minister, the Commissioner or F7**[**a superintendent of the Garda Síochána in the Garda division in which**]** an applicant for or holder of the firearm certificate, authorisation or licence is residing;

C7 Reference to firearm certificate construed (27.04.2022) by *European Union (Acquisition and Possession of Weapons and Ammunition) Regulations 2022* (S.I. No. 209 of 2022), reg. 20.

Provisions of Firearms Acts and other statutes

20. The provisions of the Firearms Acts and other relevant statutes, including provisions relating to powers of the Garda Síochána and Customs Officers, shall extend to a European Firearms Pass or other document to which these Regulations relate and a reference in those enactments to a firearm certificate shall, where the context so admits, include reference to any such document.

Editorial Notes:

E5 Previous affecting provision: definition of "Directive" inserted (1.09.2019) by *European Communities (Acquisition and Possession Of Weapons And Ammunition) (Amendment) Regulations 2019* (S.I. No. 420 of 2019), reg. 10(a), in effect as per reg. 1(2); substituted (27.04.2022) as per F-note above.

E6 Previous affecting provisions: application of subs. (1) extended (28.01.1964) by *Firearms Act 1964* (1/1964), s. 2, commenced on enactment, subject to transitional provision in subs. (2), as amended (20.07.1971) by *Firearms Act 1971* (13/1971) s. 2, commenced as per s. 7(4); repealed and substituted (1.01.1991) by *Firearms and Offensive Weapons Act 1990* (12/1990), s. 4(2)(a), S.I. No. 313 of 1990; substituted as per F-note above.

Restrictions on possession, use, and carriage of firearms.

2.—(1) Subject to the exceptions from this section hereinafter mentioned, it shall not be lawful for any person after the commencement of this Act to have in his possession, use, or carry any firearm or ammunition save in so far as such possession, use, or carriage is authorised by a firearm certificate granted under this Act and for the time being in force.

(2) Save in any of the cases hereinafter excepted from this section, every person who after the commencement of this Act has in his possession, uses, or carries any firearm without holding a firearm certificate therefor or otherwise than as authorised by such certificate, or purchases, uses, has in his possession, or carries any ammunition without holding a firearm certificate therefor or in quantities in excess of those authorised by such certificate, or fails to comply with any condition subject

to which a firearm certificate was granted to him, shall be guilty of an offence F8**[**under this section**]**.

F9**[**(2A) A person who is guilty of an offence under this section is liable—

(*a*) in case the firearm is a restricted firearm or the ammunition is restricted ammunition—

(i) on summary conviction, to a fine not exceeding €5,000 or imprisonment for a term not exceeding 12 months or both, and

(ii) on conviction on indictment, to a fine not exceeding €20,000 or imprisonment for a term not exceeding 7 years or both,

and

(*b*) in any other case—

(i) on summary conviction, to a fine not exceeding €2,500 or imprisonment for a term not exceeding 12 months or both, and

(ii) on conviction on indictment, to a fine not exceeding €10,000 or imprisonment for a term not exceeding 5 years or both.**]**

F10**[**(2B) F11**[**...**]]**

(3) This section shall not apply to any of the following cases and such cases are accordingly excepted from this section, that is to say:—

(*a*) the possession or carriage of a firearm under and in accordance with a permit issued under this Act and for the time being in force;

(*b*) the possession, use, or carriage of a firearm or ammunition by a member of the Defence Forces of Saorstát Eireann or of a lawful police force in Saorstát Eireann F12**[**or by a F13**[**member of garda staff (within the meaning of the Policing, Security and Community Safety Act 2024)**]**, in the performance of**]** his duty as such member;

F14**[**(*ba*) the possession, use, or carriage of a firearm or ammunition by an officer of the Minister assigned to perform functions in Forensic Science Ireland, in the course of the performance by him or her of such functions;**]**

(*c*) the possession, use, or carriage of a firearm or ammunition by a registered firearms dealer in the ordinary course of his business as such dealer;

(*d*) the possession or carriage of a firearm or ammunition in the ordinary course of business by a person engaged in the business of carrying or of warehousing goods for reward;

(*e*) the possession of a firearm or ammunition on board a ship as part of the equipment of the ship;

(*f*) the carriage for sporting purposes only of a firearm or ammunition under instructions from and for the use of the holder of a firearm certificate for such firearm or ammunition;

(*g*) the possession, carriage, or use of a humane killer F15**[**or ammunition therefor**]** in the ordinary course of business by a butcher, slaughterman, knacker, or other person engaged in the business of the humane slaughter of animals.

(4) This section shall not apply to any of the following cases and such cases are accordingly excepted from this section, that is to say:

(*a*) the possession, use or carriage of a firearm or ammunition by an employee of a registered firearms dealer in the ordinary course of business of the dealer as a firearms dealer,

(*b*) the possession or carriage of a firearm or ammunition by an employee of a person engaged in the business of carrying or of warehousing goods for reward in the ordinary course of such business,

(*c*) the possession or carriage of a firearm or ammunition for purposes of sale by an auctioneer who stands authorised under section 13 of F17**[**the Firearms Act 1964**]** or by an employee of such an auctioneer in the ordinary course of business as an auctioneer,

F18**[**(*d*) the possession, use or carriage of a firearm or ammunition during a competition or target practice at a club, shooting range or any other place that stands authorised under this section or section 4A of this Act**]**,

(*e*) the possession, use or carriage of a firearm (other than a shot-gun) of a calibre not exceeding .23 inches or of ammunition by a person operating a range or shooting gallery in an amusement hall or at a fun fair, carnival or other like event for the purposes of the range or shooting gallery who stands authorised in that behalf under this section or by a person using such range or shooting gallery,

(*f*) the possession, use or carriage of a firearm or ammunition by a person taking part in a theatrical performance or rehearsal or in the production of a cinematograph film for the purpose of the performance, rehearsal or production, being a performance, rehearsal or production the person in charge of which stands authorised in that behalf under this section,

F19**[**(*g*) the possession, use or carriage of a firearm, within the meaning of paragraph (*h*) of section 1, or of ammunition therefor for the purpose of being used as a starting gun or blank firing gun by a person who stands authorised in that behalf under this section, **]**

(*h*) the possession, use or carriage of a firearm or blank ammunition provided by the Minister for Defence by a person taking part in a ceremony of any kind for the purposes of the ceremony, being a person who stands authorised in that behalf under this section.

F20**[**(i) the possession, use, or carriage of a firearm or ammunition in the course of his duties by an officer of the Institute for Industrial Research and Standards charged with the operation of facilities for proofing firearms provided or procured by that Institute under the Firearms (Proofing) Act, 1968.**]**

F21**[**(*j*) the possession or carriage of a firearm or ammunition by a person, or the employee of a person, authorised under section 10(4A) of this Act,

(*k*) the possession, use or carriage of a firearm or ammunition for the purpose of bird control at an airport by an employee or agent of the airport authority who stands authorised in that behalf under this section.**]**

(5) (*a*) The Superintendent of any district may authorise in writing the possession, use or carriage of firearms or ammunition in that district in any of the circumstances specified in paragraphs (*d*), (*e*), (*f*), (*g*) F22**[**, (*h*)**]** F23**[**, (*j*) or (*k*)**]** of subsection (4) of this section F24**[**, or of any component parts of a firearm,**]** during such period, not exceeding one year, as may be specified in the authorisation.

(*b*) A Superintendent shall not grant an authorisation under this section unless he is satisfied having regard to all the circumstances (including the provision made or to be made for the storage of the firearms and ammunition to which the authorisation (if granted) would relate and the supervision of their use) that the possession, use or carriage, as the case may be, of firearms or ammunition in pursuance of the authorisation will not endanger the public safety or the peace.

(*c*) Where it is proposed to grant an authorisation under this section in respect of a F25**[**...**]** club or a range or other place referred to in paragraph (*d*) of subsection 4 of this section, the authorisation shall be granted to an officer of the club nominated by the club or to the person in charge of the range or other place as the case may be, and where there is a contravention of

a condition imposed in relation to the grant of such an authorisation and the contravention is proved to have been committed with the consent or approval of or to have been facilitated by any neglect on the part of the person to whom the authorisation is granted, that person shall be guilty of an offence under this Act.

(*d*) A Superintendent may impose in relation to the grant of an authorisation under this section such conditions (if any) as he considers necessary to prevent danger to the public and, where a condition is imposed, it shall be specified in the authorisation.

(*e*) An authorisation under this section may be revoked at any time by the Superintendent of the district in which it is granted.

(*f*) A person who contravenes a condition imposed in relation to the grant of an authorisation under this section shall be guilty of an offence under this Act.

F26**[**(6) In subsections (3)(*g*) and (4) (other than paragraphs F27**[**...**]** (*i*) and (*k*)), references to a firearm or ammunition do not include references to a restricted firearm or restricted ammunition.**]**

F28**[**(7) The superintendent of any district may authorise the Board of the National Museum in writing to possess for a specified period F29**[**(which, in the case of a firearm classified in Category A of the Directive, shall not exceed 5 years)**]** a firearm that is a museum heritage object within the meaning of the National Cultural Institutions Act 1997.**]**

Annotations

Amendments:

F8 Substituted (20.07.1971) by *Firearms Act 1971* (13/1971), s. 3(a), commenced as per s. 7(4).

F9 Substituted (1.08.2006) by *Criminal Justice Act 2006* (26/2006), s. 27(a), S.I. No. 390 of 2006. A fine of €5,000 translates into a class A fine not exceeding €5,000 as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 4(3) and table ref. no. 1, S.I. No. 662 of 2010. A fine of €2,500 translates into a class C fine not exceeding €2,500 as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 6(3) and table ref. no. 1, S.I. No. 662 of 2010.

F10 Inserted (20.07.1971) by *Firearms Act 1971* (13/1971), s. 3(b), commenced as per s. 7(4).

F11 Deleted (1.08.2006) by *Criminal Justice Act 2006* (26/2006), s. 27(b), S.I. No. 390 of 2006.

F12 Substituted (1.08.2023) by *Criminal Justice (Miscellaneous Provisions) Act 2023* (24/2023), s. 9(a), S.I. No. 391 of 2023.

F13 Substituted (23.07.2026) by *Criminal Law, Civil Law and Defence (Miscellaneous Provisions) Act 2026* (34/2026), s. 4(b)(i), commenced on enactment.

F14 Inserted (1.08.2023) by *Criminal Justice (Miscellaneous Provisions) Act 2023* (24/2023), s. 9(b), S.I. No. 391 of 2023.

F15 Inserted (28.01.1964) by *Firearms Act 1964* (1/1964), s. 15(a), commenced on enactment.

F16 Inserted (28.01.1964) by *Firearms Act 1964* (1/1964), s. 15(b), commenced on enactment.

F17 Substituted (1.08.2006) by *Criminal Justice Act 2006* (26/2006), s. 27(c)(i), S.I. No. 390 of 2006.

F18 Substituted (1.08.2006) by *Criminal Justice Act 2006* (26/2006), s. 27(c)(ii), S.I. No. 390 of 2006.

F19 Substituted (1.08.2009) by *Criminal Justice (Miscellaneous Provisions) Act 2009* (28/2009), s. 26(a), S.I. No. 310 of 2009.

F20 Inserted (16.04.1969) by *Firearms (Proofing) Act 1968* (20/1968), s. 8, S.I. No. 64 of 1969.

F21 Substituted (1.08.2006) by *Criminal Justice Act 2006* (26/2006), s. 27(c)(iii), S.I. No. 390 of 2006.

F22 Inserted (1.08.2006) by *Criminal Justice Act 2006* (26/2006), s. 27(d), S.I. No. 390 of 2006.

F23 Substituted (18.05.2007) by *Criminal Justice Act 2007* (29/2007), s. 34(a), S.I. No. 236 of 2007.

F24 Inserted (20.07.1971) by *Firearms Act 1971* (13/1971), s. 3(d), commenced as per s. 7(4).

F25 Deleted (1.08.2006) by *Criminal Justice Act 2006* (26/2006), s. 27(e), S.I. No. 390 of 2006.

F26 Inserted (1.08.2006) by *Criminal Justice Act 2006* (26/2006), s. 27(f), S.I. No. 390 of 2006.

F27 Deleted (1.08.2009) by *Criminal Justice (Miscellaneous Provisions) Act 2009* (28/2009), s. 26(b), S.I. No. 310 of 2009.

F28 Inserted (18.05.2007) by *Criminal Justice Act 2007* (29/2007), s. 34(b), S.I. No. 236 of 2007.

F29 Inserted (1.09.2019) by *European Communities (Acquisition and Possession Of Weapons And Ammunition) (Amendment) Regulations 2019* (S.I. No. 420 of 2019), reg. 10(b), in effect as per reg. 1(2).

F30 Inserted by *Criminal Law, Civil Law and Defence (Miscellaneous Provisions) Act 2026* (34/2026), s. 4(b)(ii), not commenced as of date of revision.

F31 Substituted by *Garda Síochána (Functions and Operational Areas) Act 2022* (7/2022), s. 4(1) and sch. 1 ref no. 3, not commenced as of date of revision, subject to transitional provisions in ss. 13, 15, 26.

Modifications (not altering text):

C8 Prospective affecting provision: subs. (3)(bb) inserted by *Criminal Law, Civil Law and Defence (Miscellaneous Provisions Act 2026* (34/2026), s. 4(b)(ii), not commenced as of date of revision.

F30**[**(*bb*) the possession, use, or carriage of an incapacitant spray, in accordance with rules made under section 35 of the Prisons Act 2007, by a prison officer in the performance of his or her duty as such an officer;**]**

C9 Prospective affecting provision: subss. (5)(a), (e) and (7) amended by *Garda Síochána (Functions and Operational Areas) Act 2022* (7/2022), s. 4(1) and sch. 1 ref no. 3, not commenced as of date of revision, subject to transitional provisions in ss. 13, 15, 26.

(5) (*a*) F31**[**A Superintendent in any Garda division may authorise in writing the possession, use or carriage of firearms or ammunition in that division**]** in any of the circumstances specified in paragraphs (*d*), (*e*), (*f*), (*g*) F22**[**, (*h*)**]** F23**[**, (*j*) or (*k*)**]** of subsection (4) of this section F24**[**, or of any component parts of a firearm,**]** during such period, not exceeding one year, as may be specified in the authorisation.

...

(*e*) An authorisation under this section may be revoked at any time by F31**[**a Superintendent in the Garda division**]** in which it is granted.

...

(7) F31**[**A superintendent in any Garda division**]** may authorise the Board of the National Museum in writing to possess for a specified period F29**[**(which, in the case of a firearm classified in Category A of the Directive, shall not exceed 5 years)**]** a firearm that is a museum heritage object within the meaning of the National Cultural Institutions Act 1997.

C10 Additional storage requirements prescribed (27.04.2022) by *European Union (Acquisition and Possession of Weapons and Ammunition) Regulations 2022* (S.I. No. 209 of 2022), reg. 13.

Storage of ammunition for relevant firearm

13. Subject to Regulation 15, a holder or an excepted person shall, when a relevant firearm is not in use, ensure that all ammunition for the relevant firearm in his or her possession is stored —

(*a*) in a receptacle that is locked, and

(*b*) separately from any firearm in which the ammunition is capable of being used.

...

Firearm certificate holders under age of 18

15. Where a holder referred to in Regulation 13 or 14 is under 18 years of age, a reference in the Regulation concerned to a holder shall be construed as a reference to the parent or

guardian who provided the written consent referred to in paragraph (3) of Regulation 11 in respect of the holder's application for the firearm certificate.

C11 Definition of firearm certificate extended (14.07.2000) by *Firearms (Firearm Certificates for Non-Residents) Act 2000* (20/2000), s. 2(15), commenced as per s. 8(3).

Firearms certificates.

2.— ...

(15) References to a firearm certificate in sections 2, 10, 16, 22 and 23 of the Principal Act shall include references to a firearm certificate granted under this Act.

Editorial Notes:

E7 Offences under section designated serious offences (4.09.1998) by *Bail Act 1997* (16/1997), s. 1 and sch. paras. 14(e), 29 and 30, S.I. No. 315 of 1998, as sch. para. 14 substituted (18.05.2007) by *Criminal Justice Act 2007* (29/2007), s. 17(a), S.I. No. 236 of 2007.

E8 Previous affecting provision: power under subs. (2B) exercised (6.10.1972) by *Firearms (Dangerous Weapons) Order 1972* (S.I. No. 251 of 1972); enabling provision deleted (1.08.2006) by *Criminal Justice Act 2006* (26/2006), s. 27(b), S.I. No. 390 of 2006.

E9 Previous affecting provision: subs. (2A) inserted (20.07.1971) by *Firearms Act 1971* (13/1971), s. 3(b); substituted as per F-note above.

E10 Previous affecting provision: subs. (2B) inserted (20.07.1971) by *Firearms Act 1971* (13/1971), s. 3(b); deleted as per F-note above.

E11 Previous affecting provision: subs. (4)(j) inserted (20.07.1971) by *Firearms Act 1971* (13/1971), s. 3(c); substituted as per F-note above.

E12 Previous affecting provision: penalties for offences under section prescribed (11.08.1927) by *Public Safety Act 1927* (31/1927), s. 28, commenced on enactment; repealed (26.12.1928) by *Public Safety Act 1928* (38/1928), s. 1, commenced on enactment.

F32**[**Firearms training certificate.

2A.— (1) The Commissioner, on application and payment of the prescribed fee (if any), may issue to a person over 14 years of age a certificate (in this Act referred to as a "firearms training certificate") authorising the person to possess a firearm and ammunition (except a restricted firearm and restricted ammunition F33**[**or a firearm to which section 2D(2) F34**[**...**]** applies and ammunition for such a firearm**]**) only while—

(*a*) carrying and using the firearm for hunting or target shooting—

(i) under the supervision of a specified person over 18 years of age who holds a firearm certificate in respect of it, and

(ii) where the firearm is used for target shooting, on the premises of an authorised rifle or pistol club or at an authorised shooting range or other place that stands authorised under section 2(5) of this Act,

and

(*b*) complying with such other conditions (if any) as the Commissioner may impose in the interests of public safety and security.

(2) Where the applicant is under 16 years of age, the application for a firearms training certificate shall be accompanied by the written consent of the applicant's parent or guardian.

(3) The firearms training certificate shall be in the prescribed form.

(4) Where such an application is refused, the Commissioner shall inform the applicant in writing and give the reasons for the refusal.

(5) A firearms training certificate shall continue in force for a period of 3 years from the date on which it was granted, unless revoked.

(6) The Commissioner may revoke a firearms training certificate if of opinion that the holder is not complying, or has not complied, with the conditions subject to which the certificate was granted.

(7) A holder of a firearms training certificate who, without reasonable excuse, does not comply with the conditions subject to which the certificate was granted is guilty of an offence and liable on summary conviction—

(*a*) for a first offence, to a fine not exceeding €500, and

(*b*) for any subsequent offence, to a fine not exceeding €1,000.

(8) It is an offence under this Act for the holder of a firearm certificate in respect of the firearm to which the firearms training certificate relates to permit, without reasonable excuse, the holder of that certificate to carry or use the firearm while not under his or her supervision.**]**

Annotations

Amendments:

F32 Inserted (1.08.2009) by *Criminal Justice Act 2006* (26/2006), s. 28, S.I. No. 309 of 2009. A fine of €500 translates into a class E fine not exceeding €500 as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 8(3) and table ref. no. 1, S.I. No. 662 of 2010. A fine of €1,000 translates into a class D fine not exceeding €1,000 as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 7(3) and table ref. no. 1, S.I. No. 662 of 2010.

