Changes to Legislation: as of 17 April 2024, there are changes to this Act which have not been implemented by the Revised Acts editorial team, see highlighted entries **here**. Note that some amendments may not be in force until commenced by a commencement order or other provision.

Number 12 *of* 1990

FIREARMS AND OFFENSIVE WEAPONS ACT 1990

REVISED

Updated to 27 December 2021

This Revised Act is an administrative consolidation of the *Firearms and Offensive Weapons Act 1990*. 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 *Maritime Area Planning Act 2021* (50/2021), enacted 23 December 2021, and all statutory instruments up to and including the *Criminal Justice (Amendment) Act 2021 (Commencement) Order 2021* (S.I. No. 777 of 2021), made 21 December 2021, 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 12 *of* 1990

FIREARMS AND OFFENSIVE WEAPONS ACT 1990

REVISED

Updated to 27 December 2021

ARRANGEMENT OF SECTIONS

PART I

PRELIMINARY

Section

1. Short title and commencement.
2. Interpretation.

PART II

AMENDMENTS TO FIREARMS ACTS

3. Collective citation and construction.
4. Extension of Firearms Acts to crossbows and stun guns. *(Repealed)*
5. Amendment of section 10 of Firearms Act, 1925.
6. Authorisation to hold defective firearm without firearm certificate.
7. Possession, sale, etc., of silencers.
8. Reckless discharge of firearm.
8A. Other amendments to Firearms Acts.

PART III

OFFENSIVE WEAPONS

9. Possession of knives and other articles.
9A. Possession of a realistic imitation firearm in a public place.
9B. Authorisation of use of realistic firearms at specified venues, theatres, etc.
9C. Register of dealers in realistic firearms to be kept.
9D. Restrictions on import, manufacture and sale of realistic firearms.
9E. Removal of names from register of dealers in realistic imitation firearms.

9F. Inspection of stock of dealer in realistic imitation firearms.

9G. Powers by order to restrict sale of certain realistic imitation firearms from specific date.

9H. Power by order to require certain descriptions of imitation firearms to conform to certain specifications.

9I. Tax clearance

10. Trespassing with a knife, weapon of offence or other article.

11. Production of article capable of inflicting serious injury.

12. Power to prohibit manufacture, importation, sale, hire or loan of offensive weapons.

12A. Shortening barrel of shot-gun or rifle.

13. Forfeiture of weapons and other articles.

14. Power of arrest without warrant.

15. Search warrants.

16. Power of search without warrant.

16A. Provision of information by Commissioner to Minister.

17. Extension of section 8 of Criminal Law Act, 1976.

18. Repeal of portion of section 4 of Vagrancy Act, 1824.

ACTS REFERRED TO

Criminal Law Act, 1976	1976, No. 32
Firearms Act, 1925	1925, No. 17
Firearms Act, 1964	1964, No. 1
Firearms (Proofing) Act, 1968	1968, No. 20
Firearms Act, 1971	1971, No. 13
Prevention of Crimes Act, 1871	1871, c. 112
Vagrancy Act, 1824	1824, c. 83

Number 12 *of* 1990

FIREARMS AND OFFENSIVE WEAPONS ACT 1990

REVISED

Updated to 27 December 2021

AN ACT TO AMEND AND EXTEND THE FIREARMS ACTS, 1925 TO 1971, TO CONTROL THE AVAILABILITY AND POSSESSION OF OFFENSIVE WEAPONS AND OTHER ARTICLES AND TO PROVIDE FOR CERTAIN OTHER MATTERS CONNECTED WITH THE MATTERS AFORESAID. [12*th June*, 1990]

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

PART I

PRELIMINARY

Short title and commencement.

1.—(1) This Act may be cited as the Firearms and Offensive Weapons Act, 1990.

(2) This Act (other than *Part II*) shall come into operation on the date of its passing.

