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BILLE NA nARM TINE, 1971**FIREARMS BILL, 1971****EXPLANATORY MEMORANDUM*****Section 1***

1. This section contains definitions.

Section 2

2. This section proposes to amend the definition of "firearm" in the Firearms Act, 1925, by extending it to include a component part of a firearm. The effect of this is that component parts will be brought under the controls already applicable to firearms but provision is made, as explained in paragraphs 4 and 6 below, to ensure that firearm certificates (which attract excise duty) will not have to be obtained for components.

Section 3

3. A person who is convicted of the offence of being in possession of a firearm or ammunition without the necessary authorisation under the Firearms Acts is under the present law liable, on summary conviction, to a fine not exceeding £50 or imprisonment for a term not exceeding six months or both and, on conviction on indictment, a fine not exceeding £100 or imprisonment for a term not exceeding two years or both. The proposal in the section is that the penalty, in so far as it applies to "sporting" weapons and weapons that were held under firearm certificates which lapsed, be reduced and that the penalty, in so far as it applies to other firearms, be increased. The penalty proposed in the case of the former is, in the case of a first offence, a fine not exceeding £50 and, in the case of a subsequent offence, a fine not exceeding £50 or imprisonment for a term not exceeding 3 months or both. In the case of other firearms, the penalty proposed is, on summary conviction, a fine not exceeding £200 or imprisonment for a term not exceeding 12 months or both and, on conviction on indictment, a fine of £500 or imprisonment for a term not exceeding 5 years or both. The maximum penalty in respect of ammunition will be the same as that in respect of the firearm to which it corresponds.

4. Paragraphs (c) and (d) of the section propose to empower a Superintendent of the Garda Síochána to authorise a person to possess and carry a component part of a firearm (with the result that a firearm certificate will not be required).

Section 4

5. This section proposes to amend section 15 of the Firearms Act, 1925 (which creates the offence of being in possession of firearms or ammunition with intent to endanger life or cause serious injury to property) so as to put beyond doubt that the section extends to life and property outside the State.

Section 5

6. This section proposes that, if a person is authorised to have a firearm, it should not be an offence to sell him a part (which may be a

replacement part, a spare part, or an extra part) for it and it authorises that person to possess and carry such a part without the need for any further authorisation. This provision is linked with the proposed amendment of the definition of "firearm" so as to include "component part".

Section 6

7. This is the short title, collective citation, construction and commencement section.

Roinn Dli agus Cirt.

Aibreán, 1971.

Abreca, 1971. *JOHN G. BROWN* *THOMAS H. BROWN*

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