F33 Inserted (1.09.2019) by *European Communities (Acquisition and Possession Of Weapons And Ammunition) (Amendment) Regulations 2019* (S.I. No. 420 of 2019), reg. 10(c), in effect as per reg. 1(2).

F34 Deleted (27.04.2022) by *European Union (Acquisition and Possession of Weapons and Ammunition) Regulations 2022* (S.I. No. 209 of 2022), reg. 34(b).

Modifications (not altering text):

C12 Requirements for application for firearms training or firearm certificate in respect of certain firearms provided (27.04.2022) by *European Union (Acquisition and Possession of Weapons and Ammunition) Regulations 2022* (S.I. No. 209 of 2022), reg. 11.

Application for firearms training certificate or firearm certificate in respect of firearm to which Directive applies

11. (1) An application for a firearms training certificate in respect of a firearm to which the Directive applies shall, where the applicant is under 18 years of age, be accompanied by the written consent of the applicant's parent or guardian.

(2) The Commissioner shall not issue a firearms training certificate in respect of a firearm to which the Directive applies to an applicant unless the Commissioner is satisfied that the possession and use of the firearm is not likely to be a danger to the applicant himself or herself.

(3) An application for a firearm certificate in respect of a firearm to which the Directive applies shall, where the applicant is under 18 years of age, be accompanied by the written consent of the applicant's parent or guardian.

(4) An issuing person shall not grant a firearm certificate in respect of a firearm to which the Directive applies to an applicant unless the issuing person is satisfied that the possession and use of the firearm is not likely to be a danger to the applicant himself or herself.

F35**[**Restricted firearms and ammunition.

2B.— The Minister may, in the interests of public safety and security, by order—

(*a*) declare specified firearms to be restricted firearms for the purposes of this Act by reference to one or more than one of the following criteria:

(i) category;

(ii) calibre;

(iii) working mechanism;

(iv) muzzle energy;

(v) description;

and

(*b*) declare specified ammunition to be restricted ammunition for the purposes of this Act by reference to one or more than one of the following criteria:

(i) category;

(ii) calibre;

(iii) weight;

(iv) kinetic energy;

(v) ballistic co-efficient;

(vi) design;

(vii) composition;

(viii) description.**]**

Annotations

Amendments:

F35 Inserted (1.08.2006) by *Criminal Justice Act 2006* (26/2006), s. 29, S.I. No. 390 of 2006.

Editorial Notes:

E13 Power pursuant to section exercised (15.09.2015) by *Firearms (Restricted Firearms and Ammunition) (Amendment) Order 2015* (S.I. No. 391 of 2015), in effect as per art. 2.

E14 Power pursuant to section exercised (26.08.2009) by *Firearms (Restricted Firearms And Ammunition) (Amendment) Order 2009* (S.I. No. 337 of 2009).

E15 Power pursuant to section exercised (1.05.2008) by *Firearms (Restricted Firearms and Ammunition) Order 2008* (S.I. No. 21 of 2008).

F36**[**Prohibited firearms and ammunition.

2C.— (1) The Minister may, in the interests of public safety and security, by order—

(*a*) declare specified firearms to be prohibited firearms for the purposes of this Act by reference to one or more than one of the following criteria:

(i) category;

(ii) calibre;

(iii) working mechanism;

(iv) muzzle energy;

(v) description;

and

(*b*) declare specified ammunition to be prohibited ammunition for the purposes of this Act by reference to one or more than one of the following criteria:

(i) category;

(ii) calibre;

(iii) weight;

(iv) kinetic energy;

(v) ballistic co-efficient;

(vi) design;

(vii) composition;

(viii) description.

(2) Any person who—

(*a*) possesses, uses or carries,

(*b*) manufactures, sells or hires, or offers or exposes for sale or hire, or by way of business repairs or modifies,

(*c*) puts on display, or lends or gives to any other person, or

(*d*) imports in to the State,

a prohibited firearm or prohibited ammunition shall be guilty of an offence.

(3) A person who is guilty of an offence under this section is liable—

(*a*) on summary conviction, to a fine not exceeding €5,000 or imprisonment for a term not exceeding 12 months or both, and

(*b*) on conviction on indictment, to a fine not exceeding €20,000 or imprisonment for a term not exceeding 7 years or both.

(4) This section shall not apply to any firearm or ammunition possessed, used, carried, manufactured, sold, hired, offered or exposed for sale or hire, repaired or modified by way of business, possessed for the purpose of sale or hire or for the purpose of modification by way of business, put on display, lent or given to another or imported into the State under the authority of the Minister for Defence for use by the Defence Forces of the State or under the authority of the Minister for use by any lawful police force in the State.**]**

Annotations

Amendments:

F36 Inserted (1.08.2009) by *Criminal Justice (Miscellaneous Provisions) Act 2009* (28/2009), s. 27, S.I. No. 310 of 2009. A fine of €5,000 translates into a class A fine not exceeding €5,000 as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 4(3) and table ref. no. 1, S.I. No. 662 of 2010.

F37**[**Prohibition on acquisition or possession of firearms classified in Category A of Directive

2D. (1) Subject to subsections (2), (3) and (4), a person who acquires or possesses a firearm or ammunition classified in Category A of the Directive shall be guilty of an offence and shall be liable—

(*a*) on summary conviction, to a fine not exceeding €5,000 or imprisonment for a term not exceeding 12 months or both, and

(*b*) on conviction on indictment, to a fine not exceeding €20,000 or imprisonment for a term not exceeding 7 years or both.

(2) Subsection (1) shall not, during the period beginning on 1 September 2019 and ending on 29 February 2020, apply to the possession of a firearm classified in point 6, 7 or 8 of Category A of the Directive by—

(*a*) a person who is the holder of a firearm certificate, which is in force, in respect of the firearm, or

(*b*) a registered firearms dealer who has lawfully purchased the firearm concerned by way of trade or business.

(3) This section shall not apply to—

(*a*) the possession, in accordance with an authorisation under section 2(7), of a firearm classified in Category A of the Directive, or

(*b*) the acquisition of a firearm referred to in paragraph (a) for the purpose of possessing it in accordance with an authorisation referred to in that paragraph.

(4) This section shall not apply to the acquisition or possession of a firearm or ammunition under the authority of the Minister for Defence for use by the Defence Forces of the State or under the authority of the Minister for use by any lawful police force in the State.**]**

Annotations

Amendments:

F37 Inserted (1.09.2019) by *European Communities (Acquisition and Possession Of Weapons And Ammunition) (Amendment) Regulations 2019* (S.I. No. 420 of 2019), reg. 10(d), in effect as per reg. 1(2).

F38**[**Restriction on licensing of certain firearms.

2E.(1) On and from 1 September 2019, no application for a firearm certificate in respect of a firearm classified in Category A of the Directive shall be considered by an issuing person.

(2) A firearm certificate in respect of a firearm classified in Category A of the Directive, other than a firearm to which subsection (3) applies, that is in force on 31 August 2019 shall, on and from 1 September 2019, stand revoked.

(3) A firearm certificate in respect of a firearm classified in point 6, 7 or 8 of Category A of the Directive that is in force on 29 February F39**[**2020**]** shall, on and from 1 March F39**[**2020**]**, stand revoked.**]**

Annotations

Amendments:

F38 Inserted (1.09.2019) by *European Communities (Acquisition and Possession Of Weapons And Ammunition) (Amendment) Regulations 2019* (S.I. No. 420 of 2019), reg. 10(d), in effect as per reg. 1(2).

F39 Substituted (27.04.2022) by *European Union (Acquisition and Possession of Weapons and Ammunition) Regulations 2022* (S.I. No. 209 of 2022), reg. 34(c).

F40**[**Revocation of firearm certificate where holder found in possession of certain loading devices

2F. An issuing person shall revoke a firearm certificate in respect of a firearm classified in Category B of the Directive granted by the person where the holder of the certificate is found to be in possession of—

(*a*) a loading device which can hold more than 20 rounds and is capable of being fitted to a centre-fire semi-automatic or repeating short firearm, or

(*b*) a loading device which can hold more than 10 rounds and is capable of being fitted to a centre-fire semi-automatic or repeating long firearm.**]**

Annotations

Amendments:

F40 Inserted (1.09.2019) by *European Communities (Acquisition and Possession Of Weapons And Ammunition) (Amendment) Regulations 2019* (S.I. No. 420 of 2019), reg. 10(d), in effect as per reg. 1(2).

F41**[**Applications for, and form and effect of, firearm certificates.

3.— (1) Application for a firearm certificate (other than a restricted firearm certificate) shall be made to the Superintendent of the Garda Síochána of the district in which the applicant resides.

(2) Application for a restricted firearm certificate shall be made to the Commissioner.

(3) The application shall be in the prescribed form, and if the applicant intends to use the firearm to hunt and kill exempted wild mammals within the meaning of the Wildlife Act 1976 (other than hares), be accompanied by a current licence to do so under section 29(1) of that Act.

(4) The applicant shall supply in writing any further information that the Superintendent or the Commissioner may require in the performance of his or her functions under this section.

(5) A firearm certificate shall be in the prescribed form and, subject to subsection (6) of this section, shall authorise the person to whom it is granted—

(*a*) to possess, use and carry the firearm specified in the certificate,

(*b*) to purchase ammunition for use in the firearm, and

(*c*) at any one time to possess or carry not more than the amount of ammunition specified in the certificate.

(6) Where the firearm is a shot-gun, the firearm certificate may, subject to subsection (11) of this section, authorise it to be used only for killing animals or birds other than protected wild animals or protected wild birds within the meaning of the Wildlife Act 1976 by the holder of the certificate either (as may be expressed in the certificate)—

(*a*) on land occupied by the holder, or

(*b*) on land occupied by another person.

(7) A firearm certificate which is in force, other than a relevant firearm certificate continued in force under section 3(3) of this Act, as amended by *section 28* of the *Criminal Justice (Miscellaneous Provisions) Act 2009,* shall continue in force for a period of 3 years from the date on which it was granted, unless revoked, and for any further such period for which it may be renewed.

(8) The holder of a firearm certificate may apply for renewal of the certificate within three months before it ceases to be in force.

(9) A decision on an application for a firearm certificate or its renewal shall be given within 3 months from the date on which the applicant submitted a completed application form.

(10) Where the application is refused, the applicant shall be informed in writing of the refusal and the reason for it.

(11) The following provisions have effect in relation to a certificate in the form referred to in subsection (6) of this section (in this subsection referred to as a "limited certificate"):

(*a*) a limited certificate relating to land occupied by a person other than the applicant for the certificate shall not be granted unless the occupier of the land has given the applicant a nomination in writing for holding the certificate;

(*b*) a limited certificate relating to any land shall not be granted in respect of any period if there is a limited certificate relating to the land already in force in respect of that period;

(*c*) a limited certificate shall not be granted unless the whole of the land to which it would relate is occupied by the same person;

(*d*) where a nomination referred to in paragraph (*a*) of this subsection is revoked, the limited certificate to which it related, if then in force, shall not be capable of being renewed.

(12) A firearm in respect of which a firearm certificate is granted shall be marked in the prescribed manner with a number or other prescribed identifying mark, and the number or mark shall be entered on the certificate.

(13) A person who—

(*a*) knowingly gives false or misleading information to an issuing person in relation to an application for a firearm certificate or for its renewal,

(*b*) forges a document purporting to be a firearm certificate or uses or knowingly possesses it, or

(*c*) with intent to deceive, uses or alters a firearm certificate or uses a firearm certificate so altered, is guilty of an offence and liable—

(i) on summary conviction, to a fine not exceeding €2,500 or imprisonment for a term not exceeding 6 months or both, or

(ii) on conviction on indictment, to a fine not exceeding €20,000 or imprisonment for a term not exceeding 5 years or both.

(14) Subsection (13) of this section is without prejudice to Part 4 of the Criminal Justice (Theft and Fraud Offences) Act 2001.

(15) Section 12 (limited use of shot-gun) of the Firearms Act 1964 is repealed.**]**

Annotations

Amendments:

F41 Substituted (1.08.2009) by *Criminal Justice Act 2006* (26/2006), s. 30, S.I. No. 309 of 2009 as substituted (1.08.2009) by *Criminal Justice (Miscellaneous Provisions) Act 2009* (28/2009), s. 43, S.I. No. 310 of 2009. A fine of €2,500 translates into a class C fine not exceeding €2,500 as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 5(3) and table ref. no. 1, S.I. No. 662 of 2010.

F42 Substituted by *Garda Síochána (Functions and Operational Areas) Act 2022* (7/2022), s. 4(1) and sch. 1 ref no. 3, not commenced as of date of revision, subject to transitional provisions in ss. 13, 15, 26.

Modifications (not altering text):

C13 Prospective affecting provision: subs. (1) amended by *Garda Síochána (Functions and Operational Areas) Act 2022* (7/2022), s. 4(1) and sch. 1 ref no. 3, not commenced as of date of revision, subject to transitional provisions in ss. 13, 15, 26.

3.— (1) Application for a firearm certificate (other than a restricted firearm certificate) shall be made to F42**[**a Superintendent of the Garda Síochána in the Garda division**]** in which the applicant resides.

Editorial Notes:

E16 The original and the second substitutions each came into effect on the same day, with the effect of commencing and replacing the first substitution (by s. 30 of the 2006 Act) at the same time.

E17 Offences under section designated serious offences (4.09.1998) by *Bail Act 1997* (16/1997), s. 1 and sch. paras. 14(e), 29 and 30, S.I. No. 315 of 1998, as sch. para. 14 substituted (18.05.2007) by *Criminal Justice Act 2007* (29/2007), s. 17(a), S.I. No. 236 of 2007.

E18 Previous affecting provision: subs. (3) was substituted (27.07.2009) by *Criminal Justice (Miscellaneous Provisions) Act 2009* (28/2009), s. 28, S.I. No. 293 of 2009, and was therefore in effect for 5 days only before the entire section was replaced as per the F-note above. The extension regime for 12 months established by s. 28 of the 2009 Act and the substituted subs. (3) appears to continue in force after that period because of the operation of the *Interpretation Act 2005* (23/2005), ss. 26(10)(d) and 27(1)(c), which allow for statutory instruments made, and rights accrued, under an enactment to continue to have effect after that enactment is repealed. Thus *Firearms Acts 1925 to 2009 (Firearm Certificate) Regulations 2009* (S.I. No. 295 of 2009) appear to be intended to continue in effect despite the replacement of their enabling provision.

E19 Power pursuant to subs. (3) exercised (27.07.2007) by *Firearms Acts 1925 to 2009 (Firearm Certificate) Regulations 2009* (S.I. No. 295 of 2009); subs. (3) substituted as per F-note above.

E20 Licence applied for under section deemed under certain circumstances to be granted under *Wildlife Act 1976* (39/1976), s. 29 by *Wildlife Act 1976* (39/1976), s. 29(5) as substituted (14.07.2000) by *Firearms (Firearm Certificates for Non-Residents) Act 2000* (20/2000), s. 4, commenced as per s. 8(3). Such a licence is subject to s. 75 of the 1976 Act which provides that in certain circumstances s. 6 of this 1925 Act shall apply as if the licence were revoked under s. 5.

E21 Previous affecting provision: subs. (1) amended (1.06.1977) by *Wildlife Act 1976* (39/1976), s. 62(a), S.I. No. 154 of 1977; substituted as per F-note above.

E22 Previous affecting provision: subs. (2) substituted (1.06.1977) by *Wildlife Act 1976* (39/1976), s. 62(b), S.I. No. 154 of 1977; substituted section repealed (14.07.2000) by *Firearms (Firearm Certificates for Non-Residents) Act 2000* (20/2000), s. 7(1)(a), commenced as per s. 8(3).

E23 Previous affecting provision: words in subs. (3) and subs. (4) substituted (28.01.1964) by *Firearms Act 1964* (1/1964), s. 16, commenced on enactment, subject to transitional provision in s. 10; subsections substituted as per F-note above.

E24 Previous affecting provision: subs. (5) repealed (28.01.1964) by *Firearms Act 1964* (1/1964), s. 28(1), commenced on enactment.

F43**[**Issue of guidelines by Minister and Commissioner.

3A.— (1) The Minister, or the Commissioner with the consent of the Minister, may from time to time issue guidelines in relation to the practical application and operation of any provision of the Firearms Acts 1925 to 2009, or of any regulation made under any provision of those Acts.

(2) The Commissioner with the consent of the Minister may, in particular, issue guidelines in relation to applications for firearm certificates and authorisations under this Act and to the conditions which may be attached to those certificates and authorisations.**]**

Annotations

Amendments:

F43 Substituted (1.08.2009) by *Criminal Justice (Miscellaneous Provisions) Act 2009* (28/2009), s. 29, S.I. No. 310 of 2009.

Editorial Notes:

E25 Previous affecting provision: section inserted (1.08.2006) by *Criminal Justice Act 2006* (26/2006), s. 31, S.I. No. 390 of 2006; substituted as per F-note above.

F44**[**Payment of fees for prescribed firearm certificates.

3B.— (1) A prescribed fee is payable on the grant or renewal of a prescribed firearm certificate.

(2) Any fee payable under subsection (1) shall be paid to a prescribed person at a prescribed place and be disposed of by the prescribed person for the benefit of the Exchequer in accordance with the directions of the Minister for Finance.

(3) Any notice issued by a prescribed person in relation to the grant or renewal of a prescribed firearm certificate or the payment of a prescribed fee under subsection (1) shall be in the prescribed form.**]**

Annotations

Amendments:

F44 Inserted (1.08.2009) by *Criminal Justice (Miscellaneous Provisions) Act 2009* (28/2009), s. 30, S.I. No. 310 of 2009.

Modifications (not altering text):

C14 Functions transferred and references to "Department of Finance" and "Minister for Finance" construed (29.07.2011) by *Finance (Transfer of Departmental Administration and Ministerial Functions) Order 2011* (S.I. No. 418 of 2011), arts. 2, 3, 5 and sch. 1 part 2, in effect as per art. 1(2).

2. (1) The administration and business in connection with the performance of any functions transferred by this Order are transferred to the Department of Public Expenditure and Reform.

(2) References to the Department of Finance contained in any Act or instrument made thereunder and relating to the administration and business transferred by paragraph (1) shall, on and after the commencement of this Order, be construed as references to the Department of Public Expenditure and Reform.

3. The functions conferred on the Minister for Finance by or under the provisions of —

(*a*) the enactments specified in Schedule 1, and

(*b*) the statutory instruments specified in Schedule 2,

are transferred to the Minister for Public Expenditure and Reform.

...

5. References to the Minister for Finance contained in any Act or instrument under an Act and relating to any functions transferred by this Order shall, from the commencement of this Order, be construed as references to the Minister for Public Expenditure and Reform.

...

Schedule 1

Enactments

...

Part 2

1922 to 2011 Enactments

Number and Year (1)	Short Title (2)	Provision (3)
...	...	...
No. 17 of 1925	Firearms Act 1925	Sections 3B, 3C, 4B(6) and 27
...	...	...

Editorial Notes:

E26 Power pursuant to section exercised (1.08.2009) by *Firearms Act 1925 (Prescribed Firearm Certificates) Regulations 2009* (S.I. No. 311 of 2009).

F45**[**Arrangement for payment of prescribed fees.

3C.— The Minister may, with the consent of the Minister for Finance, make such arrangements, including contractual arrangements, as he or she considers appropriate with such person or persons (other than a member or members of the Garda Síochána) as he or she thinks fit in relation to accounting for prescribed fees received by them.**]**

Annotations

Amendments:

F45 Inserted (1.08.2009) by *Criminal Justice (Miscellaneous Provisions) Act 2009* (28/2009), s. 30, S.I. No. 310 of 2009.

