

# FURG

## **FIREARMS USERS REPRESENTATIVE GROUP AN ALLIANCE OF FIREARMS USERS IN IRELAND**

FURG Member Organisations: National Association of Regional Game Councils, FACE Ireland (representing fourteen field sports organisations), Irish Deer Society, Irish Deer Commission, Wild Deer Association of Ireland, Deer Alliance HCAP, Countryside Alliance (Ireland), Country Sports Ireland, Firearms United Network Ireland, Irish Gun Trade Association, Ardee Sports Company, Irish Clay Target Shooting Association, Irish Country Sports Association, Precision Rifles Ireland, Association of HCAP-Certified Hunters



## **SUBMISSIONS ON FIREARMS LEGISLATION ARISING FROM THE RECOMMENDATIONS OF THE FIREARMS EXPERT COMMITTEE**



JUNE 2023

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### **SUBMISSIONS TO MINISTER OF STATE AT THE DEPARTMENT OF JUSTICE JAMES BROWNE TD, AND TO MINISTER FOR JUSTICE HELEN McENTEE TD ON MATTERS ARISING FROM THE REPORTS OF THE FIREARMS EXPERT COMMITTEE**

12<sup>th</sup> June 2023

#### **ABOUT THE FIREARMS USERS' REPRESENTATIVE ORGANISATION (FURG)**

FURG came together in June 2022 as an *ad hoc* alliance of shooting sports bodies across Ireland as a response to the establishment of a Firearms Expert Committee (FEC) by Minister of State James Browne TD, with a brief to conduct an overall review of firearms legislation in Ireland. Given the stated terms of reference of the FEC and the make-up of the Committee, the sporting bodies now in alliance with FURG were immediately concerned to ensure that all stakeholders' views would be properly represented in any review of legislation.

There are almost 211,000 individual firearms of different types licensed in Ireland today. These are mainly firearms used for sporting purposes including game shooting, clay pigeon shooting, target shooting, vermin control and deer management. There are up to 140,000 individual users of firearms, with some owners licensing more than one firearm for different purposes, depending on their sporting interests or land management needs. A majority of these firearms users are members of, or affiliated to, one or more of the organisations in alliance with FURG. All of these affiliated organisations have endorsed the contents of this submission.

Public safety and security represent the same overriding policy considerations for FURG's constituent organisations as for all branches of the State, including An Garda Síochána and the Department of Justice. Public safety and security must be considered in tandem with shooters' rights under legislation, working from the starting point that licensed firearms users must be taken to be honest, responsible, safety- and security-conscious members of society, entitled to pursue their chosen sporting activities without unnecessary hindrance or obstacles.

## **CURRENT FIREARMS LEGISLATION**

Ireland has probably the strictest gun control laws in the EU and differs widely from its EU partners in that respect. Applicants for a firearms certificate complete a nine-page application form which usually involves a ninety-day approval period before grant by An Garda Síochána (AGS). Apart from details of name, address, date of birth and occupation, applicants must provide evidence of training or competence in the use of firearms, provide two personal referees, give information on any past convictions in Ireland or elsewhere, give details of where the firearm is to be used and for what purpose (including land permissions), and give details of their General Medical Practitioner including permission for contact to be made by AGS with that Doctor. Applicants must also provide details of firearms storage arrangements and meet stringent requirements ascending in scale according to the number and type of firearms they possess or wish to licence. It generally falls to AGS to interpret and enforce the prevailing legislation, which in itself has in the past given rise to localized issues and ensuing litigation to ensure that shooters' rights under the law are protected.

Between Acts, Statutory Instruments, EU Directives and EU Regulations, firearms owners are currently governed by **forty-seven different legal instruments**, a full list of which is exhibited as an Appendix to this submission.

## **CURRENT FIREARMS OWNERSHIP**

The following facts and figures are relevant to any discussion on firearms ownership:

1. There are currently 210,906 active gun certificates in circulation in Ireland
2. Shotguns number 133,164 of these (63%)
3. Rifles number 74,627 (35%)
4. Pistols number 1,746 (0.8%)

5. Revolvers number 191 (0.09%)
6. Restricted firearms (all categories) number 876 (0.4%)
7. The State gathered €18,096,245.00 over the three-year licensing period 2019-2021, of which €10,662,897.00 was gathered in 2019.
8. Average annual revenue to the State, based on 2019-2021 revenue, is €6,032,000.00.

The exact number of individual firearms users is unknown but can be estimated at up to 140,000, allowing for multiple cases of individuals possessing more than one firearm.

## **THE FIREARMS EXPERT COMMITTEE**

The establishment of a five-person “Firearms Expert Committee” (FEC) was announced by the Department of Justice on 24<sup>th</sup> June 2022 on behalf of James Browne TD, Minister of State at the Department of Justice. The terms of reference for the Committee were stated as:

- To carry out an assessment of all types of firearms which are currently licenced in the State.
- To determine their use under the existing licensing system.
- To make recommendations based on this assessment on which types of firearms should be licensable in the State and for what purposes.
- To consider whether firearms certificates should be conditioned to specify the locations where the firearm may be used.
- To consider whether firearms certificates should be conditioned to limit the use of the firearm to the purpose for which the firearms certificate was sought.
- To consider whether there should be a limit on the number and type of firearms a person may hold.
- To make recommendations on other matters that might be examined in the future.
- To provide a report or reports containing recommendations on these matters to the Minister.
- To examine any other firearms licensing matters or carry out any other relevant task the Minister considers appropriate during the Committee’s term.