(3) *Part II* of this Act shall come into operation on such day or days as may be fixed therefor by order or orders of the Minister either generally or with reference to any particular provision, and different days may be so fixed for different provisions of that Part.

Interpretation.

2.—(1) In this Act "the Minister" means the Minister for Justice.

(2) In this Act a reference to a section is a reference to a section of this Act unless it is indicated that reference to some other enactment is intended and a reference to a subsection is a reference to the subsection of the section in which the reference occurs, unless it is indicated that reference to some other section is intended.

(3) A reference in this Act to any enactment shall be construed as a reference to that enactment as amended or adapted by or under any subsequent enactment.

PART II

AMENDMENTS TO FIREARMS ACTS

Collective citation and construction.

3.—(1) The Firearms Acts, 1925 to 1971, and this Part may be cited together as the Firearms Acts, 1925 to 1990.

(2) The Firearms Acts, 1925 to 1971 (other than the Firearms (Proofing) Act, 1968) and this Part shall be construed together as one.

Extension of Firearms Acts to crossbows and stun guns.

4.— F1**[**...**]**

Amendment of section 10 of Firearms Act, 1925.

5.—The Firearms Act, 1925, is hereby amended by the insertion in section 10 after subsection (3) of the following subsection:

"(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*.".

Authorisation to hold defective firearm without firearm certificate.

6.—(1) The superintendent of the Garda Síochána of a district may grant an authorisation in writing to a person resident in the district, not being a person disentitled under the *Firearms Acts, 1925 to 1990*, to hold a firearm certificate, to have in his possession, without a firearm certificate, a firearm where he is satisfied that the firearm would not be a firearm but for F2**[**paragraph (*f*) of the definition of "firearm" in section 1(1) of the Principal Act**]** and that the person has a good reason for wishing to keep it and may be permitted to do so without danger to the public safety or the peace.

(2) The superintendent of the district where the holder of an authorisation under this section resides may, at any time, attach to the authorisation any conditions, whether as regards safe custody or otherwise, which he considers necessary and may at any time revoke the authorisation.

Possession, sale, etc., of silencers.

7.—(1) A person shall be guilty of an offence if he has in his possession or sells or transfers to another person a silencer unless the possession, sale or transfer is authorised in writing by the superintendent of the district in which the first-mentioned person resides.

(2) A superintendent shall not grant an authorisation under this section unless he is satisfied that the person who is to have possession of the silencer or to whom it is to be sold or transferred is the holder of a firearm certificate for a firearm to which the silencer can be fitted and that—

(*a*) having regard to all the circumstances, the possession, sale or transfer concerned will not endanger the public safety or the peace, and

(*b*) the person has a special need that is, in the opinion of the superintendent, sufficient to justify the granting of the authorisation for the silencer.

(3) The superintendent of the district where the holder of an authorisation under this section resides may, at any time, attach to the authorisation such conditions as he considers necessary for the purpose of preventing danger to the public or to the peace or of ensuring that the silencer is used only to satisfy the special need for which the authorisation was granted.

(4) An authorisation under this section may be granted for such period not exceeding one year as is specified in the authorisation and may be revoked by the superintendent of the district where its holder resides.

(5) A person who contravenes a condition attached to an authorisation under this section shall be guilty of an offence.

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

(*a*) on summary conviction, to a fine not exceeding F3**[**€5,000**]** or to imprisonment for a term not exceeding one year or to both, or

(*b*) on conviction on indictment, to a fine or to imprisonment for a term not exceeding F3**[**7 years**]** or to both.

(7) This section does not apply in relation to a person specified in paragraph (*b*), (*c*) or (*d*) of subsection (3) of section 2 of the Firearms Act, 1925, or paragraph (*a*) or (*b*) of subsection (4) (inserted by the Firearms Act, 1964) of that section.

(8) In this section—

"silencer" means a silencer specified in F4**[**paragraph (*g*)(ii) of the definition of "firearm" in section 1(1) of the Principal Act**]**;

"superintendent" means a superintendent of the Garda Síochána.