Modifications (not altering text):

C15 Functions transferred and references to "Department of Finance" and "Minister for Finance" construed (29.07.2011) by *Finance (Transfer of Departmental Administration and Ministerial Functions) Order 2011* (S.I. No. 418 of 2011), arts. 2, 3, 5 and sch. 1 part 2, in effect as per art. 1(2).

2. (1) The administration and business in connection with the performance of any functions transferred by this Order are transferred to the Department of Public Expenditure and Reform.

(2) References to the Department of Finance contained in any Act or instrument made thereunder and relating to the administration and business transferred by paragraph (1) shall, on and after the commencement of this Order, be construed as references to the Department of Public Expenditure and Reform.

3. The functions conferred on the Minister for Finance by or under the provisions of —

(*a*) the enactments specified in Schedule 1, and

(*b*) the statutory instruments specified in Schedule 2,

are transferred to the Minister for Public Expenditure and Reform.

...

5. References to the Minister for Finance contained in any Act or instrument under an Act and relating to any functions transferred by this Order shall, from the commencement of this Order, be construed as references to the Minister for Public Expenditure and Reform.

...

Schedule 1

Enactments

...

Part 2

1922 to 2011 Enactments

Number and Year (1)	Short Title (2)	Provision (3)
...	...	...
No. 17 of 1925	Firearms Act 1925	Sections 3B, 3C, 4B(6) and 27
...	...	...

F46[Restriction on licensing of short firearms.

3D.— (1) As and from the date of commencement of this section, no application for a firearm certificate in respect of a short firearm shall be considered by an issuing person other than for—

(*a*) a device capable of discharging blank ammunition and to be used as a starting gun or blank firing gun;

(*b*) a short firearm of a type specified at paragraph 4(2)(*e*) of the Firearms (Restricted Firearms and Ammunition) Order 2008 (S.I. No. 21 of 2008) and designed for use as so specified;

(*c*) a short firearm for which the applicant for the firearm certificate held a firearm certificate on or before 19 November 2008.

(2) Any firearm certificate in respect of a short firearm, other than one to which paragraphs (*a*) to (*c*) of subsection (1) relates, granted between 19 November 2008 and the date of commencement of this section and in force shall stand revoked.

(3) For the purposes of this section, "short fire arm" means a firearm either with a barrel not longer than 30 centimetres or whose overall length (excluding the length of any detachable component) does not exceed 60 centimetres.**]**

Annotations

Amendments:

F46 Inserted (1.08.2009) by *Criminal Justice (Miscellaneous Provisions) Act 2009* (28/2009), s. 30, S.I. No. 310 of 2009.

F47**[**Restrictions on firearm certificates for semi-automatic centre-fire rifles

3DA.— (1) On and after the date of the coming into operation of section 10 of the Criminal Justice (Miscellaneous Provisions) Act 2023 (in this section referred to as the 'relevant date'), a firearm certificate shall not be granted under this Act, or under section 2 of the Act of 2000 in respect of an application under paragraph (a) or (aa) of subsection (2) of that section, for a semi-automatic centre-fire rifle.

(2) On the day that is 3 months after the relevant date, any firearm certificate for a semi-automatic centre-fire rifle that was first granted after 18 September 2015 and that was in force immediately before the relevant date shall stand revoked.

(3) This section shall not affect the possibility of renewal of a firearm certificate for a semi-automatic centre-fire rifle under section 3 of this Act, or under section 9 of the Act of 1964, where the firearm certificate was first granted on or before 18 September 2015 and was in force on the relevant date.

(4) On or after the relevant date, the Minister or the Commissioner shall not, under section 11(1) of the Act of 1964, substitute for the description of a firearm in a firearm certificate granted by him or her the description of a semi-automatic centre-fire rifle.

(5) Sections 5(3) and 6 shall, on and after the day referred to in subsection (2) of this section, apply in relation to a semi-automatic centre-fire rifle in relation to which the relevant firearm certificate has been revoked pursuant to this section.

(6) In this section—

"Act of 1964" means the Firearms Act 1964;

"Act of 2000" means the Firearms (Firearm Certificates For Non-Residents) Act 2000;

"first granted" means, in relation to a particular semi-automatic centre-fire rifle—

(*a*) the grant (not renewal) of a firearm certificate for the semi-automatic centre-fire rifle under section 3 of this Act, or under section 2 of the Act of 2000 in respect of an application under paragraph (a) or (aa) of subsection (2) of that section, or

(*b*) the substitution by the Minister or the Commissioner, under section 11(1) of the Act of 1964, for the description of a firearm in a firearm certificate granted by him or her the description of the semi-automatic centre-fire rifle,

whichever is the earlier;

"semi-automatic centre-fire rifle" means a rifled long firearm that—

(*a*) uses a cartridge with a centrally located primer in the base,

(*b*) can self-load a round after each time a round is discharged, and

(*c*) cannot fire more than one round with a single pull on the trigger.**]**

Annotations

Amendments:

F47 Inserted (1.08.2023) by *Criminal Justice (Miscellaneous Provisions) Act 2023* (24/2023), s. 10, S.I. No. 391 of 2023.

F48**[**Commissioner to conduct annual review.

3E.— The Commissioner shall conduct an annual review of the operation of the Firearms Acts 1925 to 2009 and shall submit a report to the Minister specifying the number and classes of certificates and authorisations issued under the Acts. The Minister shall lay a copy of such report before each House of the Oireachtas.**]**

Annotations

Amendments:

F48 Inserted (1.08.2009) by *Criminal Justice (Miscellaneous Provisions) Act 2009* (28/2009), s. 31, S.I. No. 310 of 2009.

F49**[**Conditions of grant of firearm certificate.

4.— (1) An issuing person shall not grant a firearm certificate unless he or she is satisfied that the applicant complies with the conditions referred to in subsection (2) and will continue to comply with them during the currency of the certificate.

(2) The conditions subject to which a firearm certificate may be granted are that, in the opinion of the issuing person, the applicant—

(*a*) has a good reason for requiring the firearm in respect of which the certificate is applied for,

(*b*) can be permitted to possess, use and carry the firearm and ammunition without danger to the public safety or security or the peace,

(*c*) is not a person declared by this Act to be disentitled to hold a firearm certificate,

(*d*) has provided secure accommodation for the firearm and ammunition at the place where it is to be kept,

(*e*) where the firearm is a rifle or pistol to be used for target shooting, is a member of an authorised rifle or pistol club,

(*f*) has complied with subsection (3),

(*g*) complies with such other conditions (if any) specified in the firearm certificate, including any such conditions to be complied with before a specified date as the issuing person considers necessary in the interests of public safety or security, and

(*h*) in case the application is for a restricted firearm certificate—

(i) has a good and sufficient reason for requiring such a firearm, and

(ii) has demonstrated that the firearm is the only type of weapon that is appropriate for the purpose for which it is required.

(3) An applicant for a firearm certificate shall supply to the issuing person the information requested in the application form and such further information as the issuing person may require in the performance of the person's functions under this Act, including, in particular—

(*a*) proof of identity,

(*b*) proof of competence in the use of the firearm concerned,

(*c*) written consent for any enquiries in relation to the applicant's medical history that may be made from a health professional by or on behalf of the issuing person, and

(*d*) names and addresses of two referees who may be contacted to attest to the applicant's character.

(4) A member of the Garda Síochána may inspect the accommodation for a firearm provided by an applicant for a firearm certificate or require the applicant to provide proof of its existence.

(5) The Minister, in consultation with the Commissioner, may by regulations provide for minimum standards to be complied with by holders of firearm certificates in relation to the provision of secure accommodation for their firearms.

(6) In this section "health professional" means doctor or psychiatrist registered under any enactments governing the profession concerned or a clinical psychologist.**]**

Annotations

Amendments:

F49 Substituted (1.08.2009) by *Criminal Justice Act 2006* (26/2006), s. 32, S.I. No. 309 of 2009.

Editorial Notes:

E27 Power pursuant to section exercised (1.08.2009) by *Firearms (Secure Accommodation) Regulations 2009* (S.I. No. 307 of 2009).

E28 Previous affecting provision: section subject (13.07.1998) to *Firearms (Temporary Provisions) Act 1998* (32/1998), s. 1, commenced on enactment and expired (14.07.2000), S.I. No. 189 of 1999.

F50**[**Authorisation of rifle or pistol clubs or shooting ranges.

4A.— (1) A rifle or pistol club or the owner or operator of a rifle or pistol shooting range shall not allow any firearm or ammunition to be used or stored on the premises of or at the club or shooting range in connection with target shooting unless an authorisation under this section to do so is in force.

(2) An application for such an authorisation shall be made to the Commissioner in the prescribed form by an officer of the club authorised in that behalf or by the owner or operator of the shooting range.

(3) The application shall be accompanied by—

(*a*) the prescribed fee, and

(*b*) in the case of a shooting range, a firearms range certificate which is in force.

(4) The application form shall contain a copy of any regulations under subsection (13) or of the material part of them.

(5) The applicant shall supply in writing any further information that the Commissioner may need in the performance of his or her functions under this Act.

(6) The Commissioner shall grant an authorisation to the applicant for the use and storage of rifles, pistols and ammunition on the premises of the club or shooting range concerned, or on a specified part of those premises, for the purpose of target shooting only if satisfied—

(*a*) that their use or storage will not endanger public safety or security or the peace,

(*b*) that the club or shooting range is responsibly managed, and

(*c*) in the case of a shooting range, that a firearms range certificate in respect of it is in force.

(7) A decision on the application shall be given within 3 months from the date on which a completed application form was submitted.

(8) The Commissioner may at any time by notice in writing—

(*a*) attach to the authorisation such conditions as he or she thinks necessary for the purpose of securing that the operation of the club or shooting range and the use and storage of rifles, pistols and ammunition on the premises of or at the club or range concerned does not endanger public safety or security or the peace,

(*b*) at any time for that purpose vary any of those conditions, and

(*c*) require that some or all of them be complied with before a specified date.

(9) An authorisation which is in force shall continue in force for a period of 5 years from the date on which it was granted, unless revoked, and for any further such period or periods for which it may be renewed.

(10) A renewal of an authorisation may be applied for within 3 months before the authorisation ceases to be in force.

(11) The Commissioner may, if no longer satisfied in relation to any of the matters mentioned in paragraphs (*a*) to (*c*) of subsection (6), revoke the authorisation of the club or shooting range concerned by notice in writing addressed to the applicant or the person or persons for the time being responsible for its management.

(12) On receipt of such a notice the person or persons so notified shall forthwith surrender to the superintendent of the district in which the club or range is situated the authorisation and any rifles, pistols or ammunition stored on its premises.

(13) The Minister, in consultation with the Commissioner, may by regulations specify minimum standards to be complied with by a rifle or pistol club or shooting range before an authorisation under this section may be granted in respect of it.

(14) The minimum standards shall be determined—

(*a*) in the case of a club, by reference to any or all of the following matters:

(i) security of its premises;

(ii) membership;

(iii) management,

(*b*) in the case of a shooting range, by reference to any or all of the following matters:

(i) security of the range;

(ii) membership;

(iii) management;

(iv) design, construction and maintenance;

(v) types of firearms and ammunition to be used;

(vi) level of competence of persons using the range.

(15) For the purpose of ascertaining whether conditions attached to an authorisation under this section are being complied with, a member of the Garda Síochána authorised in that behalf may, on production if required of the authorisation or a copy of it, enter any premises occupied or used by the club or shooting range concerned and inspect the premises and anything in them.

(16) Any person who by act or omission impedes or obstructs a member of the Garda Síochána in the exercise of the member's functions under subsection (15) of this section is guilty of an offence and liable on summary conviction to a fine of €1,000 and imprisonment for a term of 3 months or both.

(17) The Commissioner shall cause a register of clubs and shooting ranges for the time being authorised under this section to be established and maintained.

(18) It is an offence—

(*a*) for a club or the owner or operator of a shooting range—

(i) to contravene subsection (1) of this section, or

(ii) without reasonable excuse, not to comply with any conditions attached to an authorisation under this section,

(*b*) for a person not to comply with subsection (12) of this section, or

(*c*) for a person, without reasonable excuse, to participate in the activities of such a club or shooting range for which an authorisation under this section is not in force.

(19) In proceedings against a person for an offence under subsection (18)(*a*)(i) of this section it is a defence to prove that the defendant took reasonable precautions and exercised due diligence to avoid committing the offence.

(20) A person guilty of an offence under subsection (18) of this section is liable—

(*a*) on summary conviction, to a fine not exceeding €2,500 or imprisonment for a term not exceeding 6 months or both, and

(*b*) on conviction on indictment, to a fine not exceeding €20,000 or imprisonment for a term not exceeding 7 years or both.

F51**[**(20A) This section shall not apply to a shooting range owned or operated by the Garda Síochána.**]**

(21) In this section—

"firearms range certificate" means a certificate issued under section 4B(3)(*a*) of this Act;

"rifle or pistol club" means a club established for the purpose of promoting skill in the use of rifles and pistols for target shooting;

"shooting range" does not include a range or shooting gallery referred to in section 2(4)(*e*) of this Act.**]**

Annotations

Amendments:

F50 Inserted (1.08.2009) by *Criminal Justice Act 2006* (26/2006), s. 33, S. I. No. 309 of 2009. A fine of €1,000 translates into a class D fine not exceeding €1,000 as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 7(3) and table ref. no. 1, S.I. No. 662 of 2010. A fine of €2,500 translates into a class C fine not exceeding €2,500 as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 5(3) and table ref. no. 1, S.I. No. 662 of 2010.

F51 Inserted (1.08.2023) by *Criminal Justice (Miscellaneous Provisions) Act 2023 (24/2023)*, s. 11, S.I. No. 391 of 2023.

F52 Substituted by *Garda Síochána (Functions and Operational Areas) Act 2022* (7/2022), s. 4(1) and sch. 1 ref no. 3, not commenced as of date of revision, subject to transitional provisions in ss. 13, 15, 26.

Modifications (not altering text):

C16 Prospective affecting provision: subs. (12) amended by *Garda Síochána (Functions and Operational Areas) Act 2022* (7/2022), s. 4(1) and sch. 1 ref no. 3, not commenced as of date of revision, subject to transitional provisions in ss. 13, 15, 26.

(12) On receipt of such a notice the person or persons so notified shall forthwith surrender to F52**[**a Superintendent in the Garda division**]** in which the club or range is situated the authorisation and any rifles, pistols or ammunition stored on its premises.

Editorial Notes:

E29 Power pursuant to subs. (13) exercised (30.11.2011) by *Firearms (Authorisation of Rifle or Pistol Shooting Ranges) Regulations 2011* (S.I. No. 622 of 2011).

E30 Power pursuant to section exercised (1.08.2009) by *Firearms (Fees) Regulations 2009* (S.I. No. 312 of 2009).

E31 Power pursuant to section exercised (1.08.2009) by *Firearms (Authorisation of Rifle or Pistol Clubs) Regulations 2009* (S.I. No. 308 of 2009).

E32 Offences under subs. (18) designated serious offences (4.09.1998) by *Bail Act 1997* (16/1997), s. 1 and sch. paras. 14(e), 29 and 30, S.I. No. 315 of 1998, as sch. para. 14 substituted (18.05.2007) by *Criminal Justice Act 2007* (29/2007), s. 17(a), S.I. No. 236 of 2007.

F53**[**Minimum standards for Garda shooting ranges

4AA.— (1) The Minister, after consultation with the Commissioner, may prescribe minimum standards to be complied with by a shooting range owned or operated by the Garda Síochána.

(2) The minimum standards referred to in subsection (1) shall be determined by reference to any or all of the following matters:

(*a*) the security of the range;

(*b*) the management of the range;

(*c*) the design, construction and maintenance of the range;

(*d*) the types of firearms and ammunition to be used at the range;

(*e*) the types of shooting practices to be conducted at the range;

(*f*) the level of competence of persons using the range.**]**

Annotations

Amendments:

F53 Inserted (1.08.2023) by *Criminal Justice (Miscellaneous Provisions) Act 2023* (24/2023), s. 12, S.I. No. 391 of 2023.

F54**[**Firearms range inspectors.

4B.— (1) The Minister may by warrant appoint such and so many persons as he or she thinks necessary to be firearms range inspectors and may revoke any such appointment.

(2) It shall be the duty of a firearms range inspector—

(*a*) to examine applications for the F55**[**certification**]** of rifle and pistol shooting ranges, and

(*b*) to inspect rifle and pistol shooting ranges for the purpose of ensuring their compliance with the minimum standards provided for in regulations under F56**[**section 4A(13) or section 4AA(1)**]** of this Act.

(3) After inspecting a rifle or pistol shooting range, an inspector may—

(*a*) if satisfied that the range complies with those minimum standards, issue a firearms range certificate in respect of it, and

(*b*) if not so satisfied, refuse to issue such a certificate or revoke any such certificate that is in force.

(4) An inspector who suspects, with reasonable cause, that any place is being used for rifle or pistol target shooting may enter and inspect it.

(5) The Minister shall issue to each inspector the warrant of appointment, or a copy of it, for production, on request, when an inspector is exercising any power conferred by this section.

(6) The terms and conditions of appointment of firearms range inspectors shall be determined by the Minister, with the consent of the Minister for Finance.**]**

Annotations

Amendments:

F54 Inserted (1.08.2006) by *Criminal Justice Act 2006* (26/2006), s. 34, S.I. No. 390 of 2006.

F55 Substituted (1.08.2009) by *Criminal Justice (Miscellaneous Provisions) Act 2009* (28/2009), s. 32, S.I. No. 310 of 2009.

F56 Substituted (1.08.2023) by *Criminal Justice (Miscellaneous Provisions) Act 2023* (24/2023), s. 13, S.I. No. 391 of 2023.

Modifications (not altering text):

C17 Functions transferred and references to "Department of Finance" and "Minister for Finance" construed (29.07.2011) by *Finance (Transfer of Departmental Administration and Ministerial Functions) Order 2011* (S.I. No. 418 of 2011), arts. 2, 3, 5 and sch. 1 part 2, in effect as per art. 1(2).

2. (1) The administration and business in connection with the performance of any functions transferred by this Order are transferred to the Department of Public Expenditure and Reform.

(2) References to the Department of Finance contained in any Act or instrument made thereunder and relating to the administration and business transferred by paragraph (1) shall, on and after the commencement of this Order, be construed as references to the Department of Public Expenditure and Reform.

3. The functions conferred on the Minister for Finance by or under the provisions of —

(a) the enactments specified in Schedule 1, and

(b) the statutory instruments specified in Schedule 2,

are transferred to the Minister for Public Expenditure and Reform.

...

5. References to the Minister for Finance contained in any Act or instrument under an Act and relating to any functions transferred by this Order shall, from the commencement of this Order, be construed as references to the Minister for Public Expenditure and Reform.

...

Schedule 1

Enactments

...

Part 2

1922 to 2011 Enactments

Number and Year (1)	Short Title (2)	Provision (3)
...	...	...
No. 17 of 1925	Firearms Act 1925	Sections 3B, 3C, 4B(6) and 27
...	...	...

F57**[**Prohibition of practical or dynamic shooting.

4C.— (1) It is an offence for a person to facilitate or engage in the use of a firearm for the purposes of practical or dynamic shooting.

(2) Subsection (1) does not apply to the facilitation or engagement in the use of a firearm pursuant to an authorisation under section 2(5)(*a*) of this Act, where the muzzle energy of the firearm is less than 16 Joules.