The lifetime of the FEC was originally set at six months, at the end of which it was to deliver its Report to the Minister. In December 2022 the Committee was given a three-month

extension and submitted its two Reports at the end of March 2023. According to Minutes published on the website of the Department of Justice, the FEC met on nine occasions. The make-up of the Committee changed on several occasions since formation and different individuals, not appointed to the original FEC, attended its meetings from time to time. The FEC's two Reports were published on 31<sup>st</sup> March 2023. On publication, one of the two Ordinary Members of the Committee immediately resiled from the contents of the Reports, for reasons stated by him. None of the organisations represented on FURG were consulted at any time, directly or indirectly, on the matters under consideration by the FEC. Nor has the Minister responded in any meaningful way to early representations made by FURG or followed through on his early promises to consult with stakeholders other than through a public online consultation which opened on 3<sup>rd</sup> May 2023 and closed on 2<sup>nd</sup> June 2023.

At an early date FURG recorded its concern not only at the make-up, structure, scope, and direction of the Firearms Expert Committee. The publication of the FEC Reports has confirmed the validity of FURG's concerns. These concerns include:

1. A complete lack of opportunity for input or discussion
2. An absence of qualified stakeholder representation on the FEC
3. An apparent bias, evident from the stated terms of reference of the Committee and from the published Minutes of the FEC, in favour of ever-tightening controls on law-abiding firearms users as represented by FURG.
4. An ongoing and persistent disconnect between firearms legislation and implementation of that legislation by different Superintendents of the Garda Síochána across the country, an inconsistency in application of the law and the exercise of personal viewpoints by different Superintendents.
5. An apparent drive towards encroachment of shooters' rights under the relevant legislation.

## **FIREARM TYPES**

There are many different firearm types and associated items forming the main subject matter of the FEC Reports and of this submission.

These include:



*12 bore (a.k.a. 12 gauge) Side by Side shotgun used in game shooting. Shotguns are also available in .410 bore, 28 bore, 16 bore and 20 bore in single- or double-barrel guns.*



*12 bore Over & Under Double Barrel Shotgun commonly used in Clay Pigeon shooting or in game shooting.*



*Hunting Rifle, available in calibres from .22" to .308" (Unrestricted) and over .308" (Restricted). Commonly used calibres include .243, 6.5 x 55 m.m., .270 and .308. Invariably used with a telescopic sight.*



*Target Rifle, Commonly used calibres range from .22 calibre to .338 calibre*



*Browning Buckmark in .22 LR, used for recreational target shooting on approved ranges. A full range of short firearms suitable for licensing was listed in the Garda Commissioner's Guidelines published after the 2009 legislation, which limited the licensing of various short firearms.*



*Hunting Rifle fitted with a Sound Moderator. The arguments in favour of sound moderators, in terms of noise abatement, disturbance or hearing protection, greatly outweigh any argument against their use.*



*Thermal Imaging Telescopic Sight. A handheld thermal imaging telescope is not deemed to be a firearm and requires no authorization. If designed or capable of being fitted to a hunting rifle (even a non-Restricted hunting rifle) it is deemed to be a Restricted Firearm requiring authorization.*

## ON THE MATTERS UNDER REVIEW (OVERVIEW)

FURG has consulted extensively with its member organisations on the terms of reference of the FEC as stated above, also with reference to the FEC Minutes to date as different issues have arisen from those Minutes.

FURG's views on these matters are summarized as follows:

1. FURG recommends one central authority or department within the Garda Síochána to monitor, manage and oversee all aspects of firearms licensing, with reference to prevailing legislation, giving guidance where necessary to all Divisions of the Garda Síochána and to all Superintendents, with the objective of achieving fairness and consistency in the review of all firearms applications.
2. FURG recommends that each Division of the Garda Síochána (twenty-eight in total, including six in the Dublin Metropolitan Region) should have one **Firearms Officer**, trained and qualified in all aspects of firearms and firearms legislation.
3. FURG supports the principle of competency training and certification for all first-time applicants for a Firearms Certificate of any kind (restricted or unrestricted). FURG invites a stakeholder consultation process to achieve an appropriate training standard and methodology, to be achieved over a two- to three-year period. FURG notes that the FEC considered the issue of qualifications and training at its sixth meeting on 6<sup>th</sup> December 2022 and looks forward to discussing this matter further in due course.
4. FURG recommends the introduction of an online licensing system in respect of all firearms certificate renewals (having regard for importance of assessment of initial applications by each Superintendent as to compliance with FCA1 requirements).
5. FURG demands a consistent standard of performance on the part of each Superintendent, in relation to compliance with legislative provisions e.g., “entitled” *versus* “disentitled” persons or the “good reason” provision on the FCA1.
6. FURG demands a better understanding on the part of authorised officers (the Garda Síochána) of the use, legitimacy, and benefits of sound moderators on full-bore rifles or rifles used for vermin control.
7. In relation to the types of firearms currently licensed in the State, these should include
  - a) Single- or double-barrel shotguns of every gauge (12 bore, 20 bore, 16 bore, .410 bore, 28 bore), used for game shooting, wildfowling, or vermin control.
  - b) Shotguns used for clay pigeon shooting.



