



STATUTORY INSTRUMENTS.

S.I. No. 283 of 2020

EUROPEAN UNION (DESIGNATION OF VERIFYING ENTITIES FOR
DEACTIVATION OF FIREARMS) REGULATIONS 2020

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I, HELEN MCENTEE, Minister for Justice and Equality, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) and, for the purpose of giving full effect to Commission Implementing Regulation (EU) 2015/2403 of 15 December 2015¹, as amended by Commission Implementing Regulation (EU) 2018/337 of 5 March 2018², hereby make the following regulations:

1. These Regulations may be cited as the European Union (Designation of Verifying Entities for Deactivation of Firearms) Regulations 2020.

2. (1) In these Regulations -

“Director of Ordnance” means the Director of the Ordnance Corps of the Permanent Defence Forces;

“EU Regulation” means Commission Implementing Regulation (EU) 2015/2403 of 15 December 2015¹, as amended by Commission Implementing Regulation (EU) 2018/337 of 5 March 2018²;

“Garda Commissioner” means the Commissioner of the Garda Síochána;

“officer” means a person who holds a commissioned rank in, and is for the time being an officer of, the Ordnance Corps of the Permanent Defence Forces.

(2) A word or expression that is used in these Regulations and also used in the EU Regulation has the same meaning in these Regulations as in the EU Regulation, other than where the context otherwise requires.

3. These Regulations apply to firearms that are classified in category A, B or C of Part II of Annex I to Council Directive 91/477/EEC of 18 June 1991³, as amended by Directive 2008/51/EC of the European Parliament and of the

¹ OJ No. L 333, 19.12.2015, p. 62

² OJ No. L 65, 8.3.2018, p. 1

³ OJ No. L 256, 13.9.1991, p. 51

Council of 21 May 2008⁴ and Directive (EU) 2017/853 of the European Parliament and of the Council of 17 May 2017⁵.

4. (1) The Garda Commissioner is designated as a verifying entity in the State for the purposes of the EU Regulation in respect of firearms to which these Regulations apply other than the firearms referred to in Regulation 5(1).

(2) The functions of the Garda Commissioner under the EU Regulation may be performed through or by any member of the Garda Síochána duly authorised in that behalf by the Garda Commissioner.

5. (1) The Director of Ordnance is designated as a verifying entity in the State for the purposes of the EU Regulation in respect of the firearms in the possession of the Defence Forces to which these Regulations apply.

(2) The functions of the Director of Ordnance under the EU Regulation may be performed through or by any officer duly authorised in that behalf by the Director of Ordnance.

6. Where the deactivation of a firearm to which these Regulations apply has been carried out by a person who is authorised to perform the functions referred to in Article 4(2) or 5(2) he or she shall not perform the functions concerned in relation to the firearm.

GIVEN under my Official Seal,
L.S.
4 August, 2020.

HELEN MCENTEE,
Minister for Justice and Equality.

⁴ OJ No. L 179, 8.7.2008, p. 5

⁵ OJ No. L 137, 24.5.2017, p. 22

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DUBLIN
PUBLISHED BY THE STATIONERY OFFICE
To be purchased from
GOVERNMENT PUBLICATIONS,
52 ST. STEPHEN'S GREEN, DUBLIN 2,
D02 DR67.

Tel: 076 110 6834
E-mail: publications@opw.ie

ISBN 978-1-4468-9999-1



9 781446 899991

€1.50