F58**[**(2A) Subsection (1) shall not apply to the facilitation or engagement in the use of a firearm by a member of the Garda Síochána in the performance of his or her duties as such member.**]**

(3) A person who is guilty of an offence under this section is liable—

(*a*) on summary conviction, to a fine not exceeding €5,000 or imprisonment for a term not exceeding 12 months or both, and

(*b*) on conviction on indictment, to a fine not exceeding €20,000 or imprisonment for a term not exceeding 7 years or both.

(4) In this section "practical or dynamic shooting" means any form of activity in which firearms are used to simulate combat or combat training.**]**

Annotations

Amendments:

F57 Inserted (1.08.2009) by *Criminal Justice (Miscellaneous Provisions) Act 2009* (28/2009), s. 33, S.I. No. 310 of 2009. A fine of €5,000 translates into a class A fine not exceeding €5,000 as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 4(3) and table ref. no. 1, S.I. No. 662 of 2010.

F58 Inserted (1.08.2023) by *Criminal Justice (Miscellaneous Provisions) Act 2023* (24/2023), s. 14, S.I. No. 391 of 2023.

F59**[**Seizure and detention of firearms or ammunition by An Garda Síochána in interest of public safety, security or peace

4D. (1) Where a member of An Garda Síochána who is—

(*a*) in a public place,

(*b*) in any other place—

(i) under a power of entry authorised by law, or

(ii) to which he or she was expressly or impliedly invited or permitted to be,

or

(*c*) carrying out a search authorised by law,

finds or comes into possession of any firearm or ammunition and has reasonable grounds for suspecting that, in connection with the firearm or ammunition, there is a danger to the public safety, security or the peace, he or she may seize and detain said firearm or ammunition for a period not exceeding 14 days.

(2) Where a member of An Garda Síochána has seized and detained a firearm or ammunition in accordance with subsection (1), a member of An Garda Síochána not below the rank of superintendent may, before the expiration of the period specified in subsection (1), if he or she is satisfied that—

(*a*) there are reasonable grounds for suspecting that the possession, use or carriage of the firearm or ammunition will endanger the public safety, security or the peace, and

(*b*) there are sufficient grounds, having regard to paragraph (a), to consider revocation under section 5 of the firearm certificate in respect of the firearm or ammunition seized and detained under subsection (1),

authorise the detention of the firearm or ammunition for a further period not exceeding 21 days so that an issuing person may determine whether the firearm certificate should be revoked under section 5.

(3) A person who obstructs or impedes a member of An Garda Síochána in the exercise of his or her powers under subsection (1) shall be guilty of an offence under this section and shall be liable on summary conviction to a class A fine or imprisonment for a term not exceeding six months or to both.

(4) This section shall not affect any other power, under any enactment or the common law, to seize or detain a firearm or ammunition.

(5) In this section, "enactment" has the same meaning as it has in the Interpretation Act 2005.**]**

Annotations

Amendments:

F59 Inserted (1.09.2026) by *Criminal Law, Civil Law and Defence (Miscellaneous Provisions) Act 2026* (34/2026), s. 4(c), S.I. No. 383 of 2026. A class A fine means a fine not greater than €5,000, as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 4(1), S.I. No. 662 of 2010.

F60**[**Revocation of firearm certificates.

5.— (1) An issuing person may at any time revoke a firearm certificate granted by the person if satisfied that the holder of the certificate—

(*a*) has not a good reason for requiring the firearm to which the certificate relates,

(*b*) is a person who cannot, without danger to the public safety or security or the peace, be permitted to possess a firearm,

(*c*) is a person who is declared by this Act to be disentitled to hold a firearm certificate,

(*d*) where the firearm certificate limits the purposes for which the firearm to which it relates may be used, is using the firearm for purposes not authorised by the certificate,

(*e*) has not complied with a condition attached to the grant of the certificate, or

(*f*) where the firearm is authorised to be carried or used by a holder of a firearms training certificate, has, without reasonable excuse, permitted the holder of that certificate to carry or use the firearm while not under his or her supervision.

(2) The reason for revoking a firearm certificate shall be communicated in writing by the issuing person to the holder of the certificate.

(3) Where a firearm certificate is revoked or otherwise ceases to be in force, the issuing person may direct in writing that the holder surrender the firearm or ammunition concerned or both to the custody of the superintendent of the district where the holder resides or to a member of the Garda Síochána acting on the superintendent's behalf.**]**

Annotations

Amendments:

F60 Substituted (1.08.2006) by *Criminal Justice Act 2006* (26/2006), s. 35, S.I. No. 390 of 2006.

F61 Substituted by *Garda Síochána (Functions and Operational Areas) Act 2022* (7/2022), s. 4(1) and sch. 1 ref no. 3, not commenced as of date of revision, subject to transitional provisions in ss. 13, 15, 26.

Modifications (not altering text):

C18 Prospective affecting provision: subs. (3) amended by *Garda Síochána (Functions and Operational Areas) Act 2022* (7/2022), s. 4(1) and sch. 1 ref no. 3, not commenced as of date of revision, subject to transitional provisions in ss. 13, 15, 26.

(3) Where a firearm certificate is revoked or otherwise ceases to be in force, the issuing person may direct in writing that the holder surrender the firearm or ammunition concerned or both to the custody of F61**[**a superintendent in the Garda division in which**]** where the holder resides or to a member of the Garda Síochána acting on the superintendent's behalf.

F62**[**Reporting of loss of firearm or ammunition.

5A.— (1) Where a firearm or ammunition is lost (whether by theft or otherwise) after the commencement of this section, the certificate holder to whom the firearm or ammunition relates, shall within three days of becoming aware of the loss, report the loss to the issuing person who granted the certificate.

(2) A person who fails, without reasonable excuse, to report the loss of a firearm or ammunition in accordance with this section shall be guilty of an offence.

(3) A person guilty of an offence under this section shall be liable—

(*a*) in case the firearm is a restricted firearm or the ammunition is restricted ammunition—

(i) on summary conviction, to a fine not exceeding €5,000 or imprisonment for a term not exceeding 12 months or both, or

(ii) on conviction on indictment, to a fine not exceeding €20,000 or imprisonment not exceeding 5 years or both,

or

(*b*) in any other case—

(i) on summary conviction, to a fine not exceeding €2,500 or imprisonment for a term not exceeding 6 months or both, or

(ii) on conviction on indictment, to a fine not exceeding €10,000 or imprisonment not exceeding 3 years or both.**]**

Annotations

Amendments:

F62 Inserted (1.01.2010) by *Criminal Justice (Miscellaneous Provisions) Act 2009* (28/2009), s. 34, S.I. No. 310 of 2009. A fine of €5,000 translates into a class A fine not exceeding €5,000 as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 4(3) and table ref. no. 1, S.I. No. 662 of 2010. A fine of €2,500 translates into a class C fine not exceeding €2,500 as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 5(3) and table ref. no. 1, S.I. No. 662 of 2010.

Sale of firearm when certificate refused or revoked.

F63**[6.**—F64**[**When a firearm certificate is revoked**]** and the person who is the holder of the certificate has a firearm, with or without ammunition, in his possession in the State at the time of such revocation or where a person has a firearm, with or without ammunition, in his possession in the State but is not the holder of a firearm certificate in respect thereof and such possession is not otherwise authorised under this Act—

(*a*) the person shall forthwith deliver the firearm and ammunition (if any) to the Superintendent F65**[**of the district in which the person resides**]**,

(*b*) the Superintendent shall forthwith cause the person to be informed by notice in writing of his right to dispose of the firearm and ammunition (if any) in any manner not contrary to law,

(*c*) upon such delivery, the person may dispose of the firearm and ammunition (if any) as aforesaid,

(*d*) if the person does not, within three months after the delivery of the firearm and ammunition (if any) to the Superintendent, arrange for its or their disposal in accordance with the provisions of this Act, inform the Superintendent of the arrangements and carry out the arrangements, the Superintendent may send to the person by post to his last known address a notice informing him that unless arrangements of the kind aforesaid are made, communicated to the Superintendent and carried out within one month after the date on which the notice is sent, the firearm and ammunition (if any) will be sold or destroyed,

(*e*) if within one month after the date on which the notice aforesaid is sent, arrangements of the kind aforesaid are not made, communicated to the Superintendent and carried out, the Superintendent may cause the firearm and ammunition (if any) to be sold and shall, as soon as may be, cause the proceeds of the sale to be paid to the person,

(*f*) the Superintendent may cause to be destroyed any firearm or ammunition that has been offered for sale under paragraph (*e*) of this section and has not been sold if, in the opinion of the Superintendent, the firearm or ammunition is unlikely to be sold if offered for sale again and shall send to the person by post to his last known address a notice informing him of such destruction,

(*g*) where the address of the person is unknown or the Superintendent is of opinion that notices as aforesaid would not be understood by the person, the Superintendent may, at his discretion, send the notices by post or otherwise give them to any member of the family of the person or to such other person, if any, as he may, in the particular circumstances, think appropriate.**]**

Annotations

Amendments:

F63 Substituted (28.01.1964) by *Firearms Act 1964* (1/1964), s. 8, commenced on enactment.

F64 Substituted (1.08.2006) by *Criminal Justice Act 2006* (26/2006), s. 36(a), S.I. No. 390 of 2006.

F65 Inserted (1.08.2006) by *Criminal Justice Act 2006* (26/2006), s. 36(b), S.I. No. 390 of 2006.

F66 Substituted by *Garda Síochána (Functions and Operational Areas) Act 2022* (7/2022), s. 4(1) and sch. 1 ref no. 3, not commenced as of date of revision, subject to transitional provisions in ss. 13, 15, 26.

Modifications (not altering text):

C19 Prospective affecting provision: subs. (6)(a) amended by *Garda Síochána (Functions and Operational Areas) Act 2022* (7/2022), s. 4(1) and sch. 1 ref no. 3, not commenced as of date of revision, subject to transitional provisions in ss. 13, 15, 26.

6. ...

(*a*) the person shall forthwith deliver the firearm and ammunition (if any) to F66**[**a Superintendent in the Garda division**]** F65**[**in which the person resides,**]**

...

Editorial Notes:

E33 Previous affecting provision: subs. 6(a) inserted (1.08.2006) by *Criminal Justice Act 2006* (26/2006), s. 36(b), S.I. No. 390 of 2006; substituted as per F-note above.

Permit to bring firearm ashore.

7.—(1) Where a person has a firearm in his possession on board ship as part of the equipment of the ship, any superintendent of the Gárda Síochána may, if he thinks fit so to do, and subject to the provisions of this Act, issue to such person a permit to bring such firearm ashore for repair and to have such firearm repaired at any specified place in Saorstát Eireann.

(2) Every permit issued under this section shall remain in force only for such period (not exceeding in any case one month) from the date of the issue thereof as shall be nominated by the person applying for the permit and approved by the superintendent issuing the same and specified by him in the permit.

Persons disentitled to hold a firearm certificate or a permit.

8.—(1) The following persons are hereby declared to be disentitled to hold a firearm certificate, that is to say:—

(*a*) any person under the age of F67**[**sixteen years**]**, and

(*b*) any person of intemperate habits, and

(*c*) any person of unsound mind, and

F68**[**(*d*) any person who has been sentenced to imprisonment for—

(i) an offence under the *Firearms Acts 1925* to *2006*, the Offences Against the State Acts 1939 to 1998 or the Criminal Justice (Terrorist Offences) Act 2005, or

(ii) an offence under the law of another state involving the production or use of a firearm,

and the sentence has not expired or it expired within the previous 5 years,

(*e*) any person who is bound by a recognisance to keep the peace or be of good behaviour, a condition of which is that the person shall not possess, use or carry any firearm or ammunition, and

(*f*) any person not ordinarily resident in the State (except a person who is temporarily so resident) for a period of 6 months before applying for a firearm certificate.**]**

(2) Any person who is by virtue of this section disentitled to hold a firearm certificate shall also be disentitled to hold a permit under this Act in relation to any firearm or ammunition.

Annotations

Amendments:

F67 Substituted (28.01.1964) by *Firearms Act 1964* (1/1964), s. 17(a), commenced on enactment.

F68 Substituted (1.08.2006) by *Criminal Justice Act 2006* (26/2006), s. 37, S.I. No. 390 of 2006.

Editorial Notes:

E34 Previous affecting provision: section subject (13.07.1998) to *Firearms (Temporary Provisions) Act 1998* (32/1998), s. 1, commenced on enactment and expired (14.07.2000), S.I. No. 189 of 1999.

E35 Previous affecting provision: subs. (1)(d) and (e) inserted (28.01.1964) by *Firearms Act 1964* (1/1964), s. 17(b), commenced on enactment; substituted as per F-note above.

Register of firearms dealers to be kept.

9.—(1) The Minister shall cause a register of firearms dealers to be established and kept.

(2) Every person, who, immediately before the expiration of the Firearms (Temporary Provisions) Act, 1924 (No. 9 of 1924), as continued by the Firearms (Temporary Provisions) (Continuance) Act, 1925, is registered in the register of firearms dealers kept in pursuance of regulations made under that Act shall be entitled at any time before the expiration of that Act to apply in accordance with the provisions of this section for registration in the register of firearms dealers to be established under this section, and every such person who so applies and pays the fee (if any) for the time being required by law shall be entitled to be registered in the last-mentioned register as on and from the commencement of this Act.

(3) Any person who, after the commencement of this Act, applies in accordance with the provisions of this section to be registered in the register of firearms dealers and pays the fee (if any) for the time being required by law and satisfies the Minister that he is immediately about to carry on business as a firearms dealer in Saorstát Eireann in premises suitable for that business, may be registered in such register, but when considering any such application for registration the Minister shall have regard to the character of the applicant, F69**[**...**]** and generally to the public safety and the preservation of the peace.

F70**[**(4) The registration of a person in the register of firearms dealers shall continue in force for a period of 3 years from the date of the registration, unless previously revoked and, if renewed, for a further period of 3 years from the expiration of that period or, as the case may be, of any subsequent such period for which the registration was renewed.**]**

(5) Every registered firearms dealer shall be entitled to renew his registration in the register of firearms dealers at any time within one month before the expiration of his existing registration or renewal on application therefor in accordance with the provisions of this section and payment of the fee (if any) for the time being required by law.

(6) Every application for registration in the register of firearms dealers or for renewal of such registration shall be made to the Minister in the prescribed form and manner and shall contain the prescribed particulars.

(7) Every person registered in the register of firearms dealers shall be entitled on such registration and on every renewal thereof to obtain from the Minister a certificate in writing of such registration or renewal.

F71**[**(8) Registration (including registration in pursuance of a renewal of a previous registration) of a person in the register of firearms dealers may, at the discretion of the Minister, be made subject to the condition that the person shall not deal in firearms or deal in ammunition otherwise than by the sale and purchase of ammunition for shotguns, for unrifled airguns and for rifled firearms of a calibre not exceeding .22 inches, and a person whose registration in the register of firearms dealers is made subject to the condition aforesaid and who fails to comply with it shall, notwithstanding anything contained in section 10 (1) of this Act, be guilty of an offence under this Act.

(9) In any proceedings a certificate under the seal of the Minister stating that the registration of a person in the register of firearms dealers was subject, on a specified day or during a specified period, to the condition referred to in subsection (8) of this section shall be evidence of that fact unless the contrary is proved.**]**

F72**[**(10) The Minister, after consultation with the Commissioner, may by regulations specify minimum standards to be complied with in relation to premises in which a firearms dealer carries on business or proposes to do so.

(11) The minimum standards shall be determined by reference to—

(*a*) the security of the premises,

(*b*) their safety, and

(*c*) their standard of construction,

and having regard to their use for, as the case may be, the manufacture, repair, testing, proving or sale of firearms or ammunition.

(12) Applicants for renewal of registration shall satisfy the Minister that their premises comply with the minimum standards specified in any regulations under subsection (10) of this section.

(13) Without prejudice to subsection (3) of this section, the following persons are declared to be disentitled to be registered in the register of firearms dealers:

(*a*) a person under the age of 21 years;

(*b*) a person of unsound mind;

(*c*) a person who has been sentenced to imprisonment for an offence under the *Firearms Acts 1925 to 2006*, the Offences Against the State Acts 1939 to 1998 or the Criminal Justice (Terrorist Offences) Act 2005;

(*d*) a person who is bound by a recognisance to keep the peace or be of good behaviour, a condition of which is that the person shall not possess, use or carry a firearm or ammunition.**]**

Annotations

Amendments:

F69 Deleted (28.01.1964) by *Firearms Act 1964* (1/1964), s. 18, commenced on enactment.

F70 Substituted (1.01.2008) by *Criminal Justice Act 2006* (26/2006), s. 38(a), S.I. No. 848 of 2007.

F71 Inserted (20.07.1971) by *Firearms Act 1971* (13/1971), s. 6(1), commenced as per s. 7(4).

F72 Inserted (1.01.2008) by *Criminal Justice Act 2006* (26/2006), s. 38(b), S.I. No. 848 of 2007.

Modifications (not altering text):

C20 Procedure for registration under section prescribed (27.04.2022) by *European Union (Acquisition and Possession of Weapons and Ammunition) Regulations 2022* (S.I. No. 209 of 2022), reg. 3.

Application of section 9 of Act

3. (1) A person, in his or her application under section 9 of the Act to be registered in the register of firearms dealers or, as the case may be, for renewal of such registration, shall state whether he or she intends to carry on business as a dealer in firearms to which the Directive applies.

(2) Where an applicant referred to in paragraph (1) states that he or she intends to carry on business as a dealer in firearms to which the Directive applies, the Minister, in considering his or her application, shall have regard, in addition to the matters referred to in section 9 of the Act, to the applicant's abilities.

(3) Where an applicant referred to in paragraph (2) is a body corporate —

(*a*) the reference in section 9(3) of the Act to the character of the applicant shall be construed as a reference to the character of the director of the body corporate and to the reputation of the body corporate, and

(*b*) the reference in paragraph (2) to the applicant's abilities shall be construed as a reference to the abilities of the director of the body corporate.

(4) Where an applicant referred to in paragraph (1) states that he or she does not intend to carry on business as a dealer in firearms to which the Directive applies, and the Minister decides, in accordance with section 9 of the Act, to register the applicant in the register of firearms dealers, the registration shall be made subject to the condition that the person shall not deal in firearms to which the Directive applies.

(5) Where a person to whom paragraph (4) applies fails to comply with the condition referred to in that paragraph, section 11(2A) of the Act shall apply to him or her as if the condition was a condition referred to in section 9(8) of the Act.

(6) In this Regulation, "abilities", in relation to a person, means the person's understanding of, and ability to comply with, the requirements of the Firearms Acts.

Editorial Notes:

E36 Power pursuant to subs. (10) exercised (1.02.2019) by *Firearms (Storage of Firearms and Ammunition by Firearms Dealers) Regulations 2017* (S.I. No. 646 of 2017), in effect as per reg. 1(2).

E37 Power pursuant to section exercised (1.08.2009) by *Firearms (Fees) Regulations 2009* (S.I. No. 312 of 2009).

E38 Previous affecting provision: procedure for registration under section prescribed (29.10.2010) by *European Communities (Acquisition and Possession of Weapons and Ammunition) (Amendment) Regulations 2010* (S.I. No. 493 of 2010), reg. 4; revoked (27.04.2022) by *European Union (Acquisition and Possession of Weapons and Ammunition) Regulations 2022* (S.I. No. 209 of 2022), reg. 40(c).