- c) All rifles of a calibre from .22 to .308 (unrestricted firearms) used for licensed deer management and deer control, also for vermin control and for target shooting on approved ranges. This should include firearms used for **F Class** shooting (long range shooting) on approved Ranges.
  - d) Rifles of a calibre greater than .308 used for hunting of large game overseas.
  - e) Second barrels of varying calibre for any licensed rifle (of restricted or unrestricted calibre)
  - f) Short firearms (handguns) of calibre .22 and greater for purposes of legitimate target shooting, properly organised and supervised on approved ranges.
  - g) Sound moderators should be licensed as a fitted component of any licensed firearm as a matter of course, and not treated as requiring any supplementary licensing requirement or authorisation.
8. In relation to specifying or limiting the location in which any licensed firearms may be used, FURG is firmly of the opinion that any such provision would be entirely unworkable and unacceptable to firearms users, and incapable of being policed even if deemed necessary. It is tantamount to saying that the holder of a driving licence might drive only in Co. Dublin but not in Co. Cork. Provided that all other provisions of a license are properly observed, any limitation on location would be impractical, unenforceable, and unacceptable to FURG. With regard to the “Good Reason” requirement under existing legislation, FURG questions the suggestion made by the Minister in his reply to a Parliamentary Question on 22<sup>nd</sup> March 2023 that “Good Reason” is somehow tied to locus of use, by reference to either national or EU law (Section 4 (2) (a) of the Firearms Act 1925, as amended, and Article 6(1) of the Firearms Directive). There is no evidence to suggest that “Good Reason” is tied to location in any other Member State of the European Union, or that there was any such intention contained in the Firearms Directive.
9. FURG accepts that in the case of short firearms for use in target shooting including competitive target shooting, it is appropriate that use be restricted to approved Ranges.
10. Provided each applicant can satisfy a valid “good reason” (fairly interpreted) and provided the appropriate security requirements are met (as identified in the Garda Commissioner’s Guidelines), there should be no limit on the number or type of firearm a person may possess, use or carry.

11. FURG requires immediate sight of the initial list of the types of firearms forming the basis of discussions by the FEC, as referenced in the Minutes of the first meeting of the FEC held on 26<sup>th</sup> July 2023, and the types of firearms referenced in the Minutes of the second meeting of the FEC held on 6<sup>th</sup> September 2022, *et. seq.*
12. FURG does not support the opinion of Superintendent Emma Doyle or Mr. John Guinane regarding the use of centre-fire semi-automatic rifles licensed after 18<sup>th</sup> September 2015 and/or centre-fire handguns sought after 19<sup>th</sup> November 2008 at the third meeting of the FEC held on 14<sup>th</sup> October 2022. With specific reference to Section 3DA and the proposed revocation of firearms certificates for semi-automatic centre-fire rifles granted after 18<sup>th</sup> September 2015, we say that the effect of this provision is to create potentially retrospective legislation, subject to a Constitutional prohibition. Any such cut-off date should take effect only after the date of commencement of the proposed legislation. FURG recommends that the small number of firearms of this type licensed after 18<sup>th</sup> September 2015 (approximately forty in number) be “grand-fathered” i.e., granted the same facility as those licensed before 18<sup>th</sup> September 2015. We say that such licences granted between 2015 and date of these submissions were subject to the same rigours as those granted before that date, and no risk to public security arises from the suggested “grand-fathering” mechanism, given that *all* such firearms will, on foot of proposed legislation, be phased out over time. The necessary amendment to the proposed legislation is a mere two-digit calendar change (2015 to 2023).
13. FURG has no issue or position with the definition of an assault rifle as referenced in the Minutes of the sixth meeting of the FEC on 6<sup>th</sup> December 2022.
14. FURG looks to the FEC to clarify recent directives issued regarding the legitimacy and use of night vision and thermal imaging equipment and reserves its position on their use. However, FURG is strongly of the view that they should not be licensed as firearms of themselves, by any reasonable definition of “firearm” and considers that their definition as such in the Firearms Acts 1925 (as amended), and in particular as Restricted Firearms, is inappropriate and plainly wrong.
15. FURG strongly recommends that the Minister should look to prevailing firearms legislation across the European Union, with a view to bringing Ireland properly into line with other Member States and fully compliant with the Firearms Directive as cited by the Minister. Where the firearm in question is not a prohibited firearm, this should include the **licensing of the person, not the individual firearm.**

