

The Sale of Imitation Firearms

The law in Northern Ireland in relation to the sale of imitation firearms is contained in –

- (i) The Firearms (Northern Ireland) Order 2004. Further detailed information may be found in the document “Guidance on Northern Ireland Firearms Controls” which may be viewed in the firearms section of the NIO website; and
- (ii) The Violent Crime Reduction Act 2006 and Regulations made under it. Detailed information on those is also available on the NIO website.

The following brief summary is intended only to give an indication of the effect of the law in relation to the sale of the various items that fall under the broad heading of imitation firearms and is not to be taken as a substitute for the law.

The 2004 Order defines an **imitation firearm** as “anything which has the appearance of being a firearm, whether or not it is capable of discharging any shot, bullet or other missile” and Article 66A (as inserted by the 2006 Act) makes it an offence for a person under the age of 18 to purchase one or for a person to sell one to a person under the age of 18.

The 2006 Act makes it an offence to manufacture, import or sell a “**realistic imitation firearm**”. A “realistic imitation firearm” is defined as one which has an appearance that is so realistic as to make it indistinguishable, for all practical purposes, from a real firearm; and is neither a deactivated firearm nor itself an antique”. A deactivated firearm is, however, an imitation firearm and the age limits for sale or purchase apply. The term “real firearm” refers to a firearm of modern design i.e. from the year 1870 onwards.

The Act gives the Secretary of State powers to make regulations to specify sizes and the principal colours for imitations which would be “unrealistic for a

real firearm". Regulations have been made specifying the acceptable colours as bright red, bright orange, bright yellow, bright green, bright pink, bright purple and bright blue or transparent. The Regulations also provide that an imitation firearm that is under 38 mm in height and 70 mm in length is unrealistic.

There are various defences to the offences where the manufacture, import and sale of the realistic imitation was to make it available for museums/galleries, theatrical performances, film/television productions, historical re-enactments, crown servants and air soft skirmishing, but these are not considered in detail in this summary.

The effect of the law on the sale of imitation firearms generally is that -

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| Realistic imitation guns | - | May not be sold. |
| Other imitation guns | - | May not be sold to or purchased by anyone under 18. |
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| Realistic low powered air guns of one joule or less | - | May not be sold. |
| Other low powered air guns of one joule or less | - | May not be sold to or purchased by anyone under 18. |
| Deactivated firearms | | May not be purchased by or sold to anyone under the age of 18 |

The Government will be amending paragraph 9(3) (b) of Schedule 1 to the 2004 Order to increase the age of purchase of low powered air guns from 17 to 18 years at the earliest opportunity.