E39 Previous affecting provision: construction of terms modified (9.12.1993) by *European Communities (Acquisition and Possession of Weapons and Ammunition) Regulations 1993* (S.I. No. 362 of 1993), reg. 3(1), superseded (29.10.2010) by *European Communities (Acquisition and Possession of Weapons and Ammunition) (Amendment) Regulations 2010* (S.I. No. 493 of 2010), reg. 4; both revoked (27.04.2022) by *European Union (Acquisition and Possession of Weapons and Ammunition) Regulations 2022* (S.I. No. 209 of 2022), reg. 40(a), (c).

F73**[**Tax clearance.

9A.— (1) In this section—

"Act of 1997" means the Taxes Consolidation Act 1997;

"Collector-General" means the Collector-General appointed under section 851 of the Act of 1997;

"tax clearance certificate" means a certificate under section 1095 (as substituted by section 127(*b*) of the Finance Act 2002) of the Act of 1997.

(2) The Minister shall refuse to register a person in the register of firearms dealers or renew any such registration in respect of that person if that person is a person in relation to whom a tax clearance certificate is not in force.

(3) The Minister may nevertheless register a person in the register of firearms dealers or renew any such registration in respect of that person if—

(*a*) the person has, at least four months before applying for such registration or renewal, applied for a tax clearance certificate and it has been refused and an appeal against the refusal has been made under section 1094(7) of the Act of 1997 but not determined, and

(*b*) the Minister would, but for subsection (2), have registered that person in the register of firearms dealers or renewed any such registration in respect of the person.

(4) Where an appeal referred to in subsection (3) is made but is not successful, any registration or renewal of registration under that subsection shall expire 7 days after the appeal is determined or, where appropriate, finally determined.

(5) The Collector-General shall notify the Minister of any appeal against a refusal of an application for a tax clearance certificate and of the determination or, as appropriate, final determination of any such appeal. **]**

Annotations

Amendments:

F73 Inserted (1.08.2009) by *Criminal Justice (Miscellaneous Provisions) Act 2009* (28/2009), s. 35, S.I. No. 310 of 2009.

Restrictions on manufacture and sale of firearms.

10.—(1) On and after the commencement of this Act it shall not be lawful for any person to manufacture, sell, repair, test, or prove, or expose for sale, or have in his possession for sale, repair, test, or proof, by way of trade or business, any firearm or ammunition unless such person is registered in the register of firearms dealers.

F74**[**(1A) *Subsection (1)* shall not apply to a person engaged in the State in trade or business as a broker (within the meaning of the European Union (Acquisition and Possession of Weapons and Ammunition) Regulations 2022)) provided that —

(*a*) he or she stands registered in the register of brokers (within the meaning of those Regulations), and

(*b*) he or she does not have in his or her possession any firearm or ammunition in respect of which he or she is engaged in trade or business as a broker.**]**

(2) It shall not be lawful for F75**[**any person**]** to sell to any person (other than a registered firearms dealer or a person officially authorised) any firearm or ammunition, unless at the time of such sale the person to whom such firearm or ammunition is sold—

(*a*) produces a firearm certificate authorising him to purchase or hire (as the case may be) such firearm or ammunition, or

(*b*) proves to the satisfaction of F75**[**such person**]** that he is by virtue of this Act entitled to have possession of such firearm or ammunition without having a firearm certificate therefor.

(3) It shall be the duty of every person who sells a firearm or ammunition to any person (other than a registered firearms dealer or a person officially authorised)—

(*a*) to comply with the instructions (if any) addressed to such seller contained in the firearm certificate produced at the time of such sale by the person to whom such firearm or ammunition is sold, and

(*b*) in the case of a sale of a firearm within forty-eight hours after such sale to send by registered post notice thereof to the superintendent of the Gárda Síochána of the district in which the firearm certificate aforesaid was granted.

F76**[**(3A) (*a*) A person shall not sell, transfer or otherwise dispose of a firearm or ammunition for a firearm to a person who habitually resides, or to a body at an address, in a country that stands prescribed for the time being for the purposes of this section unless the superintendent of the Garda Síochána of the district in which the firearm or ammunition is kept, being satisfied that the transaction is authorised by the competent authorities of that country, also authorises it.

(*b*) This subsection is without prejudice to the other provisions of this section and to section 16 of this Act but subsection (4) of that section does not apply to a firearm or ammunition for a firearm carried by a person from the State for the purpose of transferring it permanently to such a country as aforesaid.

(*c*) In this subsection "firearm" does not include a firearm specified in paragraph (c) or (d) (or in paragraph (f) or (g) so far as either of those paragraphs relates to the said paragraph (c) or (d)) of section 4 (1) of the Firearms and Offensive Weapons Act, 1990.**]**

F77**[**(4) It shall not be lawful for any registered firearms dealer to return to any person a firearm or ammunition given to the dealer for repair, test or proof unless the person—

(*a*) produces a firearm certificate authorising him to have possession of the firearm or ammunition, or

(*b*) proves to the satisfaction of the dealer that he is entitled to have possession of the firearm or ammunition without having a firearm certificate therefor, and.**]**

F78**[**(4A) It is an offence for—

(*a*) a registered firearms dealer (notwithstanding subsection (1) of this section),

(*b*) a person engaged in the business of carrying or warehousing goods for reward, or

(*c*) an auctioneer who stands authorised under section 13 of the Firearms Act 1964,

to possess, use, carry, sell or expose for sale a restricted firearm in the ordinary course of business, unless authorised to do so by an authorisation under this section which is in force.

(4B) Application for such an authorisation shall be made to the Minister in the prescribed form by a person mentioned in subsection (4A) and be accompanied by the prescribed fee (if any).

(4C) The applicant shall supply in writing any further information that the Minister may require in the performance of his or her functions under this section.

(4D) An application for renewal of an authorisation may be made within 3 months before it ceases to be in force.

(4E) An application for an authorisation or its renewal shall be refused if granting it would, in the opinion of the Minister, prejudice public safety or security.

(4F) A decision on an application for an authorisation or its renewal shall be given within 3 months from the date on which the applicant submitted a completed application form.

(4G) An authorisation under this section which is in force shall, unless earlier revoked, continue in force for a period of 3 years from the date on which it was granted and, if renewed, for a further period of 3 years from the expiration of that period or, as the case may be, of any subsequent such period for which the authorisation was renewed.**]**

(5) Every person who contravenes any of the provisions of this section shall be guilty of an offence under this Act and shall be punishable accordingly.

(6) In this section—

(*a*) the expression "a person officially authorised" means a person authorised by the Minister for Defence to effect the transaction in question for the purposes of the Defence Forces of Saorstát Eireann or authorised by the Minister to effect the transaction in question for the purposes of any lawful police force in Saorstát Eireann, and

(*b*) the word "sell" includes letting on hire F79**[**, giving**]** and lending and the word "purchase" includes hiring F79**[**, receiving**]** and borrowing, and cognate words shall be construed accordingly.

F80**[**(7) The references in subsections (2) and (3) of this section to a registered firearms dealer shall, in relation to a sale of any firearm or ammunition, be construed as references to a registered firearms dealer for whom it is lawful to purchase that firearm or ammunition by way of trade or business.**]**

Annotations

Amendments:

F74 Inserted (27.04.2022) by *European Union (Acquisition and Possession of Weapons and Ammunition) Regulations 2022* (S.I. No. 209 of 2022), reg. 34(d).

F75 Inserted (28.01.1964) by *Firearms Act 1964* (1/1964), s. 19(a), commenced on enactment.

F76 Inserted (1.01.1991), by *Firearms and Offensive Weapons Act 1990* (12/1990), s. 5, S.I. No. 313 of 1990.

F77 Substituted (28.01.1964) by *Firearms Act 1964* (1/1964), s. 19(b), commenced on enactment.

F78 Inserted (1.08.2006) by *Criminal Justice Act 2006* (26/2006), s. 39, S.I. No. 390 of 2006.

F79 Inserted (28.01.1964) by *Firearms Act 1964* (1/1964), s. 19(c), commenced on enactment.

F80 Inserted (20.07.1971) by *Firearms Act 1971* (13/1971), s. 6(2), commenced as per s. 7(4).

F81 Inserted by *Criminal Law, Civil Law and Defence (Miscellaneous Provisions) Act 2026* (34/2026), s. 4(d), not commenced as of date of revision.

F82 Substituted by *Garda Síochána (Functions and Operational Areas) Act 2022* (7/2022), s. 4(1) and sch. 1 ref no. 3, not commenced as of date of revision, subject to transitional provisions in ss. 13, 15, 26.

Modifications (not altering text):

C21 Prospective affecting provision: subs. (6)(a) amended by *Criminal Law, Civil Law and Defence (Miscellaneous Provisions) Act 2026* (34/2026), s. 4(d), not commenced as of date of revision.

(*a*) the expression "a person officially authorised" means a person authorised by the Minister for Defence to effect the transaction in question for the purposes of the Defence Forces of Saorstát Eireann F81**[**, authorised by the Minister to effect a transaction relating to incapacitant spray for the purposes of the Irish Prison Service**]** or authorised by the Minister to effect the transaction in question for the purposes of any lawful police force in Saorstát Eireann, and

C22 Prospective affecting provision: subss. (3)(b), (3A)(a) amended by *Garda Síochána (Functions and Operational Areas) Act 2022* (7/2022), s. 4(1) and sch. 1 ref no. 3, not commenced as of date of revision, subject to transitional provisions in ss. 13, 15, 26.

(3) It shall be the duty of every person who sells a firearm or ammunition to any person (other than a registered firearms dealer or a person officially authorised)— ...

(*b*) in the case of a sale of a firearm within forty-eight hours after such sale to send by registered post notice thereof to F82**[**a superintendent of the Garda Síochána in the Garda division**]** in which the firearm certificate aforesaid was granted.

...

(3A) (*a*) A person shall not sell, transfer or otherwise dispose of a firearm or ammunition for a firearm to a person who habitually resides, or to a body at an address, in a country that stands prescribed for the time being for the purposes of this section unless F82**[**a superintendent of the Garda Síochána in the Garda division**]** in which the firearm or ammunition is kept, being satisfied that the transaction is authorised by the competent authorities of that country, also authorises it.

C23 Definition of firearm certificate extended (14.07.2000) by *Firearms (Firearm Certificates for Non-Residents) Act 2000* (20/2000), s. 2(15), commenced as per s. 8(3).

Firearm certificates.

2.— ...

(15) References to a firearm certificate in sections 2, 10, 16, 22 and 23 of the Principal Act shall include references to a firearm certificate granted under this Act.

C24 Application of section restricted (16.04.1969) by *Firearms (Proofing) Act 1968* (20/1968), s. 7, S.I. No. 64 of 1969.

Section 10 (1) of Principal Act not to apply to Institute.

7.— Section 10 (1) of the Principal Act shall not apply to the Institute.

C25 Application of section restricted (28.01.1964) by *Firearms Act 1964* (1/1964), s. 13(1), commenced on enactment.

Sale of firearms by auctioneer.

13.—(1) Notwithstanding anything contained in section 10 of the Principal Act, an auctioneer who stands authorised under this section may sell, expose for sale and have in his possession for sale, by auction in the ordinary course of his business as an auctioneer, a firearm or ammunition: Provided that in the case of a sale, the firearm or ammunition is not delivered to the purchaser until he produces to the auctioneer a firearm certificate which is in force authorising him to purchase the firearm or ammunition or proves that he is lawfully entitled to have possession of the firearm or ammunition without having a firearm certificate therefor.

Editorial Notes:

E40 Power pursuant to subs. (4A) exercised (1.08.2009) by *Firearms (Fees) Regulations 2009* (S.I. No. 312 of 2009).

F83**[**Reloading of ammunition.

10A.—F84**[**...**]]**

Annotations

Amendments:

F83 Inserted by *Criminal Justice Act 2006* (26/2006), s. 40, not commenced.

F84 Repealed (1.08.2009) by *Criminal Justice (Miscellaneous Provisions) Act 2009* (28/2009), s. 44, S. I. No. 310 of 2009.

Editorial Notes:

E41 Previous affecting provision: s. 10A was inserted by *Criminal Justice Act 2006* (26/2006), s. 40 but was not commenced. Its repeal was by way of repeal by the 2009 Act of the amending provision in the 2006 Act. The issue of reloading is expected to be addressed in an *Explosives Bill* listed in the Legislative Programme.

E42 Previous affecting provision: duty for licence under section prescribed (2.04.2007) by *Finance Act 2007* (11/2007), s. 72, commenced on enactment.

E43 Previous affecting provision: offences under section designated serious offences (4.09.1998) by *Bail Act 1997* (16/1997), s. 1 and sch. paras. 14(e), 29 and 30, S.I. No. 315 of 1998, as sch. para. 14 substituted (18.05.2007) by *Criminal Justice Act 2007* (29/2007), s. 17(a), S.I. No. 236 of 2007.

Removal of names from register of fire-arms dealers.

11.—(1) The Minister may at the request of any person who is registered in the register of firearms dealers remove the name of such person from the register aforesaid.

(2) If and when the Minister is satisfied that any person who is registered in the register of firearms dealers—

(*a*) no longer carries on business as a firearms dealer, or

(*b*) no longer has a place of business as such firearms dealer in Saorstát Eireann, or

(*c*) cannot any longer be permitted to carry on such business without danger to the public safety or to the peace, or

F85**[**(*d*) has become a person who is declared under section 9(13) of this Act to be disentitled to be registered in the register of firearms dealers,**]**

the Minister may remove the name of such person from the register aforesaid.

F86**[**(2A) If and when the Minister is satisfied that any person who is registered in the register of firearms dealers and whose registration is subject to the condition referred to in section 9 (8) of this Act has failed to comply with the condition, the Minister may remove the name of such person from the register aforesaid.**]**

F87**[**(3) A person whose name is removed under this section from the register of firearms dealers shall, on such removal, forthwith deliver up to the Minister—

(*a*) the person's certificate of registration or renewal, and

(*b*) the register kept by the person under subsection (1) of section 12 of this Act.

(4) A person who contravenes subsection (3) of this section is guilty of an offence and on summary conviction is liable to a fine not exceeding €3,000.**]**

Annotations

Amendments:

F85 Substituted (1.08.2006) by *Criminal Justice Act 2006* (26/2006), s. 41(a), S.I. No. 390 of 2006.

F86 Inserted (20.07.1971) by *Firearms Act 1971* (13/1971), s. 6(3), commenced as per s. 7(4).

F87 Substituted (1.08.2006) by *Criminal Justice Act 2006* (26/2006), s. 41(b), S.I. No. 390 of 2006. A fine of €3,000 translates into a class B fine not greater than €4,000 as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 5(3) and table ref. no. 1, S.I. No. 662 of 2010.

Editorial Notes:

E44 Compliance with subs. (3)(b) deemed where person ceasing business as a firearms dealer delivers the register maintained under s. 12 to the Minister (27.04.2022) by *European Union (Acquisition and Possession of Weapons and Ammunition) Regulations 2022* (S.I. No. 209 of 2022), reg. 4(3).

Register to be kept by firearms dealer.

12.—(1) It shall be the duty of every registered firearms dealer to keep or cause to be kept a register of all purchases, hirings, sales, repairs, and other transactions of or in relation to firearms or ammunition made by him, and within twenty-four hours after every such transaction to enter or cause to be entered in such register the prescribed particulars in respect of such transaction.

(2) Where the particulars required by this section to be entered in the register aforesaid in respect of any transaction are not known to the firearms dealer it shall be his duty at or before the completion of such transaction to demand such particulars from the person with whom the transaction takes place and it shall be the duty of such person on such demand to furnish such particulars accordingly.

(3) Every register kept in pursuance of this section may be inspected at all reasonable times by any member of the Gárda Síochána or any officer of customs and excise for any purpose arising out of or in connection with this Act or any regulation made thereunder, and it shall be the duty of the firearms dealer by or for whom such register is kept to produce for the inspection of such member of the Gárda Síochána or such officer of customs and excise on demand such register and also all invoices, consignment notes, receipts, and other documents (including copies thereof where the originals are not available) reasonably demanded by such member or officer for the purpose of verifying any entry in or explaining any omission from such register.

(4) If any registered firearms dealer—

(*a*) fails to keep or cause to be kept such register as is required by this section, or

(*b*) fails to make or cause to be made in such register within the time prescribed by this section any entry required by this section to be made therein, or

(*c*) makes or permits to be made in such register any entry which is to his knowledge false or misleading in any material respect,

he shall be guilty of an offence under this section and shall be liable on summary conviction thereof to a fine not exceeding F88**[**€3,000**]**.

(5) If any person required by this section to furnish any particulars to a registered firearms dealer refuses so to furnish such particulars or furnishes any such particulars which are to his knowledge false or misleading in any material respect, he shall be guilty of an offence under this section and shall be liable on summary conviction thereof to a fine not exceeding F88**[**€1,500**]**.

(6) For the purposes of this section—

(*a*) inspection of a register or document shall include taking copies or extracts therefrom, and

(*b*) a demand for inspection of a register or other document shall be deemed to have been duly made by a member of the Gárda Síochána or an officer of customs and excise if such demand is made verbally on the premises on which such register or document is kept to the manager, secretary, book-keeper, or other member of the clerical staff of such premises, and

(*c*) a refusal or failure to produce a register or other document for inspection if made or committed on any premises in which, the registered firearms dealer carries on business as such dealer by a person in his employment shall be deemed to have been committed by the registered firearms dealer.

Annotations

Amendments:

F88 Substituted by *Firearms and Offensive Weapons Act 1990* (12/1990), s. 8A as inserted (1.08.2006) by *Criminal Justice Act 2006* (26/2006), s. 64 and sch. 1, S.I. No. 390 of 2006. A fine of €3,000 translates into a class B fine not greater than €4,000 as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 5(3) and table ref. no. 1, S.I. No. 662 of 2010. A fine of €1,500 translates into a class C fine not greater than €2,500 as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 5(3) and table ref. no. 1, S.I. No. 662 of 2010.

Modifications (not altering text):

C26 Requirements for maintenance of register provided (27.04.2022) by *European Union (Acquisition and Possession of Weapons and Ammunition) Regulations 2022* (S.I. No. 209 of 2022), regs. 4(1), (2).

Maintenance of register kept by firearms dealers

4. (1) A firearms dealer shall, throughout the period of his or her activity as a firearms dealer, enter and retain in the register kept by him or her under section 12 of the Act the following information in relation to the transactions referred to in that section —

(*a*) the type, make, model, calibre and serial number of all firearms to which the Directive applies and all essential components of such firearms to which a transaction relates, and

(*b*) the names and addresses of the persons supplying or acquiring such firearms or essential components.

(2) Where a person ceases to carry on business as a firearms dealer, the person shall deliver up to the Minister the register referred to in paragraph (1).

...

Editorial Notes:

E45 Previous affecting provision: application of section extended (9.12.1993) by *European Communities (Acquisition and Possession of Weapons and Ammunition) Regulations 1993* (S.I. No. 362 of 1993), reg. 3(2); revoked (27.04.2022) by *European Union (Acquisition and Possession of Weapons and Ammunition) Regulations 2022* (S.I. No. 209 of 2022), reg. 40(a).

Inspection of stock of firearms dealer.

13.—(1) Any member of the Gárda Síochána may at all reasonable times enter the premises of any registered firearms dealer and there inspect any firearms and ammunition and any materials used in the manufacture, repair, test, or proof thereof found on such premises.