16. FURG is of the opinion that the current review of firearms legislation opens an opportunity to bring together *all* firearms legislation into one codified piece of legislation and recommends that the Department of Justice undertake codification of legislation as an early priority, working in fullest possible consultation and collaboration with all stakeholders including FURG.
17. Health & Safety issues in relation to firearm capability have generally been side-stepped or ignored by successive Governments and the Department of Justice over many years. Licence holders and RFDs lack the infrastructure necessary to ensure that their firearms are checked and in compliance with international safety standards. The excessive cost and associated difficulties of sending firearms to the Proof House in Birmingham has multiplied due to Brexit. The need for such testing is becoming more urgent due to legislation requiring that non-lead projectiles be used. A significant number of firearms currently in use throughout Ireland will need to be re-proofed in the immediate future. The State has a responsibility in this regard and FURG members feel this matter needs to be resolved urgently. This aspect of firearms usage and ownership is not addressed in the FEC Reports but requires immediate action. To date the Department of Justice has failed to engage in any discussion with stakeholder representatives or in joint discussions with the NPWS on the banning of lead shot, and the implications of that ban.
18. FURG recommends that initiatives to detect any early signs of a licence holder's change in mental condition should be explored and developed as necessary. Although the review of legislation by Minister of State Brown was initially flagged as a response to tragedies in Co. Cork and Kerry, there was no mandate given to the FEC in this regard, and the FEC produced no recommendation in this regard. FURG would like this difficult-to-detect issue to be further considered, as a priority item under any review of legislation.
19. FURG urgently seeks the re-establishment of a regular forum for discussion of all issues relating to firearms, in the form of a Shooting Sports Consultative Panel, sitting with the Garda Firearms Policy Unit and the Department of Justice, meeting not less than twice a year, with the appropriate number of stakeholder representatives including delegates from FURG and the State bodies, and with invited specialist advisors brought in as necessary on an *ad hoc* basis. This Panel should be a streamlined consultative body, selected to properly represent all parties to firearms licensing decisions. It should be established as soon as possible and as a matter of priority, to discuss the matters raised in this memorandum, and other issues.

## THE ONLINE CONSULTATION.

The public online consultation which opened on 3<sup>rd</sup> May 2023 and closed on 2<sup>nd</sup> June 2023 displayed multiple defects, causing it to fall well short of the Government's own **Public Consultation Principles & Guidance** published in November 2016 and updated by the Department of Public Expenditure, NDP Delivery and Reform on 21<sup>st</sup> January 2019. In particular, the purported public consultation **breaches all three** of the Three Principles of Consultation set out in that document. These principles are:

- 1) *Consultation with the public must be genuine, meaningful, timely, balanced and with the ultimate objective of leading to better outcomes and greater understanding by all involved of the benefits and consequences of proceeding with particular policy or legislation proposals. Consultation should aim to achieve real engagement and 'real listening' rather than being a pro-forma exercise for bureaucratic purposes.*
- 2) *Consultation should be targeted at and easily accessible to those with a clear interest in the policy in question. There is no 'one size fits all' approach to consultation. The size, type and scope of the consultative process depends on the proposed policy, the type and scale of the potential impacts of the proposal or decision being taken, the number of people or groups affected by them.*
- 3) *Government departments and agencies should make systematic efforts to ensure that interested and affected parties have the opportunity to take part in open consultations at all stages of the policy process on significant policy, services and legislative matters: development, implementation, evaluation, and review.*

It is apparent that Minister of State Browne either overlooked or ignored these principles in framing his consultation process.

There are multiple defects in the online consultation process itself. The consultation comprised the presentation of over eighty questions purportedly reflecting recommendations or considerations contained in the FEC Reports, spread over forty pages. Options offered against each of the questions posed are mainly of the "Strongly Agree" or "Strongly Disagree" variety, with some variations. The questionnaire was anonymous and no identifier, such as an email address, was required from respondents. The potential for abuse and manipulation of outcomes is enormous. Only the most motivated participant would have the

time or opportunity to participate fully in the online consultation. Many of the questions posed are presented in language which is obscure and amenable to misinterpretation. Many of the questions posed require specialist knowledge if they are to lead to a meaningful response. Many questions are “leading” in nature, intended to bring the respondent to a certain response. A great many firearms users nationally have looked to FURG for guidance and to ensure their views are recorded, which is the purpose of this submission.

Overall, it is FURG’s conclusion that the online consultation was opened solely to save face in the wake of the Minister’s failure to engage, fully, properly or at all with stakeholders as he went about his review of legislation, likely to directly, and possibly adversely, affect up to 140,000 stakeholders, all voters.

In relation to the questions posed in the online consultation, the data generated by the online consultation will presumably bring its own conclusions.

However, FURG would wish to address the issues identified in the Reports and in the online consultation, with commentary not provided for in the format chosen for the online consultation. Many of the recommendations in the FEC Reports would, if adopted, have a dramatic negative effect on sporting shooting in all of its forms. FURG’s comments are not exhaustive in nature and do not exclude the probability of addressing these or other issues more fully at another time or in a different forum.

We further preface this section of this submission by saying that a great many of the proposals suggested in the online consultation are, in FURG’s opinion, nonsensical and demonstrate a disconnect with all practical aspects of safe firearms ownership and usage as already in place throughout the State.

We now analyse the FEC Recommendations one by one, as they were presented in the online questionnaire.

1. **FEC Recommendation:** *A review of the five round limit applied to rim-fire short firearms should be undertaken and the Minister should increase the five-round limit to ten rounds.* **FURG Response:** FURG agree with this recommendation. Many rim-fire short firearms in use have had to be adapted to meet the existing five-round limit.

To increase the limit to ten rounds presents no threat to public safety where all other conditions of the licence are met.