Reckless discharge of firearm.

8.—A person who discharges a firearm being reckless as to whether any person will be injured or not, shall be guilty of an offence, whether any such injury is caused or not, and shall be liable—

(*a*) on summary conviction, to a fine not exceeding F5**[**€5,000**]** or to imprisonment for a term not exceeding twelve months or to both, or

(*b*) on conviction on indictment, to a fine or to imprisonment for a term not exceeding F5**[**7 years**]** or to both.

F6**[**Other amendments to Firearms Acts.

8A.— Each provision of the *Firearms Acts 1925 to 2006* specified in Schedule 1 to the Criminal Justice Act 2006 is amended in the manner specified in the third and fourth columns opposite the mention of that provision in the first column of that Schedule. **]**

PART III

Offensive Weapons

Possession of knives and other articles.

9.—(1) Subject to *subsections (2)* and *(3)*, where a person has with him in any public place any knife or any other article which has a blade or which is sharply pointed, he shall be guilty of an offence.

(2) It shall be a defence for a person charged with an offence under *subsection (1)* to prove that he had good reason or lawful authority for having the article with him in a public place.

(3) Without prejudice to the generality of *subsection (2)*, it shall be a defence for a person charged with an offence under *subsection (1)* to prove that he had the article with him for use at work or for a recreational purpose.

(4) Where a person, without lawful authority or reasonable excuse (the onus of proving which shall lie on him), has with him in any public place—

(*a*) any flick-knife, or

(*b*) any other article whatsoever made or adapted for use for causing injury to or incapacitating a person,

he shall be guilty of an offence.

(5) Where a person has with him in any public place any article intended by him unlawfully to cause injury to, incapacitate or intimidate any person either in a particular eventuality or otherwise, he shall be guilty of an offence.

(6) In a prosecution for an offence under *subsection (5)*, it shall not be necessary for the prosecution to allege or prove that the intent to cause injury, incapacitate or intimidate was intent to cause injury to, incapacitate or intimidate a particular person; and if, having regard to all the circumstances (including the type of the article alleged to have been intended to cause injury, incapacitate or intimidate, the time of the day or night, and the place), the court (or the jury as the case may be) thinks it reasonable to do so, it may regard possession of the article as sufficient evidence of intent in the absence of any adequate explanation by the accused.

F7**[** (7) (*a*) A person guilty of an offence under *subsection (1)* shall be liable—

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

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

(*b*) A person guilty of an offence under *subsection (4)* or *(5)* shall be liable—

(i) on summary conviction, to a fine not exceeding F8**[**€5,000**]** or to imprisonment for a term not exceeding twelve months or to both, or

(ii) on conviction on indictment, to a fine or to imprisonment for a term not exceeding five years or to both.

(8) In this section "public place" includes any highway and any other premises or place to which at the material time the public have or are permitted to have access, whether on payment or otherwise, and includes any club premises and any train, vessel or vehicle used for the carriage of persons for reward.

(9) In this section "flick-knife" means a knife—

(*a*) which has a blade which opens when hand pressure is applied to a button, spring, lever or other device in or attached to the handle, or

(*b*) which has a blade which is released from the handle or sheath by the force of gravity or the application of centrifugal force and when released is locked in an open position by means of a button, spring, lever or other device.

F9**[**Possession of a realistic imitation firearm in a public place.

9A.— (1) Where a person, without lawful authority or reasonable excuse (the onus of proving which shall lie on him or her), has a realistic imitation firearm with him or her in any public place, that person shall be guilty of an offence.

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

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

(ii) on conviction on indictment, to a fine or to imprisonment for a term not exceeding five years or to both.

(3) In this section "public place" includes any highway and any other premises or place to which at the material time the public have or are permitted to have access, whether on payment or otherwise, and includes any club premises and any train, vessel or vehicle used for the carriage of persons for reward.