(2) Every person who shall obstruct or impede any member of the Gárda Síochána in the exercise of any of the powers conferred on him by this section shall be guilty of an offence under this section and shall be liable on summary conviction thereof to a fine not exceeding F89**[**€1,000 or imprisonment for a term not exceeding 6 months or both**]**.

Annotations

Amendments:

F89 Substituted by *Firearms and Offensive Weapons Act 1990* (12/1990), s. 8A as inserted (1.08.2006) by *Criminal Justice Act 2006* (26/2006), s. 64 and sch. 1, S.I. No. 390 of 2006. A fine of €1,000 translates into a class D fine not greater than €1,000 as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 7(3) and table ref. no. 1, S.I. No. 662 of 2010.

Prohibition of manufacture and possession, etc., of weapons discharging noxious liquids.

14.— F90**[**...**]**

Annotations

Amendments:

F90 Repealed (28.01.1964) by *Firearms Act 1964* (1/1964), s. 28(1), commenced on enactment, subject to transitional provision in s. 28(2).

F91**[**Offences regarding alteration of marking of firearms

14A. (1) A person who, unless—

(*a*) permitted by the Firearms Acts 1925 to 2023, or

(*b*) otherwise in accordance with law,

intentionally falsifies, removes, or otherwise obliterates or alters the marking of a firearm shall be guilty of an offence.

(2) A person guilty of an offence under this section shall be liable—

(*a*) if the firearm referred to in subsection (1) is a restricted firearm—

(i) on summary conviction, to a class A fine or to imprisonment for a term not exceeding 12 months or to both, or

(ii) on conviction on indictment, to a fine not exceeding €20,000 or to imprisonment for a term not exceeding 7 years or to both,

or

(*b*) in any other case—

(i) on summary conviction, to a class C fine or to imprisonment for a term not exceeding 12 months or to both, or

(ii) on conviction on indictment, to a fine not exceeding €10,000 or to imprisonment for a term not exceeding 5 years or to both.

(3) In this section—

"Act of 1968" means the Firearms (Proofing) Act 1968;

"marking of a firearm" means—

(*a*) a mark to which section 4(1)(a) of the Act of 1968 refers,

(*b*) a mark to which section 4(1)(b) of the Act of 1968 refers,

(*c*) a mark to which section 3(12) refers,

(*d*) a mark provided for by regulations made in accordance with section 26A(*c*),

(*e*) a mark to which Article 5 of Commission Implementing Regulation (EU) 2015/2403 of 15 December 2015[1] establishing common guidelines on deactivation standards and techniques for ensuring that deactivated firearms are rendered irreversibly inoperable, as amended by Article 1(3) of Commission Implementing Regulation (EU) 2018/337 of 5 March 2018[2] amending Implementing Regulation (EU) 2015/2403 establishing common guidelines on deactivation standards and techniques for ensuring that deactivated firearms are rendered irreversibly inoperable, refers,

(*f*) a mark to which Regulation 5 of the Principal Regulations refers,

(*g*) a mark to which Regulation 6 of the Principal Regulations refers, or

(*h*) a mark to which Regulation 7 of the Principal Regulations refers;

"Principal Regulations" means the European Union (Acquisition and Possession of Weapons and Ammunition) Regulations 2022 (S.I. No. 209 of 2022).**]**

Annotations

Amendments:

F91 Inserted (1.08.2023) by *Criminal Justice (Miscellaneous Provisions) Act 2023* (24/2023), s. 15, S.I. No. 391 of 2023. A class A fine means a fine not greater than €5,000, as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 4(1), S.I. No. 662 of 2010. A class C fine means a fine not greater than €2,500 as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 6(1), S.I. No. 662 of 2010.

F92**[**Possession of firearms with intent to endanger life.

15.— (1) Any person who possesses or controls any firearm or ammunition—

(*a*) with intent to endanger life or cause serious injury to property, or

(*b*) with intent to enable any other person by means of the firearm or ammunition to endanger life or cause serious injury to property,

shall, whether any injury to person or property has or has not been caused thereby, be guilty of an offence.

(2) A person guilty of an offence under this section is liable on conviction on indictment—

(*a*) to imprisonment for life or such shorter term as the court may determine, subject to subsections (4) to (6) of this section F93**[**...**]**, and

(*b*) at the court's discretion, to a fine of such amount as the court considers appropriate,

and the firearm or ammunition concerned shall be forfeited.

(3) The court, in imposing sentence on a person for an offence under this section, may, in particular, have regard to whether the person has a previous conviction for an offence under the *Firearms Acts 1925 to 2006*, the Offences against the State Acts 1939 to 1998 or the Criminal Justice (Terrorist Offences) Act 2005.

(4) Where a person (except a person under the age of 18 years) is convicted of an offence under this section, the court shall, in imposing sentence, specify a term of imprisonment of not less than 10 years as the minimum term of imprisonment to be served by the person.

F94**[**(4A) The purpose of subsections (5) and (6) of this section is to provide that in view of the harm caused to society by the unlawful possession and use of firearms, a court, in imposing sentence on a person (except a person under the age of 18 years) for an offence under this section, shall specify as the minimum term of imprisonment to be served by the person a term of not less than 10 years, unless the court determines that by reason of exceptional and specific circumstances

[1] OJ No. L333, 19.12.2015, p. 62.
[2] OJ No. L65, 8.3.2018, p. 1.

relating to the offence, or the person convicted of it, it would be unjust in all the circumstances to do so.**]**

(5) Subsection (4) of this section does not apply where the court is satisfied that there are exceptional and specific circumstances relating to the offence, or the person convicted of it, which would make a sentence of imprisonment of not less than 10 years unjust in all the circumstances, and for this purpose the court may F95**[**, subject to subsection (6),**]** have regard to any matters it considers appropriate, including—

(*a*) whether the person pleaded guilty to the offence and, if so—

(i) the stage at which the intention to plead guilty was indicated,

(ii) the circumstances in which the indication was given,

and

(*b*) whether the person materially assisted in the investigation of the offence.

(6) The court, in considering for the purposes of subsection (5) of this section whether a sentence of not less than 10 years imprisonment is unjust in all the circumstances, may have regard, in particular, to—

(*a*) whether the person convicted of the offence has a previous conviction for an offence under the *Firearms Acts 1925 to 2006*, the Offences Against the State Acts 1939 to 1998 or the Criminal Justice (Terrorist Offences) Act 2005, and

(*b*) whether the public interest in preventing the unlawful possession or use of firearms would be served by the imposition of a lesser sentence.

(7) F93**[**...**]**

(8) F93**[**...**]**

(9) Section 27C of the Firearms Act 1964 applies in relation to proceedings for an offence under this section and to any minimum term of imprisonment imposed under subsection (4) or (8) of this section in those proceedings.**]**

Annotations

Amendments:

F92 Substituted (1.11.2006) by *Criminal Justice Act 2006* (26/2006), s. 42, S.I. No. 390 of 2006.

F93 Deleted (27.12.2021) by *Criminal Justice (Amendment) Act 2021* (36/2021), s. 4(a)-(c), S.I. No. 777 of 2021, subject to retrospective application by s. 10, see C-note below.

F94 Inserted (18.05.2007) by *Criminal Justice Act 2007* (29/2007), s. 35(a) S.I. No. 236 of 2007.

F95 Inserted (18.05.2007) by *Criminal Justice Act 2007* (29/2007), s. 35(b) S.I. No. 236 of 2007.

Modifications (not altering text):

C27 Deletion of subs. (8) applied with retrosopective effect (27.12.2021) by *Criminal Justice (Amendment) Act 2021* (36/2021), s. 10, S.I. No. 777 of 2021.

Retrospective application of certain amendments

10. (1) Subject to subsection (2), the amendments effected by this Act (other than those effected by subparagraphs (i) and (iii) of section 5 (c) and by section 6) shall apply in respect of a relevant offence committed before the date of the coming into operation of this Act, including a relevant offence in respect of which proceedings had commenced before that date.

(2) Subsection (1) shall not apply in respect of a relevant offence committed prior to the date of the coming into operation of this Act where final judgment was given before that date in the proceedings in respect of the relevant offence.

(3) In this section “relevant offence” means— ...

(d) an offence to which section 15 (8) of the Firearms Act 1925 applied, immediately before its repeal by section 4 (b),

...

C28 Application of section extended (1.06.1976) by *Criminal Law (Jurisdiction) Act 1976* (14/1976), s. 2 and sch., S.I. No. 112 of 1976.

Offences committed in Northern Ireland and related offences committed in State.

2.—(1) Where a person does in Northern Ireland an act that, if done in the State, would constitute an offence specified in the Schedule, he shall be guilty of an offence and he shall be liable on conviction on indictment to the penalty to which he would have been liable if he had done the act in the State.

...

SCHEDULE

...

10. Any offence under section 15 of the Firearms Act, 1925 (possessing firearm or ammunition with intent to endanger life or cause serious injury to property).

...

C29 Application of section confirmed (20.07.1971) by *Firearms Act 1971* (13/1971), s. 4, commenced as per s. 7(4).

Application of section 15 of Principal Act.

4.—For the removal of doubt it is hereby declared that in section 15 of the Principal Act references to life and property include references to life and property outside the area of application of the laws enacted by the Oireachtas.

Editorial Notes:

E46 Offences under section designated relevant offences (1.09.2010) by *Criminal Procedure Act 2010* (27/2010), s. 7 and sch. para. 17, S.I. No. 414 of 2010, for purposes of Part 3 of that Act (exceptions to rule against double jeopardy, including application for retrial order (ss. 8-14) and approval of District Court for exercise of certain powers relating to persons acquitted of relevant offences (ss. 15-18)).

E47 Minimum sentence for offences under section committed under certain circumstances provided (18.05.2007) by *Criminal Justice Act 2007* (29/2007), s. 25 and sch. 2 no. 4, S.I. No. 236 of 2007.

E48 Power of court to make monitoring order in relation to offence under this section provided (18.05.2007) by *Criminal Justice Act 2007* (29/2007), s. 26, S.I. No. 236 of 2007.

E49 Powers and periods of detention in relation to offence under this section provided (18.05.2007) by *Criminal Justice Act 2007* (29/2007), s. 50, S.I. No. 236 of 2007.

E50 Offences under section designated serious offences (4.09.1998) by *Bail Act 1997* (16/1997), s. 1 and sch. paras. 14(e), 29 and 30, S.I. No. 315 of 1998, as para. 14 substituted (18.05.2007) by *Criminal Justice Act 2007* (29/2007), s. 17(a), S.I. No. 236 of 2007.

E51 Previous affecting provisions: section amended (1.06.1976) by *Criminal Law (Jurisdiction) Act 1976* (14/1976), s. 21(4) (S.I. No. 112 of 1976), as amended (1.03.1985) by *Criminal Justice Act 1984* (22/1984), s. 14 (S.I. No. 17 of 1985), and (3.09.1998) by *Offences Against the State (Amendment) Act 1998* (39/1998), s. 15, commenced on enactment.

F96[Appeal to District Court.

15A.— (1) An appeal may be made to the District Court by a person aggrieved by any of the following decisions made by an issuing person:

(*a*) to refuse to grant a firearms training certificate under section 2A of this Act;

(*b*) to refuse to grant or renew a firearm certificate under section 3 of this Act;

(*c*) to refuse to grant or renew an authorisation for a rifle or pistol club or shooting range under section 4A of this Act;

(*d*) to revoke a firearm certificate under section 5 of this Act;

(*e*) to refuse to register a person, or to renew a registration, in the register of firearms dealers under section 9 of this Act;

(*f*) to grant or renew an authorisation under section 10 of this Act;

(*g*) to remove the name of a person from the register of firearms dealers under section 11 of this Act;

(*h*) to refuse to grant a licence under section 10A of this Act;

(*i*) to refuse to grant an authorisation under section 16(1) of this Act;

(*j*) to refuse to grant a licence for the import of firearms or ammunition or a prohibited weapon under section 17 of this Act or to vary such a licence or conditions named in it;

(*k*) to refuse to renew a firearm certificate under section 9 of the Firearms Act 1964; or

(*l*) to refuse to grant a firearm certificate, or to revoke such a certificate, under section 2 of the Firearms (Firearm Certificate for Non-Residents) Act 2000.

(2) An appeal shall be made within 30 days of receipt of notice of the decision concerned.

(3) On the appeal the Court may—

(*a*) confirm the decision,

(*b*) adjourn the proceedings and direct the issuing person to reconsider the decision in the light of the appeal proceedings, or

(*c*) allow the appeal.

(4) Where the appeal is allowed, the issuing person shall give effect to the Court's decision.

(5) For the purposes of this section—

(*a*) an issuing person—

(i) who is required under section 3(9), 4A(7) or 10(4F) to decide on an application within a specified period, and

(ii) who does not so decide,

is deemed to have decided to refuse to grant the application,

(*b*) the applicant is deemed to have received notice of the decision on the expiration of that period, and

(*c*) as the case may be, section 3(10) does not apply in relation to the application.

(6) The jurisdiction conferred on the District Court by this section shall be exercised by the judge of that Court assigned to the district in which the appellant resides or carries on business.**]**

Annotations

Amendments:

F96 Inserted (1.08.2006) by *Criminal Justice Act 2006* (26/2006), s. 43, S.I. No. 390 of 2006.

Restriction on export or removal of firearms or ammunition.

16.—(1) It shall not be lawful for any person to consign—

(*a*) for export from Saorstát Eireann, or

(*b*) for removal from one place in Saorstát Eireann to another such place,

any firearm or ammunition, unless such export or removal is authorised in writing by the superintendent of the Gárda Síochána of the district from which such firearm or ammunition is consigned for export or removal.

(2) Every person who consigns for export or removal as aforesaid any firearm or ammunition contrary to the provisions of this section shall be guilty of an offence under this Act and shall be punishable accordingly.

(3) Upon the conviction of any person of the offence of contravening the provisions of this section, the court may, where the person so convicted is the owner of any firearm or ammunition the subject of such offence, in addition to any other punishment awarded under this Act, make such order as to the forfeiture of such firearm or ammunition as the court thinks fit.

(4) The offence of contravening the provisions of this section shall not be deemed to have been committed by the holder of a firearm certificate carrying with him from or in Saorstát Eireann F97**[**or consigning for export**]** the firearm or any ammunition authorised by such certificate to be carried by the holder thereof.

(5) This section shall not apply to any consignment of any firearm or ammunition belonging to or purchased or intended for the use of the Defence Forces of Saorstát Eireann or any lawful police force in Saorstát Eireann.

Annotations

Amendments:

F97 Inserted (28.01.1964) by *Firearms Act 1964* (1/1964), s. 20, commenced on enactment.

F98 Inserted by *Criminal Law, Civil Law and Defence (Miscellaneous Provisions) Act 2026* (34/2026), s. 4(e), not commenced as of date of revision.

F99 Substituted by *Garda Síochána (Functions and Operational Areas) Act 2022* (7/2022), ss. 1(2), 4(1), sch. 1 ref no. 3, not commenced as of date of revision, subject to transitional provisions in ss. 13, 15, 26.

Modifications (not altering text):

C30 Prospective affecting provision: subs. (6) inserted by *Criminal Law, Civil Law and Defence (Miscellaneous Provisions) Act 2026* (34/2026), s. 4(e), not commenced as of date of revision.

F98**[**(6) This section shall not apply to any consignment of incapacitant spray belonging to or purchased or intended for the use of the Irish Prison Service.**]**

C31 Prospective affecting provision: subs. (1) amended by *Garda Síochána (Functions and Operational Areas) Act 2022* (7/2022), s. 4(1) and sch. 1 ref no. 3, not commenced as of date of revision, subject to transitional provisions in ss. 13, 15, 26.

16.—(1) It shall not be lawful for any person to consign—

(*a*) for export from Saorstát Eireann, or

(*b*) for removal from one place in Saorstát Eireann to another such place,

any firearm or ammunition, unless such export or removal is authorised in writing by F99**[**a superintendent of the Garda Síochána in the Garda division**]** from which such firearm or ammunition is consigned for export or removal.

(2) Every person who consigns for export or removal as aforesaid any firearm or ammunition contrary to the provisions of this section shall be guilty of an offence under this Act and shall be punishable accordingly.

C32 Definition of firearm certificate extended (14.07.2000) by *Firearms (Firearm Certificates for Non-Residents) Act 2000* (20/2000), s. 2(15), commenced as per s. 8(3).

Firearm certificates.

2.— ...

(15) References to a firearm certificate in sections 2, 10, 16, 22 and 23 of the Principal Act shall include references to a firearm certificate granted under this Act.

Restrictions on the import of firearms, prohibited weapons and ammunition.

17.—(1) No person shall import into Saorstát Eireann any firearm, ammunition, or prohibited weapon unless such import is authorised by a continuing licence granted under this section and in force at the time, or by an occasional licence granted under this section and relating to the specific firearm, ammunition or prohibited weapon so imported.

(2) F100**[**...**]**

(3) A continuing licence to import firearms or ammunition may on application in the prescribed manner be granted by the Minister if he thinks fit so to do to any registered firearms dealer, and every such continuing licence shall operate and be expressed to authorise the importation into Saorstát Eireann of firearms and ammunition generally or of any specified class or classes of firearms and ammunition through the port, by the registered dealer, during the period F101**[**...**]**, and subject to the conditions named in such licence.

(4) An occasional licence to import into Saorstát Eireann a firearm, with or without ammunition therefor, may, on application in the prescribed manner be granted by the Minister to any person who holds or could be granted a firearm certificate for the firearm and ammunition (if any) in respect of which the occasional licence is sought or is a registered firearms dealer and every such occasional licence shall operate and be expressed to authorise the importation into Saorstát Eireann of the firearm and the quantity of ammunition (if any) specified in such licence through the port, by the person, within the time F101**[**...**]**, and subject to the conditions named in such licence.

F102**[**(4A) Notwithstanding subsections (1) to (4) of this section, a licence for importing a firearm, ammunition or prohibited weapon may not be granted unless—

(*a*) the applicant has a good reason for importing it,

(*b*) granting the licence would not prejudice public safety or security, and

(*c*) if the application relates to a restricted firearm or restricted ammunition, the applicant—

(i) if a registered firearms dealer, possesses an authorisation under section 10 of this Act, or

(ii) in any other case, is the holder of a restricted firearm certificate in respect of the firearm or ammunition concerned, which is in force.

(4B) An applicant for a licence under this section shall supply in writing any further information that the Minister may require in the performance of his or her functions under this section.

(4C) The reason for refusing an application for a licence under this section or for its renewal shall be communicated in writing to the applicant.**]**

(5) Every continuing licence granted by the Minister under this section may be varied or revoked by the Minister at any time before its expiration.

(6) If any person imports into Saorstát Eireann a firearm or prohibited weapon or any ammunition without or otherwise than in accordance with a licence under this section authorising such importation or, in the case of ammunition, in quantities in excess of those so authorised, or fails to comply with any condition named in a licence granted to him under this section, he shall be guilty of an offence under this Act and shall be punishable accordingly.

(7) The possession of a licence granted under this section shall not relieve from the obligation to obtain or hold any certificate, permit, or authority required by any other provision of this Act.

(8) This section shall not apply to the importation into Saorstát Eireann of any firearms, ammunition or prohibited weapon which is so imported under the authority of the Minister for Defence for the use of the Defence Forces of Saorstát Eireann or under the authority of the Minister for the use of any lawful police force in Saorstát Eireann.

Annotations

Amendments:

F100 Repealed (28.01.1964) by *Firearms Act 1964* (1/1964), s. 28(1), subject to transitional provision in s. 28(3), commenced on enactment.

F101 Deleted (28.01.1964) by *Firearms Act 1964* (1/1964), s. 21(2)(a), commenced on enactment.