2. **FEC Recommendation:** *A shotgun whose barrel length is less than 61 centimetres should only be licensable in circumstances where it has been demonstrated that shotgun with a barrel length of more than 61 centimetres will not suffice.* **FURG Response:** This proposal is meaningless. 61 centimetres equates to 24 inches, while a standard shotgun barrel length would be 28 to 30 inches. There is no evidence of any demand for a shotgun with 24-inch barrels, used for sporting purposes.
3. **FEC Recommendation:** *If the barrel length is to be used as a basis for prohibition of certain shotguns, then the minimum length requirement for licensable shotguns should be changed from 61cm min overall to 45cm min barrel length and 90cm overall.* **FURG Response:** FURG refers to the previous question.
4. **FEC Recommendation:** *If barrel length is to be used as a determining factor to the level of regulation applied to rifles, then this could be achieved by making certain barrel lengths restricted.* **FURG Response:** FURG disagrees with this recommendation in circumstances where a minimum barrel length is not specified. Carbine versions of sporting rifles used for hunting commonly have shorter barrels than others.
5. **FEC Recommendation:** *The Firearms and Offensive Weapons Act 1990 should be reviewed to allow registered firearms dealers to shorten barrels in order to lengthen their life but a limit (e.g., 45cm) should be imposed.* **FURG Response:** Modifications carried out by RFDs should be permitted under legislation, subject to the legislative changes governing qualifications of RFDs covered later in the online consultation and in this submission.
6. **FEC Recommendation:** *Consideration should be given to a less onerous form of licensing for gas-operated firearms, while remaining subject to licensing. In this regard, the licensing of these firearms should be made more accessible when compared to higher-powered firearms.* **FURG Response:** FURG broadly support a policy of less onerous regulation of air rifles, as is the case in many other countries. Hunting and target shooting competitions using air rifles can be a good entry level into shooting sports generally and enable training at an early age. Less onerous regulation should also include a lower age limit for possession.
7. **FEC Recommendation:** *The storage requirements for low powered gas-operated firearms provided by the S.I. No. 307/2009 Firearms (Secure Accommodation) Regulations 2009 should be reviewed to make them more proportionate.* **FURG**

**Response:** The firearms in question are non-lethal in nature and more proportionate storage requirements would be appropriate.

8. **FEC Recommendation:** *The definition of an assault rifle should be reviewed with an aim to provide for more prescriptive language that is easier for licensing officers and firearm-holders to interpret.* **FURG Response:** See point 13 at page 10 of this submission.

9. **FEC Recommendation:** *The definition of an assault rifle should exclude reference to a rifle's visual appearance when the features are purely cosmetic.* **FURG Response:** See answer to previous question.

10. **FEC Recommendation:** *When a firearm is sought to shoot a small mammal, such as rat, hare, rabbit, grey squirrel and other similar sized quarry, the following firearms would be suitable for this purpose:*

1. *Gas operated rifles over 16 joule - these firearms should be between .17 to .35 calibre.*
2. *All types of shotguns, common suitable gauges are 10g, 12g, 16g, 20g, 28g, .410 and 9mm "garden guns"*
3. *All types of rifles of a calibre between .17 rim-fire to 0.22 centre-fire ammunition*

**FURG Response:** FURG accepts this recommendation, which reflects current practice and usage.

11. **FEC Recommendation:** *When a firearm is sought for the purpose of hunting and controlling medium quarry, such as fox, feral cat and other similar sized quarry, the following firearms would be suitable for this purpose:*

- *All types of rifles of a calibre between; .22" Hornet; .22" WMR .22"lr (at close range only).218" Bee; .22"-250 Swift; .22 Remi; 5.56mm/.223"/.243" 6mm PPC, 6mm/.244"; .220 Swift.*
- *Rifles of a lower calibre such as a .204 Ruger, or a .17 Remington provided they are used with expanding ammunition.*
- *Gas operated rifles over 16 joule, provided these firearms are of sufficient power to dispatch the quarry humanely. The Committee recommends that when a gas-operated rifle firearm is sought to dispatch fox-sized quarry at a close range, the gas-operated rifle should be of approximately a minimum of 160 joules or 120 foot-pounds approximately, in order to dispatch the quarry humanely.*

- *All types of shotguns, with the appropriate ammunition. In some circumstances, a pump action and/or semi-automatic shotgun with a capacity of over three rounds may be required. **FURG Response:** FURG accepts this recommendation, which reflects current practice and usage.*

**12. FEC Recommendation:** When a firearm is sought for the purpose of hunting deer and other large quarry, such as feral goat, boar, and other similar sized quarry, the following firearms would be suitable for this purpose:

- All types of rifles of a calibre between .240 to .308 and of a muzzle energy of over 2300 Joules. For the shooting of larger types of deer, or deer on open terrain rifles of considerably higher muzzle energy i.e., 3600 Joules should be licensed.
- All types of shotgun with the appropriate ammunition (excluding deer as per S.I. 239 of 1977). **FURG Response:** 2300 joules of energy, translated to foot-pounds, falls below 1700 foot-pound of energy at the muzzle. FURG supports a minimum. of 2850 joules or 2100 foot-pounds of muzzle energy, for the purposes described. This in turn translates to the .243” calibre as a minimum recommended calibre for Irish deer species (Red deer, Fallow deer and Sika deer). Other unrestricted calibres including 7 m.m. and variations thereof (falling below the .308” category) deliver significantly higher levels of muzzle energy.