(4) In this section and in *sections 9B* to *9G* "realistic imitation firearm" means a device that appears to the ordinary observer so realistic as to make it indistinguishable from a firearm.**]**

F10**[**Authorisation of use of realistic imitation firearms at specified venues, theatres, etc.

9B.— (1) The Superintendent of any district may authorise in writing the possession, use or carriage of realistic imitation firearms in that district at a specified location during such period, not exceeding one year, as may be specified in the authorisation.

(2) A Superintendent shall not grant an authorisation under this section unless he or she is satisfied having regard to all the circumstances (including the provision made or to be made for the storage of realistic imitation firearms 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 realistic imitation firearms in pursuance of the authorisation will not endanger the public safety or the peace.

(3) Where it is proposed to grant an authorisation under this section in respect of a specified location, the authorisation shall be granted to the person in charge of the specified location 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.

(4) 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.

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

(6) A person who contravenes a condition imposed in relation to the grant of an authorisation under this section shall be guilty of an offence and shall be liable on summary conviction to a fine of up to €5,000 or up to 12 months imprisonment.**]**

F11**[**Register of dealers in realistic imitation firearms to be kept.

9C.— ...**]**

F12**[**Restrictions on import, manufacture and sale of realistic imitation firearms.

9D.— ...**]**

F13[Removal of names from register of dealers in realistic imitation firearms.

9E.— ...]

F14[Inspection of stock of dealer in realistic imitation firearms.

9F.— ...]

F15[Power by order to restrict sale of certain realistic imitation firearms from specified date.

9G.— ...]

F16[Power by order to require certain descriptions of imitation firearms to conform to certain specifications.

9H.— ...]

F17[Tax clearance.

9I.— ...]

Trespassing with a knife, weapon of offence or other article.

10.—(1) Where a person is on any premises as defined in *subsection (2)* as a trespasser, he shall be guilty of an offence if he has with him—

(*a*) any knife or other article to which *section 9 (1)* applies, or

(*b*) any weapon of offence (as defined in *subsection (2)*).

(2) In this section—

"premises" means any building, any part of a building and any land ancillary to a building;

"weapon of offence" means any article made or adapted for use for causing injury to or incapacitating a person, or intended by the person having it with him for such use.

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

(*a*) on summary conviction, to a fine not exceeding F18[€5,000] or to imprisonment for a term not exceeding twelve months or to both, or

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

Production of article capable of inflicting serious injury.

11.—Where a person, while committing or appearing to be about to commit an offence, or in the course of a dispute or fight, produces in a manner likely unlawfully to intimidate another person any article capable of inflicting serious injury, he shall be guilty of an offence and shall be liable—

(*a*) on summary conviction, to a fine not exceeding F19[€5,000] or to imprisonment for a term not exceeding twelve months or to both, or

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

Power to prohibit manufacture, importation, sale, hire or loan of offensive weapons.

12.—(1) Any person who—

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

(*b*) has in his possession for the purpose of sale or hire or for the purpose of repair or modification by way of business, or

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

a weapon to which this section applies shall be guilty of an offence.

(2) Where an offence under *subsection (1)* is committed by a body corporate and is proved to have been so committed with the consent or connivance of or to be attributable to any neglect on the part of a director, manager, secretary or other officer of the body corporate, the director, manager, secretary or other officer or any person purporting to act in such capacity shall also be guilty of an offence.

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

(*a*) on summary conviction, to a fine not exceeding F20**[**€5,000**]** or to imprisonment for a term not exceeding twelve months or to both, or

(*b*) on conviction on indictment, to a fine or to imprisonment for a term not exceeding F20**[**7 years**]** or to both.

(4) The Minister may by order direct that this section shall apply to any description of weapon specified in the order except any firearm subject to the *Firearms Acts, 1925 to 1990*.

(5) The Minister may by order amend or revoke an order made under this section.