F102 Inserted (1.08.2006) by *Criminal Justice Act 2006* (26/2006), s. 44, S.I. No. 390 of 2006.

F103 Inserted by *Criminal Law, Civil Law and Defence (Miscellaneous Provisions) Act 2026* (34/2026), s. 4(f), not commenced as of date of revision.

F104 Substituted by *Criminal Justice (Miscellaneous Provisions) Act 2009* (28/2009), s. 36, not commenced as of date of revision.

Modifications (not altering text):

C33 Prospective affecting provision: subs. (9) inserted by *Criminal Law, Civil Law and Defence (Miscellaneous Provisions) Act 2026* (34/2026), s. 4(f), not commenced as of date of revision.

F103**[**(9) This section shall not apply to the importation into the State of incapacitant spray which is so imported under the authority of the Minister for the use of the Irish Prison Service.**]**

C34 Prospective amending provision: section substituted by *Criminal Justice (Miscellaneous Provisions) Act 2009* (28/2009), s. 36, not commenced as of date of revision.

F104**[Restrictions on the import of firearms, prohibited weapons and ammunition.**

17.— (1) Without prejudice to the provisions of the Firearms (Firearms Certificates for Non-Residents) Act 2000, no person, other than a registered firearm dealer, shall import into the State any firearm, ammunition, or prohibited weapon.

(2) A continuing licence to import firearms or ammunition may on application in the prescribed manner be granted by the Minister if he or she thinks fit so to do to any registered firearms dealer, and every such continuing licence shall operate and be expressed to authorise the importation into the State of firearms and ammunition generally or of any specified class or classes of firearms and ammunition through the port, by the registered dealer, during the period and subject to the conditions named in such licence.

(3) An occasional licence to import into the State a firearm or prohibited weapon, with or without ammunition therefor, may, on application in the prescribed manner, be granted by the Minister if he or she thinks fit so to do to any registered firearms dealer and every such occasional licence shall operate and be expressed to authorise the importation into the State of the firearm and the quantity of ammunition (if any) specified in such licence through the port, by the registered firearms dealer, within the time and subject to the conditions named in such licence.

(4) Notwithstanding subsections (1) to (3) of this section, a licence for importing a firearm, ammunition or prohibited weapon may not be granted unless—

(*a*) the applicant has a good reason for importing it,

(*b*) granting the licence would not prejudice public safety or security, and

(*c*) if the application relates to a restricted firearm or restricted ammunition, the applicant possesses an authorisation under section 10 of this Act.

(5) An applicant for a licence under this section shall supply in writing any further information that the Minister may require in the performance of his or her functions under this section.

(6) The reason for refusing an application for a licence under this section or for its renewal shall be communicated in writing to the applicant.

(7) Every continuing licence granted by the Minister under this section may be varied or revoked by the Minister at any time before its expiration. The reason for varying or revoking the licence shall be communicated in writing to the licensee or former licensee.

(8) If any person imports into the State a firearm or prohibited weapon or any ammunition without or otherwise than in accordance with a licence under this section authorising such importation or, in the case of ammunition, in quantities in excess of those so authorised, or fails to comply with any condition named in a licence granted to him or her under this section, he or she shall be guilty of an offence under this Act and shall be punishable accordingly.

(9) The possession of a licence granted under this section shall not relieve any person from the obligation to obtain or hold any certificate, permit, or authority required by any other provision of this Act.

(10) This section shall not apply to the importation into the State of any firearms, ammunition or prohibited weapon which is so imported under the authority of the Minister for Defence for the use of the Defence Forces of the State or under the authority of the Minister for the use of any lawful police force in the State. **]**

C35 Application of section restricted (20.01.1964) by *Firearms Act 1964* (1/1964), s. 21(1), commenced on enactment. S. 21 repealed by *Criminal Justice (Miscellaneous Provisions) Act 2009* (28/2009), s. 38, not commenced as of 31.10.2012.

Amendment of section 17 of Principal Act.

21.—(1) The restriction imposed by section 17 of the Principal Act on the importation into the State of firearms shall not apply in relation to the importation of a firearm by the holder of a firearm certificate in respect of the firearm which is in force.

C36 Application of section extended (6.11.1962) by *Customs-Free Airport (Extension of Laws) Regulations 1962* (S.I. No. 186 of 1962), reg. 2.

2. Section 17 of the Firearms Act, 1925 (No. 17 of 1925), shall extend to the Customs-free airport.

Powers of officers of customs and excise.

18.—Officers of customs and excise shall have the like powers in relation to any firearms and ammunition the import, export or removal of which is prohibited or restricted by this Act as such officers have by law in relation to other articles, the import or export of which is prohibited or restricted by law.

Powers and duties of F105**[**employees of a postal service**]**.

19.—Any F105**[**employee of a postal service**]** may detain and examine and if necessary open for that purpose any postal packet known to him to contain or suspected by him of containing a firearm or prohibited weapon or any ammunition, and if a postal packet so detained contains a firearm or prohibited weapon or any ammunition the F105**[**employees of the said postal service**]** shall make such inquiries in regard thereto as they think proper, and shall dispose of the packet and the contents thereof (including the firearm, prohibited weapon, or ammunition) in accordance with the instructions of the Minister for Justice, or any superintendent of the Gárda Síochána, and may detain the said packet and contents pending the making of such inquiries and the receipt of such instructions.

Annotations

Amendments:

F105 Substituted (2.08.2011) by *Communications Regulation (Postal Services) Act 2011* (21/2011), s. 5 and sch. 2 item 2, commenced on enactment.

Editorial Notes:

E52 Previous affecting provision: section amended (13.07.1983) by *Postal and Telecommunications Services Act 1983* (24/1983), s. 8(1) and sch. 4, part 1, commenced on enactment; substituted as per F-note above.

Prohibition of taking firearms or ammunition in pawn.

20.—F106**[**...**]**

Annotations

Amendments:

F106 Repealed (1.01.1965) by *Pawnbrokers Act 1964* (31/1964), s. 6 and sch. 1, S.I. No. 290 of 1964.

Gárda Síochána may search for and seize certain firearms, etc.

21.—(1) Any member of the Gárda Síochána may at all reasonable times enter upon and have free access to the interior of—

(*a*) any premises used for the manufacture, sale, repair, test, or proof of firearms or ammunition, or

(*b*) the premises of any person engaged in the business of carrying goods for reward, or

(*c*) any warehouse or other premises of any person engaged in the business of warehousing goods for reward, or

(*d*) any pier, quay, wharf, jetty, dock, or dock premises, or

(*e*) any ship, boat, railway waggon, motor, lorry, cart, or other vessel or vehicle used for the conveyance of goods.

(2) Any member of the Gárda Síochána may inspect any firearms or ammunition, or any case, box or package found by him in any place entered by him under the authority of this section or upon or in any public place, and may open any such case, box, or package which he reasonably believes or suspects to contain firearms or ammunition, and may seize any firearms or ammunition found in any such place as aforesaid and which he reasonably believes or suspects are being imported into or exported from Saorstát Eireann or are being or have been removed from one place to another in Saorstát Eireann in contravention of the provisions of this Act F107**[**, and may seize any firearms found in any such place to which a mark, being a mark mentioned in section 4 (1) (*a*) or 4 (1) (*b*) of the Firearms (Proofing) Act, 1968, has not been applied and in relation to which he reasonably believes or suspects that a breach of an order under the said section 4 has occurred**]**.

(3) It shall be the duty of every person having custody or control of any firearms or ammunition in any such place as is mentioned in sub-section (1) of this section or upon or in any public place on demand by a member of the Gárda Síochána to afford such member all reasonable facilities for the inspection of such firearms and ammunition and to produce to such member on demand by him any documents in his possession relating to such firearms or ammunition.

(4) If any person—

(*a*) obstructs or impedes any member of the Gárda Síochána in the exercise of any of the powers conferred on him by this section, or

(*b*) knowing the name or other particulars of the consignor, consignee, or owner of any firearms or ammunition or of any case, box, or package which such member is entitled to inspect under this section, refuses to give such name or other particulars to such member, or

(*c*) wilfully or recklessly gives to such member any false or misleading name or other particular of any such consignor, consignee, or owner,

such person shall be guilty of an offence under this section and shall be F108**[**liable on summary conviction to a fine not exceeding €1,000 or imprisonment for a term not exceeding 6 months or both**]**.

(5) Where any firearms or ammunition are seized by a member of the Gárda Síochána under this section it shall be the duty of such member to notify the owner or the consignor or consignee (if and so far as their names and addresses are known to or can reasonably be ascertained by him) of such seizure.

F109**[**(6) Where a firearm or ammunition is seized under this section or under section 22 of this Act and a prosecution for an offence under this Act in relation to the firearm or ammunition is not instituted, the firearm or ammunition shall be—

(*a*) returned to the person who is the owner, consignor or consignee thereof, as may be appropriate F110**[**(other than where the firearm or ammunition concerned is a prohibited firearm or prohibited ammunition, as the case may be, or a firearm or ammunition the acquisition or possession of which is prohibited by section 2D F111**[**...**]**)**]**, or disposed of, subject to the provisions of this Act, in accordance with the directions of such person, or

(*b*) made the subject of an application to the District Court under the Police (Property) Act, 1897, and disposed of in accordance with the terms of the order made by the District Court under that Act in relation to the application.**]**

Annotations

Amendments:

F107 Inserted (16.04.1969) by *Firearms (Proofing) Act 1968* (20/1968), s. 9, S.I. No. 64 of 1969.

F108 Substituted (1.08.2006) by *Firearms and Offensive Weapons Act 1990* (12/1990), s. 8A (as inserted by *Criminal Justice Act 2006* (26/2006), s. 64) and sch. 1 of *Criminal Justice Act 2006* (26/2006), S.I. No. 390 of 2006. A fine of €1,000 translates into a class D fine not greater than €1,000 as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 7(3) and table ref. no. 1, S.I. No. 662 of 2010.

F109 Substituted (28.01.1964) by *Firearms Act 1964* (1/1964), s. 22, commenced on enactment.

F110 Inserted (1.09.2019) by *European Communities (Acquisition and Possession Of Weapons And Ammunition) (Amendment) Regulations 2019* (S.I. No. 420 of 2019), reg. 10(e), in effect as per reg. 1(2).

F111 Deleted (27.04.2022) by *European Union (Acquisition and Possession of Weapons and Ammunition) Regulations 2022* (S.I. No. 209 of 2022), reg. 34(e).

Powers of members of Gárda Síochána.

22.—(1) Any member of the Gárda Síochána may demand from any person whom he observes or believes to be in possession of, using, or carrying a firearm or any ammunition, the production of his firearm certificate and if such person fails to produce and permit such member to read a firearm certificate authorising him to have possession of, use, or carry (as the case may require) such firearm or ammunition, such member of the Gárda Síochána may unless such person shows that he is entitled by law to have possession of, use, or carry (as the case may require) at that time and in that place such firearm or ammunition without having a firearm certificate therefor demand from such person his name and address.

(2) If any person, on demand being made to him under this section by a member of the Gárda Síochána, refuses to give to such member his name and address or gives a name or address which is false or misleading in any material particular, he shall be guilty of an offence under this section and shall be liable on summary conviction thereof to a fine not exceeding F112**[**€1,000**]**.

(3) Any member of the Gárda Síochána may arrest without warrant any person who, on demand being made under this section, refuses to give his name and address or gives a name or address which the member of the Gárda Síochána demanding the same knows or suspects to be false or misleading in any material particular.

(4) In addition to any other powers conferred on him under this Act or otherwise, any member of the Gárda Síochána may stop and search and may also arrest without

warrant any person whom he believes to be in possession of or to be using or carrying a firearm or ammunition in contravention of any of the provisions of this Act, and may search any such person, and, whether arresting him or not, may seize and detain any firearm or ammunition in his possession or used or carried by him.

Annotations

Amendments:

F112 Substituted (1.08.2006) by *Firearms and Offensive Weapons Act 1990* (12/1990), s. 8A as inserted by *Criminal Justice Act 2006* (26/2006), s. 64 and sch. 1 of 2006 Act, S.I. No. 390 of 2006. A fine of €1,000 translates into a class D fine not greater than €1,000 as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 7(3) and table ref. no. 1, S.I. No. 662 of 2010.

Modifications (not altering text):

C37 Definition of firearm certificate extended (14.07.2000) by *Firearms (Firearm Certificates for Non-Residents) Act 2000* (20/2000), commenced as per s. 8(3).

Firearm certificates.

2.— ...

(15) References to a firearm certificate in sections 2, 10, 16, 22 and 23 of the Principal Act shall include references to a firearm certificate granted under this Act.

Forfeiture of firearms, etc., in certain cases.

23.—(1) Where any person is convicted of an offence under this Act, or is convicted of any crime for which he is sentenced to penal servitude or imprisonment, or is ordered to be subject to police supervision, or is ordered to enter into a recognizance to keep the peace or to be of good behaviour, a condition of which is that the offender shall not possess, use, or carry a firearm, the court before whom such person is convicted or by whom the order is made F113**[**may, in accordance where applicable with regulations made under section 26A, make**]** such order as to the forfeiture or disposal of any firearm, prohibited weapon, or ammunition found in the possession of such person, or used or carried by him, as the court shall think fit and may cancel any firearm certificate held by such person.

(2) Where the court cancels a firearm certificate under this section, it shall cause notice of such cancellation to be sent forthwith to the superintendent of the Gárda Síochána of the area in which the certificate was granted.

Annotations

Amendments:

F113 Substituted (1.08.2023) by *Criminal Justice (Miscellaneous Provisions) Act 2023* (24/2023), s. 16, S.I. No. 391 of 2023.

F114 Substituted by *Garda Síochána (Functions and Operational Areas) Act 2022*(7/2022), s. 4(1) and sch. 1 ref no. 3, not commenced as of date of revision, subject to transitional provisions in ss. 13, 15, 26.

Modifications (not altering text):

C38 Prospective affecting provision: subs. (2) amended by *Garda Síochána (Functions and Operational Areas) Act 2022* (7/2022), s. 4(1) and sch. 1 ref no. 3, not commenced as of date of revision, subject to transitional provisions in ss. 13, 15, 26.

23.—...

(2) Where the court cancels a firearm certificate under this section, it shall cause notice of such cancellation to be sent forthwith to the superintendent of F114**[**a superintendent of the Garda Síochána in the area**]** in which the certificate was granted.

C39 Definition of firearm certificate extended (14.07.2000) by *Firearms (Firearm Certificates for Non-Residents) Act 2000* (20/2000), commenced as per s. 8(3).

Firearm certificates.

2.— ...

(15) References to a firearm certificate in sections 2, 10, 16, 22 and 23 of the Principal Act shall include references to a firearm certificate granted under this Act.

Search orders.

24.—F115**[**(1) If a judge of the District Court is satisfied by information on oath of a member of the Garda Síochána not below the rank of sergeant that there are reasonable grounds for suspecting that evidence of, or relating to, the commission of an offence under this Act is to be found in any place, the judge may issue a warrant for the search of that place and any persons found at that place.

(1A) Subject to subsections (1B) and (1C), if a member of the Garda Síochána not below the rank of superintendent is satisfied that there are reasonable grounds for suspecting that evidence of, or relating to, the commission of an offence under this Act is to be found in any place, the member may issue to a member of the Garda Síochána not below the rank of sergeant a warrant for the search of that place and any persons found at that place.

(1B) A member of the Garda Síochána not below the rank of superintendent shall not issue a search warrant under this section unless he or she is satisfied—

(*a*) that the search warrant is necessary for the proper investigation of an offence under this Act, and

(*b*) that circumstances of urgency giving rise to the need for the immediate issue of the search warrant would render it impracticable to apply to a judge of the District Court under this section for the issue of the warrant.

(1C) A member of the Garda Síochána not below the rank of superintendent may issue a search warrant under this section only if he or she is independent of the investigation of the offence in relation to which the search warrant is being sought.**]**

(2) A F115**[**search warrant**]** issued under this section shall authorise the member of the Gárda Síochána named therein to enter the place or premises to which the order relates at any time F115**[**within, if the warrant is issued by a judge of the District Court, one week, and if the warrant is issued by a member of the Garda Síochána not below the rank of superintendent, 48 hours,**]** after the issuing of such F115**[**search warrant**]**, and if need be by force, and to inspect the place or premises so entered, and to take the names and addresses of any persons found therein, and if the premises are premises of a firearms dealer, to seize any books and papers relating to the business of such firearms dealer.

(3) Any member of the Gárda Síochána making a search under a F115**[**search warrant**]** may arrest without warrant any person found in the place or on the premises to which the F115**[**search warrant**]** relates whom he has reason to believe to be guilty of an offence under this Act.

F116**[**(4) The power to issue a search warrant under this section is without prejudice to any other power conferred by statute to issue a warrant for the search of any place or person.

(5) A member of the Garda Síochána not below the rank of superintendent who issues a search warrant under this section shall, either at the time the warrant is issued or as soon as reasonably practicable thereafter, record in writing the grounds on which the warrant was issued, including how he or she was satisfied as to the matters referred to in subsection (1B).

(6) In this section—

"independent of", in relation to the investigation of an offence, means not being in charge of, or involved in, that investigation;

"place" includes—

(*a*) a dwelling or a part thereof,

(*b*) a building or a part thereof,

(*c*) a vehicle, whether mechanically propelled or not,

(*d*) a vessel, whether sea-going or not,

(*e*) an aircraft, whether capable of operation or not, and

(*f*) a hovercraft.**]**

Annotations

Amendments:

F115 Substituted (1.08.2023) by *Criminal Justice (Miscellaneous Provisions) Act 2023* (24/2023), s. 17(a), (b), (c), S.I. No. 391 of 2023.

F116 Inserted (1.08.2023) by *Criminal Justice (Miscellaneous Provisions) Act 2023* (24/2023), s. 24(d), S.I. No. 391 of 2023.

Editorial Notes:

E53 Previous affecting provision: subs. 2 amended (28.01.1964) by *Firearms Act 1964* (1/1964), s. 23, commenced on enactment; substituted (1.08.2023) as per F-note above.

F117**[**Punishments.

25.— Any person who commits an offence under this Act in respect of which no other punishment is provided is liable in respect of each such offence—

(*a*) on summary conviction, to a fine not exceeding €5,000 or imprisonment for a term not exceeding 12 months or both, or

(*b*) on conviction on indictment, to a fine not exceeding €20,000 or imprisonment for a term not exceeding 5 years or both.**]**

Annotations

Amendments:

F117 Substituted (1.08.2006) by *Criminal Justice Act 2006* (26/2006), s. 45, S.I. No. 390 of 2006. A fine of €5,000 translates into a class A fine not greater than €5,000 as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 4(3) and table ref. no. 1, S.I. No. 662 of 2010.

Editorial Notes:

E54 Offences under this section designated serious offences (4.09.1998) by *Bail Act 1997* (16/1997), s. 1 and sch. paras. 14(e), 29 and 30, S.I. No. 315 of 1998, as sch. para. 14 substituted (18.05.2007) by *Criminal Justice Act 2007* (29/2007), s. 17(a), S.I. No. 236 of 2007.

F118**[**Surrender of firearms and offensive weapons.

25A.— (1) The Minister may by order appoint a specified period during which a person may surrender at any Garda station or at any other place approved for the purpose by a superintendent of the Garda Síochána any of the following weapons:

(*a*) a firearm;

(*b*) a flick-knife;

(*c*) a weapon of offence.