**13. FEC Recommendation:** *New applicants for licences for the purpose of hunting deer and other large quarry, such as feral goat, boar, and other similar sized quarry should be directed to higher calibres as a .22 may not be humane. **FURG Response:** For the stated purpose, FURG supports a recommended minimum calibre requirement of .243”, i.e., 100 grain bullet with a muzzle energy of 2100 foot-pounds. The use of lower calibres such as the .22/250 will phase out over time, and all new applicants for deer hunting licences issued by NPWS should be required to use the .243” as a minimum. This is a matter for regulation by NPWS and does not necessarily require legislative change.*

**14. FEC Recommendation:** *When a firearm is sought for the purpose of hunting or euthanising dangerous quarry, such as lion, elephant, buffalo, bear and chimpanzee, the following firearms are suitable:*

- *All types of rifles - these should be of a calibre above .338”.*
- *All types of shotgun with the appropriate ammunition such as slug or sabot. **FURG Response:** For the species in questions, hunting rifle calibres such as .375”, 8 x 68*



mm and 9.3 mm are commonly used, also for wild boar in those EU States where wild boar are hunted as a method of population control and as a legitimate sporting quarry. For this reason, occasional hunting overseas, including within the EU, should be sufficient “Good Reason” for licensing of such calibres. The use of a shotgun with slug or sabot on lion, elephant, buffalo, bear and chimpanzee will usually be covered by local legislation in different African countries.

15. **FEC Recommendation:** *When a firearm is sought for the purpose of shooting bird quarry the following firearms are suitable:*

- *All types of shotgun.*
- *Pump-action and/or semi-automatic shotguns should have a maximum capacity of three rounds.*
- *A rifle or gas-operated firearm if permitted by a declaration or order issued by the Minister for Housing, Local Government and Heritage (non-game birds only).*

**FURG Response:** FURG accepts this recommendation, which reflects current practice and usage in the field.

16. **FEC Recommendation:** *If a firearms certificate or authorisation is sought solely for gun dog training purposes the applicant should be directed to acquire a blank-firing device that has been purpose built and cannot be converted into a live-firing firearm. These devices should meet the technical specifications contained in Commission Implementing Directive (EU) 2019/69.*

**FURG Response:** From a policy perspective, possessing a firearm for the training of gundogs is an entirely legitimate ‘Good Reason’ and there is no reason why applicants should be directed towards a blank firing device. Many gundog trainers, both professional and amateur, will commonly use live shotgun ammunition to accustom gundogs in training to real-life circumstances. In any case, blank-firing devices are not firearms and should not be subject to any regulation, notwithstanding EU 2019/69.

17. **FEC Recommendation:** *A rifle, pistol, or shotgun designed or adapted to shoot a net may be used for the non-lethal capture of birds. These firearms may be sought when birds are required to be captured for research purposes or for veterinary treatment.*

**FURG Response:** FURG accepts this recommendation, which reflects current practice and usage in the field.

18. **FEC Recommendation:** *All shotgun types may be suitable for use in clay-target shooting. When a shotgun is sought for the purpose of engaging clay-target shooting, the following be considered:*

- *That the firearm is appropriate for rules of the competition as set by a national governing body.*
- *That all firearms should be non-restricted, unless it is clearly demonstrated that only a restricted firearm will suffice.*
- *That the firearm will be used at an authorised clay-target location, in line with the recommendation that such locations be subject to authorisation. **FURG Response:** FURG does not accept that “rules of competition set by a national governing body” should be a qualifying condition. Clay shooting is not necessarily a competitive activity and may be participated in for charity events or for general shooting practice, with no competitive element.*

19. **FEC Recommendation:** *When licensing pistol and revolvers for the purposes of target shooting the following should be considered:*

- *That the short firearm is appropriate for rules of the competition set by a national governing body.*
- *That the authorised range the short firearm sought is to be used on is certified for that calibre of firearm. **FURG Response:** FURG accepts that ranges used for pistol and revolver shooting (practice or competition) require to be authorized and certified. As with shotguns for clay shooting, FURG do not accept that “rules of competition set by a national governing body” should be a qualifying condition. Clay shooting is not necessarily a competitive activity and may be participated in for charity events or for general shooting practice, with no competitive element.*

20. **FEC Recommendation:** *All types of rifles are suitable for use in rifle target shooting. When licensing rifles for the purposes of target shooting the following should be considered:*

- *That the firearm is appropriate for rules of the competition as set by a national governing body.*
- *That all rifles should be non-restricted, unless it is clearly demonstrated that only a restricted firearm will suffice.*
- *That the range the firearm is sought to be used on is certified for that calibre of rifle. **FURG Response:** As with shotguns and short firearms, FURG accepts that ranges used for rifle shooting (practice or competition) usually require to be authorised and certified. As with shotguns for clay shooting, or pistols and revolvers, FURG do not*

accept that “*rules of competition set by a national governing body*” should be a qualifying condition. Rifle shooting is not necessarily a competitive activity and may be participated in for general shooting practice (especially by hunters), with no competitive element.