(6) The importation of a weapon to which this section applies is hereby prohibited.

(7) Every order made under this section shall be laid before each House of the Oireachtas as soon as may be after it is made and, if a resolution annulling the order is passed by either such House within the next 21 days on which that House has sat after the order is laid before it, the order shall be annulled accordingly, but without prejudice to the validity of anything previously done thereunder.

F21**[**Shortening barrel of shot-gun or rifle.

12A.— (1) Subject to *subsection (2)*, a person who shortens the barrel of—

(*a*) a shot-gun to a length of less than 61 centimetres, or

(*b*) a rifle to a length of less than 50 centimetres,

is guilty of an offence.

(2) It is not an offence under *subsection (1)* for a registered firearms dealer to shorten the barrel of a shot-gun or rifle to a length of less than 61 or 50 centimetres respectively if the sole purpose of doing so is to replace a defective part of the barrel with a barrel of not less than 61 or 50 centimetres, as the case may be.

(3) It is an offence for a person to convert into a firearm anything which resembles a firearm but is not capable of discharging a projectile.

(4) Subject to *subsection (5)*, it is an offence to modify a firearm so as to render its reloading mechanism fully automatic or to increase its calibre, irrespective of whether the firearm, as so modified, is a restricted firearm.

(5) *Subsection (4)* does not apply to a firearm designed and manufactured so as to enable barrels of different calibres to be attached to it.

(6) It is an offence for a person (except a registered firearms dealer) to possess without lawful authority or reasonable excuse—

(*a*) a shot-gun the barrel of which is less than 61 centimetres in length,

(*b*) a rifle the barrel of which is less than 50 centimetres in length,

(*c*) a converted firearm mentioned in *subsection (3)*, or

(*d*) a firearm which has been modified as described in *subsection (4)*.

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

(*a*) to imprisonment for a term not exceeding 10 years or such shorter term as the court may determine, subject to *subsections (9)* to *(11)* of this section F22**[**...**]** and

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

(8) 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.

(9) Where a person (other than 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 5 years (in this section referred to as the "minimum term of imprisonment") as the minimum term of imprisonment to be served by the person.

(9A) The purpose of *subsections (10)* and *(11)* 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 (other than 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 5 years, unless the court determines that by reason of exceptional and specific circumstances relating to the offence, or the person convicted of it, it would be unjust in all the circumstances to do so.

(10) *Subsection (9)* does not apply where the court is satisfied that there are exceptional and specific circumstances relating to the offence, or to the person convicted of it, which would make the minimum term of imprisonment unjust in all the circumstances, and for this purpose the court may , subject to *subsection (11)*, 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, and

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

and

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

(11) The court, in considering for the purposes of *subsection (10)* of this section whether a sentence of not less than 5 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.

(12) F22**[**...**]**

(13) F22**[**...**]**

(14) Section 27C of the Firearms Act 1964 applies in relation to proceedings for an offence under this section and any minimum term of imprisonment imposed under *subsection (9)* F22**[**...**]** in those proceedings.**]**

Forfeiture of weapons and other articles.

13.—(1) Where a person is convicted of an offence under this Part, the court by or before which he is convicted may order any article in respect of which the offence was committed to be forfeited and either destroyed or otherwise disposed of in such manner as the court may determine.

(2) An order under this section shall not take effect until the ordinary time for instituting an appeal against the conviction or order concerned has expired or, where such an appeal is instituted, until it or any further appeal is finally decided or abandoned or the ordinary time for instituting any further appeal has expired.

Power of arrest without warrant.

14.—A member of the Garda Síochána may arrest without warrant any person who is, or whom the member, with reasonable cause, suspects to be, in the act of committing an offence under *section 9, 10* or *11*.

Search warrants.