(2) When surrendering a weapon during the specified period, the person—

(*a*) shall give his or her name, address and proof of identity to a member of the Garda Síochána at the Garda Síochána station or place concerned, and

(*b*) shall be informed by the member that the weapon and any thing in which it was surrendered may be forensically examined or tested.

(3) Proceedings for an offence shall not be instituted against any person who surrenders a weapon under this section if—

(*a*) in the case of a firearm, the offence consists only in the possession, carrying and use (other than in the commission of another offence) of the firearm without being the holder of a firearm certificate, in contravention of section 2 of this Act, or

(*b*) in the case of a flick-knife or other weapon of offence, the offence is an offence under section 9(4) or 10(1)(*b*) of the Firearms and Offensive Weapons Act 1990.

(4) Any surrendered weapon or any substance or thing found on or in it or on or in any thing in which it was surrendered may be subjected to forensic examination or testing for the purpose of—

(*a*) determining whether any such weapon, substance or thing is in a safe and stable condition, or

(*b*) discovering information concerning an offence other than an offence referred to in subsection (3) of this section.

(5) In any proceedings, a surrendered weapon and any substance or thing referred to in subsection (4) of this section is admissible in evidence.

(6) A surrendered weapon may be disposed of in a manner deemed appropriate by the Commissioner.

(7) In this section—

"firearm" includes ammunition;

"flick-knife" has the meaning given to it in section 9(9) of the Firearms and Offensive Weapons Act 1990;

"weapon of offence" has the meaning given to it in section 10(2) of the said Act of 1990.**]**

Annotations

Amendments:

F118 Inserted (1.08.2006) by *Criminal Justice Act 2006* (26/2006), s. 46, S.I. No. 390 of 2006.

Editorial Notes:

E55 Power pursuant to section exercised (1.09.2006) by *Firearms Act 1925 (Surrender of Firearms and Offensive Weapons) Order 2006* (S.I. No. 451 of 2006) .

F119**[**Surrender of firearm for ballistic testing.

25B.— (1) The Commissioner may by notice in writing require any person lawfully possessing a firearm to produce it at such time and place as may be specified in the notice for the purpose of having ballistic or other tests carried out on it and of establishing and recording its distinctive characteristics.

(2) A person who, without reasonable excuse, does not comply with such a notice is guilty of an offence under this Act.**]**

Annotations

Amendments:

F119 Inserted (1.08.2006) by *Criminal Justice Act 2006* (26/2006), s. 47, S.I. No. 390 of 2006.

F120**[**Delegation of Commissioner's functions.

25C.— The Commissioner may appoint in writing a member of the Garda Síochána, or members of a particular rank in the Garda Síochána, not below the rank of superintendent to perform any of the Commissioner's functions under this Act.**]**

Annotations

Amendments:

F120 Inserted (1.08.2006) by *Criminal Justice Act 2006* (26/2006), s. 48, S.I. No. 390 of 2006.

F121**[**Delegation of certain functions of Superintendent

25CA. … **]**

Annotations

Amendments:

F121 Inserted by *Garda Síochána (Functions and Operational Areas) Act 2022* (7/2022), s. 6, not commenced as of date of revision.

Modifications (not altering text):

C40 Prospective affecting provision: section inserted by *Garda Síochána (Functions and Operational Areas) Act 2022* (7/2022), s. 6, not commenced as of date of revision.

F121**[25CA.** (1) A Superintendent in a Garda division may delegate in writing the functions conferred on a Superintendent by the following sections:

(*a*) section 2(5);

(*b*) section 2(7);

(*c*) section 3 in relation to applications for firearm certificates (other than restricted firearm certificates);

(*d*) section 4A(12);

to an Inspector of the Garda Síochána in the division, to be performed in accordance with this section.

(2) An Inspector to whom functions are delegated under subsection (1) shall not be considered by virtue of that delegation to be acting as a Superintendent within the meaning of section 1(3).

(3) Where functions of a Superintendent are delegated under subsection (1)—

(*a*) the delegation shall confer on and vest in the Inspector to whom the functions are delegated each of the functions so delegated,

(*b*) every function so delegated shall be exercisable and performed by the Inspector in his or her own name but subject to the general superintendence and control of the Superintendent who made the delegation and subject to any conditions or restrictions stated in the delegation,

(*c*) every function so delegated shall, subject to *paragraph (b)*—

(i) continue to be vested in the Superintendent who made the delegation,

(ii) be vested concurrently with the Inspector to whom the function is delegated, and

(iii) be capable of being exercised or performed by either that Superintendent or that Inspector,

(*d*) a reference in this Act to a Superintendent performing a function that has been delegated under subsection (1) shall include a reference to the Inspector to whom the function has been delegated,

(*e*) the Superintendent who made the delegation may at any time revoke the delegation in writing, and

(*f*) the delegation shall terminate if the Superintendent who made the delegation ceases to be a Superintendent in the division concerned or if the Inspector to whom the delegation is made ceases to be an Inspector in the division concerned.**]**

F122**[**Liability of officers of bodies corporate.

25D.— (1) Where—

(*a*) an offence under this Act is committed by a body corporate, and

(*b*) it is proved to have been committed with the consent, connivance or approval of, or to have been attributable to any neglect on the part of, a person who—

(i) was a director, manager, secretary or other officer of the body corporate, or

(ii) was a person purporting to act in any such capacity,

that person, as well as the body corporate, is guilty of an offence and liable to be proceeded against and punished as if the person were guilty of the first-mentioned offence.

(2) Where the affairs of a body corporate are managed by its members, subsection (1) of this section applies in relation to the acts and defaults of a member in connection with the member's functions of management as if the member were a director or manager of the body corporate.

(3) The foregoing provisions apply, with the necessary modifications, where the offence was committed by an unincorporated body.**]**

Annotations

Amendments:

F122 Inserted (1.08.2006) by *Criminal Justice Act 2006* (26/2006), s. 49, S.I. No. 390 of 2006.

Savings.

26.—(1) Nothing in this Act relating to firearms shall apply to any antique firearm which is sold, bought, carried, or possessed as a curiosity or ornament.

(2) The provisions of this Act relating to ammunition shall be in addition to and not in derogation of any enactment relating to the keeping and sale of explosives.

F123**[**Regulations regarding disposal of certain firearms

26A.— Without prejudice to the operation of any other section of this Act, the Minister may, following consultation with the Commissioner, make regulations—

(*a*) to provide for the methods of destruction of such illicitly manufactured or trafficked firearms, parts, components and ammunition as he or she may prescribe,

(*b*) to provide for the methods of assignment for forensic, scientific, historical, or cultural purposes, of such illicitly manufactured or trafficked firearms, parts, components and ammunition as he or she may prescribe, and

(*c*) to provide for the marking of the firearms to which paragraph (b) relates and the recording of the methods of assignment of the firearms, parts, components and ammunition prescribed under that paragraph.**]**

Annotations

Amendments:

F123 Inserted (1.08.2023) by *Criminal Justice (Miscellaneous Provisions) Act 2023* (24/2023), s. 18, S.I. No. 391 of 2023.

F124**[**Regulations.

27.— (1) The Minister may make regulations prescribing any matter referred to in this Act as prescribed or to be prescribed or to be the subject of regulations or for the purpose of enabling any of its provisions to have full effect.

(2) The regulations may contain such incidental, supplementary and consequential provisions as appear to the Minister to be necessary for the purposes of the regulations.

(3) Regulations prescribing fees shall be made with the consent of the Minister for Finance.**]**

Annotations

Amendments:

F124 Substituted (1.08.2006) by *Criminal Justice Act 2006* (26/2006), s. 50, S.I. No. 390 of 2006.

Modifications (not altering text):

C41 Functions transferred and references to "Department of Finance" and "Minister for Finance" construed (29.07.2011) by *Finance (Transfer of Departmental Administration and Ministerial Functions) Order 2011* (S.I. No. 418 of 2011), arts. 2, 3, 5 and sch. 1 part 2, in effect as per art. 1(2).

2. (1) The administration and business in connection with the performance of any functions transferred by this Order are transferred to the Department of Public Expenditure and Reform.

(2) References to the Department of Finance contained in any Act or instrument made thereunder and relating to the administration and business transferred by paragraph (1) shall, on and after the commencement of this Order, be construed as references to the Department of Public Expenditure and Reform.

3. The functions conferred on the Minister for Finance by or under the provisions of —

(*a*) the enactments specified in Schedule 1, and

(*b*) the statutory instruments specified in Schedule 2,

are transferred to the Minister for Public Expenditure and Reform.

...

5. References to the Minister for Finance contained in any Act or instrument under an Act and relating to any functions transferred by this Order shall, from the commencement of this Order, be construed as references to the Minister for Public Expenditure and Reform.

...

Schedule 1

Enactments

...

Part 2

1922 to 2011 Enactments

Number and Year (1)	Short Title (2)	Provision (3)
...	...	...
No. 17 of 1925	Firearms Act 1925	Sections 3B, 3C, 4B(6) and 27
...	...	...

Editorial Notes:

E56 Power pursuant to section exercised (30.11.2011) by *Firearms (Authorisation of Rifle or Pistol Shooting Ranges) Regulations 2011* (S.I. No. 622 of 2011).

E57 Power pursuant to section exercised (1.08.2009) by *Firearms (Fees) Regulations 2009* (S.I. No. 312 of 2009).

E58 Power pursuant to section exercised (1.08.2009) by *Firearms Act 1925 (Prescribed Firearm Certificates) Regulations 2009* (S.I. No. 311 of 2009).

E59 Power pursuant to section exercised (27.07.2007) by *Firearms Acts 1925 to 2009 (Firearm Certificate) Regulations 2009* (S.I. No. 295 of 2009).

E60 Power pursuant to section exercised (1.11.1976) by *Firearms Act Regulations 1976* (S.I. No. 239 of 1976).

E61 Previous affecting provision: power pursuant to section exercised (1.08.1925) by *Firearms Act Regulations 1925* (unnumbered), revoked (1.11.1976) by *Firearms Act Regulations 1976* (S.I. No. 239 of 1976), reg. 19.

F125[Laying of orders or regulations before Houses of Oireachtas.

27A.— An order or regulation under this Act shall be laid before each House of the Oireachtas as soon as may be after it is made and, if a resolution annulling it is passed by either such House within the next 21 days on which that House has sat after it has been laid before it, the order or regulation shall be annulled accordingly, but without prejudice to the validity of anything previously done under it.**]**

Annotations

Amendments:

F125 Inserted (1.08.2006) by *Criminal Justice Act 2006* (26/2006), s. 51, S.I. No. 390 of 2006.

F126[Provision of information by Commissioner to Minister for purposes of Act and Firearms (Firearm Certificates For Non-Residents) Act 2000

27B. (1) The Minister may request the Commissioner to provide any information necessary for the performance of the Minister's functions under *sections 9*, *10*, *11* and *17* and under section 2 of the Firearms (Firearm Certificates For Non-Residents) Act 2000, and the Commissioner shall, notwithstanding anything contained in any other enactment or rule of law, but subject to the Data Protection Regulation and the Data Protection Act 2018, comply with that request.

(2) In this section, "Data Protection Regulation" means Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016[11] on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation).**]**

Annotations

Amendments:

F126 Inserted (25.05.2018) by *Data Protection Act 2018* (7/2018), s. 167, S.I. No. 174 of 2018.

Partial continuance of Firearms (Temporary Provisions) Act, 1924.

28.—Notwithstanding anything to the contrary contained in the Firearms (Temporary Provisions) (Continuance) Act, 1925 (No. 10 of 1925), the Firearms (Temporary Provisions) Act, 1924 (No. 9 of 1924), and every regulation made thereunder which is in force on the 31st day of July, 1925, shall continue in force after that day so far as but no further than is necessary to authorise and enable persons charged before, on, or after the said 31st day of July, 1925, with having committed on or before that day any offence under the said Firearms (Temporary Provisions) Act, 1924, or any breach of any such regulation as aforesaid to be

[11] OJ No. L 119, 4.5.2016, p.1

prosecuted and tried and, if found guilty, to be convicted and sentenced under the said Act and regulations after the said 31st day of July, 1925, and to authorise and enable any appeal (including an appeal by way of case stated) against any conviction and sentence (whether before, on, or after the said 31st day of July, 1925) for an offence under the said Act or breach of any such regulation to be brought, heard, and determined after the said 31st day of July, 1925.

Repeal.

29.—The Firearms Act, 1920, is hereby repealed.

Short title and commencement.

30.—(1) This Act may be cited as the Firearms Act, 1925.

(2) This Act shall come into operation on the 1st day of August, 1925.

Number 17 *of* 1925

FIREARMS ACT 1925

REVISED

Updated to 1 September 2026

About this Revised Act

The Revised Act presents the text of the Act as it has been amended since enactment, and preserves the format in which it was first passed.

Related legislation

Firearms Acts 1925 to 2023: this Act is one of a group of Acts included in this collective citation to be construed together as one (*Criminal Justice (Miscellaneous Provisions) Act 2023* (24/2023), s. 1(2)). The Acts in the group are:

- *Firearms Act 1925* (17/1925)
- *Firearms Act 1964* (1/1964)
- *Firearms Act 1971* (13/1971)
- *Firearms and Offensive Weapons Act 1990* (12/1990), Part II (ss. 3-8)
- *Firearms (Firearms Certificates for Non-Residents) Act 2000* (20/2000), other than s. 4
- *Criminal Justice Act 2006* (26/2006), Part 5 (ss. 25-51) and sch. 1
- *Criminal Justice Act 2007* (29/2007), Part 6 (ss. 34-40)
- *Criminal Justice (Miscellaneous Provisions) Act 2009* (28/2009), Part 4 (ss. 25-44)
- *Criminal Justice (Miscellaneous Provisions) Act 2023* (24/2023), Part 3 (ss. 7-18)

Firearms (Proofing) Act 1968 (20/1968) is excluded from the collective citation from 14.07.2000 by *Firearms (Firearms Certificates for Non-Residents) Act 2000*, s. 8(2).

Firearms (Temporary Provisions) Act 1998 (32/1998) is excluded from the collective citation from 14.07.2000 by *Firearms (Temporary Provisions) Act Continuance Order 1999* (S.I. No. 189 of 1999), art. 2.

The following instruments also deal with firearms:

- *European Union (Acquisition and Possession of Weapons and Ammunition) Regulations 2022* (S.I. No. 209 of 2022)
- *European Communities (Acquisition and Possession of Weapons and Ammunition) Regulations 1993* (S.I. No. 362 of 1993) *(Revoked)*

Annotations

This Revised Act is annotated and includes textual and non-textual amendments, statutory instruments made pursuant to the Act and previous affecting provisions. A version without annotations, showing only textual amendments, is also available.

An explanation of how to read annotations is available at www.lawreform.ie/annotations.

Material not updated in this revision

Where other legislation is amended by this Act, those amendments may have been superseded by other amendments in other legislation, or the amended legislation may have been repealed or revoked. This information is not represented in this revision but will be reflected in a revision of the amended legislation if one is available.

Where legislation or a fragment of legislation is referred to in annotations, changes to this legislation or fragment may not be reflected in this revision but will be reflected in a revision of the legislation referred to if one is available.

A list of legislative changes to any Act, and to statutory instruments from 1972, may be found linked from the page of the Act or statutory instrument at www.irishstatutebook.ie.

Acts which affect or previously affected this revision

- *Criminal Law, Civil Law and Defence (Miscellaneous Provisions) Act 2026* (34/2026)
- *Criminal Justice (Miscellaneous Provisions) Act 2023* (24/2023)
- *Garda Síochána (Functions and Operational Areas) Act 2022* (7/2022)
- *Criminal Justice (Amendment) Act 2021* (36/2021)
- *Data Protection Act 2018* (7/2018)
- *Communications Regulation (Postal Services) Act 2011* (21/2011)
- *Fines Act 2010* (8/2010)
- *Criminal Justice (Miscellaneous Provisions) Act 2009* (28/2009)
- *Criminal Justice Act 2007* (29/2007)
- *Criminal Justice Act 2006* (26/2006)
- *Firearms (Firearm Certificates for Non-Residents) Act 2000* (20/2000)
- *Firearms (Temporary Provisions) Act 1998* (32/1998)
- *Firearms and Offensive Weapons Act 1990* (12/1990)
- *Postal and Telecommunications Services Act 1983* (24/1983)
- *Criminal Law (Jurisdiction) Act 1976* (14/1976)
- *Wildlife Act 1976* (39/1976)
- *Firearms Act 1971* (13/1971)
- *Firearms (Proofing) Act 1968* (20/1968)
- *Pawnbrokers Act 1964* (31/1964)
- *Firearms Act 1964* (1/1964)

All Acts up to and including the *Development (Strategic Gas Reserve) Act 2026* (36/2026), enacted 23 July 2026, were considered in the preparation of this revision.

Statutory instruments which affect or previously affected this revision

- *European Union (Acquisition and Possession of Weapons and Ammunition) Regulations 2022* (S.I. No. 209 of 2022)
- *European Communities (Acquisition and Possession Of Weapons And Ammunition) (Amendment) Regulations 2019* (S.I. No. 420 of 2019)
- *Firearms (Storage of Firearms and Ammunition by Firearms Dealers) Regulations 2017* (S.I. No. 646 of 2017)
- *Firearms (Restricted Firearms and Ammunition) (Amendment) Order 2015* (S.I. No. 391 of 2015)
- *Firearms (Authorisation of Rifle or Pistol Shooting Ranges) Regulations 2011* (S.I. No. 622 of 2011)
- *Finance (Transfer of Departmental Administration and Ministerial Functions) Order 2011* (S.I. No. 418 of 2011)
- *Firearms (Restricted Firearms And Ammunition) (Amendment) Order 2009* (S.I. No. 337 of 2009)
- *Firearms (Fees) Regulations 2009* (S.I. No. 312 of 2009)
- *Firearms Act 1925 (Prescribed Firearm Certificates) Regulations 2009* (S.I. No. 311 of 2009)
- *Criminal Justice (Miscellaneous Provisions) Act 2009 (Commencement) (No. 2) Order 2009* (S.I. No. 310 of 2009)
- *Firearms (Authorisation of Rifle or Pistol Clubs) Regulations 2009* (S.I. No. 308 of 2009)
- *Firearms (Secure Accommodation) Regulations 2009* (S.I. No. 307 of 2009)
- *Firearms Acts 1925 to 2009 (Firearm Certificate) Regulations 2009* (S.I. No. 295 of 2009)

- *Criminal Justice (Miscellaneous Provisions) Act 2009 (Commencement Order) 2009* (S.I. No. 293 of 2009)
- *Firearms (Restricted Firearms and Ammunition) Order 2008* (S.I. No. 21 of 2008)
- *Firearms Act 1925 (Surrender of Firearms and Offensive Weapons) Order 2006* (S.I. No. 451 of 2006)
- *Firearms (Temporary Provisions) Act Continuance Order 1999* (S.I. No. 308 of 2009)
- *European Communities (Acquisition and Possession of Weapons and Ammunition) Regulations 1993* (S.I. No. 362 of 1993)
- *Firearms (Dangerous Weapons) Order 1972* (S.I. No. 251 of 1972)
- *Customs-Free Airport (Extension of Laws) Regulations 1962* (S.I. No. 186 of 1962)
- *Offences Against the State (Scheduled Offences) Order 1972* (S.I. No. 142 of 1972)

All statutory instruments up to and including *Insurance (Disregard of Certain Medical History and Miscellaneous Provisions) Act 2026 (Commencement) Order 2026* (S.I. No. 443 of 2026), made 24 August 2026, were considered in the preparation of this revision.