21. **FEC Recommendation:** *All shotgun types may be suitable for use in target shotgun shooting. When a shotgun is sought for the purpose of engaging in target shooting, the following should be considered:*

- *That the firearm is appropriate for rules of the competition as set by a national governing body.*
- *That all firearms should be non-restricted unless it is clearly demonstrated that only a restricted firearm will suffice.*

- *That the range the firearm is sought to be used on is authorised. **FURG Response:** This recommendation overlaps with Recommendation 21 above and the same response applies. FURG disagrees with the proposal that the firearms must be appropriate for rules of competition as set by a national governing body. Any policy requiring an applicant for a firearms licence to demonstrate that the 'firearm is appropriate for rules of the competition as set by a national governing body', takes no account of applicants who wish to participate in target shooting in a non-competitive, recreational capacity, which is a substantial number of people.*

21. **FEC Recommendation:** *In future target shotgun clubs should be subject to authorisation. **FURG Response:** Shotgun clubs are not necessarily shotgun ranges, requiring authorisation. A club comprising like-minded individuals in common pursuit of a legitimate activity, can be formed on private land, with no commercial or competitive element attaching to it.*

22. **FEC Recommendation:** *As crossbows are restricted firearms, they should only be licenced to engage in target shooting. **FURG Response:** The use of crossbows for purposes of hunting is already covered in the Wildlife Act 1976 (as amended). No further condition on use is required.*

23. **FEC Recommendation:** *When a crossbow is sought for the purpose of engaging target shooting, the following be considered:*

- *That the firearm is appropriate for rules of the competition/discipline as set by a national governing body; and*

- *That the firearm will be used at an appropriate and safe location, (crossbow ranges do not require authorisation under the Firearms Act).* **FURG Response:** This condition is impossible to meet, as there is no national governing body for crossbow use recognised by Sport Ireland, which is the relevant authority.
24. **FEC Recommendation:** *Crossbow shooting clubs should be subject to authorisation, as they employ restricted firearms.* **FURG Response:** FURG agree that it may be appropriate that ranges should be authorised. However, the same distinction as between a range and club has already been made (above).
  25. **FEC Recommendation:** *It would be preferable, when possible, that one firearm is licenced for multiple purposes.* **FURG Response:** FURG disagrees with this proposal as it restricts the number of firearms a licensed firearms holder can have. For instance, deer management of various deer species may require varying firearms based on calibre, ammunition cost and availability. A shotgun used for one use or discipline may not be suitable for another use or discipline.
  26. **FEC Recommendation:** *Blank firing devices should be considered suitable to be licenced for the purpose of bird scaring.* **FURG Response:** FURG accepts this proposition.
  27. **FEC Recommendation:** *In general, when firearms are required for use in historical re-enactments or for use in film, TV and theatre productions, only blank-firing or deactivated firearms should be used.* **FURG Response:** Certain re-enactments require the use of black powder firearms for authenticity and for this reason FURG rejects this recommendation.
  28. **FEC Recommendation:** *The system of authorisations at Section 2(5) of the Firearms Act 1925, as amended, should be reviewed with a view to providing Chief Superintendents of An Garda Síochána with the authority to authorise the possession and use of restricted firearms in certain defined circumstances.* **FURG Response:** FURG understands from a recent meeting with the Firearms Policy Unit of An Garda Síochána (16<sup>th</sup> May 2023) that AGS are moving toward a situation whereby there is only one decision-maker (of the appropriate rank) in each Garda District. If and when this situation is in place, that may be the time to make the recommended amendment, which FURG supports. Such an amendment requires deletion of section 2 (6) of the Act, which relates to the licensing of restricted firearms or restricted ammunition. Note: (5) (a) of the Firearms Act 1925 (as amended) currently provides that “*The Superintendent of any district may authorise in writing the possession, use or*

*carriage of firearms or ammunition in that district in any of the circumstances specified in paragraphs (d), (e), (f), (g) F18[, (h)] F19[, (j) or (k)] of subsection (4) of this section F20[, or of any component parts of a firearm,] during such period, **not exceeding one year** (emphasis added) as may be specified in the authorisation".* The limitation of one year is clearly at odds with the current licensing periods of three years and a further amendment to the Act may be required.

29. **FEC Recommendation:** *Consideration should be given to aligning the classification of firearms under Irish legislation with the categories with the Firearm Directive.*  
**FURG Response:** The categorisation of firearms as Category A, B or C under Article 17 of the Firearms Directive (as amended by Directive (EU) 2017/853, 17<sup>th</sup> May 2017) Annex 1, Part 2, requires further clarification and for this reason FURG reserves its position on this recommendation.
30. **FEC Recommendation:** *The wording of Section 4(2)(h)(iii) of the Firearms Act 1925 should be reviewed, possibly replacing the phrase "only type" with more flexible language, and providing greater clarity to applicants and licensing officers.* (*Note: This provision provides that in order to possess a restricted firearm a person must demonstrate that the firearm is the only type that is appropriate for the purpose for which it is required*). **FURG Response:** Greater clarity on what constitutes "type" in the context of restricted firearms, and better guidance to both applicants and licensing officers, is to be welcomed.
31. **FEC Recommendation:** *Consideration should be given to requiring that, when a firearm is sought on the basis of membership of a shooting club, this club should be subject to authorisation.* **FURG Response:** FURG disagrees with this proposal. Various forms of shooting and hunting are undertaken by a solo hunter or firearm user acting alone and club membership would not be relevant (for instance, a person employed or acting as a deer manager).
32. **FEC Recommendation:** *Consideration should be given to harmonizing the requirement for shooters to be a member of a club if they seek a firearm for the purpose of engaging in recreational shooting and the requirement for club membership should be expanded to all types of shooting clubs.* (*Note: the requirement for club membership only applies to rifle and pistol/handgun target shooting*). **FURG Response:** FURG rejects this recommendation. Imposing mandatory club membership may be, and probably is, unacceptable and an unnecessary additional obstacle to a great many individual shooters and adds nothing to public safety or security where the firearms user meets all other requirements under

prevailing legislation. Absent a formal definition of “club”, the recommendation lacks clarity or possibility of enforcement even if imposed.