15.—If a justice of the District Court or a Peace Commissioner is satisfied on the sworn information of a member of the Garda Síochána that there are reasonable grounds for suspecting that an offence under *section 12* has been or is being committed on any premises, he may issue a warrant under his hand authorising a specified member of the Garda Síochána, accompanied by such other members of the Garda Síochána as the member thinks necessary, at any time or times within one month from the date of the issue of the warrant, on production if so requested of the warrant, to enter, if need be by force, and search the premises specified in the warrant and to seize anything found there that he believes on reasonable grounds may be required to be used in evidence in any proceedings for an offence under *section 12* or an offence under the Customs Acts in relation to the importation into the State of a weapon to which *section 12* applies.

F23**[**Power of search without warrant.

16.— (1) If a member of the Garda Síochána suspects with reasonable cause that a person has with him or her in any public place (within the meaning of section 9(8)) any article in contravention of section 9 or 9A (inserted by section 40 of the Criminal Justice (Miscellaneous Provisions) Act 2009), he may:

(*a*) search the person and, if he or she considers it necessary for that purpose, detain the person for such time as is reasonably necessary for carrying out the search,

(*b*) search any vehicle, vessel or aircraft in which he or she suspects that such article may be found and for the purpose of carrying out the search may, if he or she thinks fit, require the person who for the time being is in possession or control of such vehicle, vessel or aircraft to bring it to a stop and when stopped to refrain from moving it, or in case such vehicle, vessel or aircraft is already stationary, to refrain from moving it, or

(*c*) seize and detain anything found in the course of a search under this section that appears to him or her to be something that might be required as evidence in proceedings for an offence under section 9 or 9A.

(2) Nothing in this section shall operate to prejudice any powers to search, seize or detain property that may be exercisable by a member of the Garda Síochána apart from this section.**]**

F24**[**Provision of information by Commissioner to Minister

16A. (1) The Minister may request the Commissioner of the Garda Síochána to provide any information necessary for the performance of the Minister's functions under *sections 9C* and *9E* 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[16] 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).**]**

Extension of section 8 of Criminal Law Act, 1976.

17.—Section 8 of the Criminal Law Act, 1976, is hereby amended by the insertion in subsection (1) after paragraph (*i*) of the following paragraph:

"(*j*) an offence under *section 12 (1)* of the *Firearms and Offensive Weapons Act, 1990*.".

Repeal of portion of section 4 of Vagrancy Act, 1824.

18.—Section 4 of the Vagrancy Act, 1824 (as extended to Ireland by section 15 of the Prevention of Crimes Act, 1871), is hereby amended by the deletion of "or being armed with any gun, pistol, hanger, cutlass, bludgeon, or other offensive weapon," and "and every such gun, pistol, hanger, cutlass, bludgeon, or other offensive weapon,".

[16] OJ No. L 119, 4.5.2016, p.1

Number 12 *of* 1990

FIREARMS AND OFFENSIVE WEAPONS ACT 1990

REVISED

Updated to 27 December 2021

About this Revised Act

This 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 2009: 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 2009* (28/2009), 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
- *Firearms (Firearms Certificates for Non-Residents) Act 2000* (20/2000), other than s. 4
- *Criminal Justice Act 2006* (26/2006), Part 5 and sch. 1
- *Criminal Justice Act 2007* (29/2007), Part 6
- *Criminal Justice (Miscellaneous Provisions) Act 2009* (28/2009), Part 4

Firearms (Proofing) Act 1968 (20/1968) is excluded from the collective citation from 14 July 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 July 2000 by *Firearms (Temporary Provisions) Act Continuance Order 1999* (S.I. No. 189 of 1999), art. 2.

European Communities (European Communities (Acquisition and Possession of Weapons and Ammunition) Regulations 1993 (S.I. No. 362 of 1993), as amended, also deal with firearms.

Annotations

This Revised Act is not annotated and only shows textual amendments. An annotated version of this revision is also available which shows textual and non-textual amendments and their sources. It also shows editorial notes including statutory instruments made pursuant to the Act and previous affecting provisions.

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. 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.