

Article 63 - Prohibition of Possession, etc., of Firearm by Certain Persons

1. Lifetime and Temporary Prohibition

- A person convicted of a crime and sentenced to imprisonment or detention in a young offenders' centre **for 3 years or more** is **prohibited for life** from purchasing, acquiring, or possessing a firearm or ammunition.
- If the sentence is **between 3 months and less than 3 years**, the prohibition lasts **8 years**.
- A person sentenced to detention **during the pleasure of the Secretary of State** under **Article 45(1) of the Criminal Justice (Children) (Northern Ireland) Order 1998** is also **prohibited for life**.
- This prohibition **takes effect from the date of conviction**, including cases where the sentence is suspended.

2. Additional Prohibited Persons

- A person under a **recognizance to keep the peace**, a **probation order** restricting firearm possession, or a **licence under Article 46 of the Criminal Justice (Children) (Northern Ireland) Order 1998** **must not** purchase, acquire, or possess firearms or ammunition.
- Any person prohibited under **Section 21 of the Firearms Act 1968** in Great Britain is **also prohibited in Northern Ireland**.

3. Scope of Prohibition

- **Prohibited persons may not possess any firearms or ammunition**, including those **not requiring a certificate**, such as **air guns and air gun pellets**.

4. Offences and Penalties

- It is an **offence** to violate any provision of this article.
- It is also an **offence to sell, transfer, repair, or test** firearms or ammunition for a prohibited person.

5. Application for Prohibition Removal

- **Article 63(6)** allows a prohibited person to apply to the **Secretary of State** for removal of the prohibition.
- Under the **Firearms (Appeals and Applications) Regulations (Northern Ireland) 2005**, an application should include:
 - A **written notice** to the Secretary of State (form available at any police station or from the Firearms and Explosives Branch of the NIO).
 - A statement outlining **each ground for the application**.
 - The application may be submitted **at any time**.


6. Consideration by the Secretary of State

- Applications are considered on a **case-by-case basis**, but:
 - For **8-year prohibitions**, removal is not usually granted unless there are **exceptional circumstances**.

- For **lifetime prohibitions**, removal is not usually granted **within 15 years** of release unless there are **exceptional circumstances**.
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