33. **FEC Recommendation:** *Consideration should be given to improving the regulation of clay target shooting and shotgun ranges (e.g., this could include the range being subject to inspection and authorisation, and that the ranges meet existing international standards.)* **FURG Response:** FURG disagrees with this proposal. No comparison can be made between the activities undertaken at a clay target shooting club and an approved rifle/pistol range. There are many more clay target shooting clubs than approved ranges and any attempt to regulate them would require substantial resources without any demonstrable public safety benefit. However, consideration could be given to a type of VOLUNTARY registration scheme for clay target shooting grounds that would allow them to operate in a similar way to approved target rifle/pistol shooting ranges. For example, authorised possession of club guns, ability for non-firearms licence holders to undertake training and participate in shooting activities on club grounds, etc. Some of the larger clay target shooting clubs with permanent facilities might wish to avail of this type of 'voluntary registration' scheme and benefits would include ability to deliver practical safety training/instruction to non-licence holders and to develop competitive clay target shooters from an earlier age.
34. **FEC Recommendation:** *Consideration should be given to requiring a higher standard of storage arrangements for when multiple firearms are being transported.* **FURG Response:** The standard of storage requirements for the individual firearms user transporting his firearms (for example, in the context of travelling to hunting grounds or to a range) are already well defined and need no higher standard. RFDs transporting bulk quantities of firearms or ammunition must meet standards of safety and security and it would be for RFDs, rather than the general public, to clarify any additional requirements arising from this recommendation.
35. **FEC Recommendation:** *Consideration should be given to introducing electronic registers for use by Registered Firearms Dealers.* **FURG Response:** This is a matter for RFDs rather than for an open public consultation. It would appear to be a practical proposition.
36. **FEC Recommendation:** *The licencing system should be brought online, where possible.* **FURG Response:** FURG fully supports this recommendation for renewal of firearms certificates, while recognising the possible requirement for full assessment of first-time applications at AGS District level. We can do our personal banking and

make our annual Revenue Returns, online. We can apply for a Driving Licence or a Passport online. Why not a firearm certificate renewal, given that protocols for establishing the applicant's entitlement will have been established on the first, original, application and grant? It should be no great task to develop and implement an online system for licence renewals, which would free up a vast personnel resource within AGS while expediting the efficient management of the licensing system, Any online system should be developed in the context of a centralised decision-making and licensing system.

37. **FEC Recommendation:** *The current practice of issuing individual specific certificates for each firearm should be revised and this revision should allow for the substitution of firearms on the certificate on a like-for-like basis by a registered firearms dealer, without the need to make a new application to An Garda Síochána.* **FURG Response:** FURG agrees with this proposal. It would reduce unnecessary administration, without impact on public safety concerns.
38. **FEC Recommendation:** *The firearms certificate should be reformatted to make it more durable and include the holder's photograph.* **FURG Response:** FURG agrees with this proposal, for reasons which are self-evident.
39. **FEC Recommendation:** *The duration of firearm certificates and hunting permits should be aligned so that when hunting permits are submitted in support of an application for a firearm they remain in-force for the same period.* **FURG Response:** This suggestion would not be workable for licensed deer hunters, as an annual deer hunting licence, and an annual cull declaration are required, which in turn acts an important tool for deer management. Hunting permits issued by Coillte Teoranta tend to be over a five-year term, however a licensed hunter can opt not to renew his permit after one year, making the previous permit invalid. For this proposal to work, it would require bringing together three elements of licensing, to begin and end on the same dates, which in FURG's opinion would be impossible to do, or to manage with any pretended efficiency.
40. **FEC Recommendation:** *The efficacy of the current licencing process should be assessed to establish if there are delays or issues with lost paperwork. Mitigating measures should be established, where necessary.* **FURG Response:** This is too obvious a proposal to need any comment from FURG.
41. **FEC Recommendation:** *Specific firearms training should be provided for all staff involved in overseeing the firearms legislation.* **FURG Response:** FURG agrees strongly with this proposal. It is an unfortunate fact that there can be a lamentable lack



of knowledge as well as a widely varying difference in interpretation of legislation, on the part of decision-makers in the licensing procedure.

42. **FEC Recommendation:** *Licensing authority should be centralised within AGS, with appropriate input from local districts/division in the licensing process.* **FURG**

**Response:** FURG agrees with this proposal. It would presumably serve to expedite the licensing process and eliminate local District-level variations in interpretation of requirements or standards.

43. **FEC Recommendation:** *A non-judicial appeals mechanism for firearms licensing decisions should be established, in line with the Department of Justice recommendations and to be based on the Private Security Authority Appeals Board.*

**FURG Response:** FURG is of the opinion that there is an inherent weakness in any non-judicial appeals process which is based on the Private Security Appeals Board. While at first sight a non-judicial approach might appear to provide a mechanism for appeal for an applicant who has been refused a firearms certificate, the mechanism for appeals under the PSAB is likely to prove defective. For example, once an appeal has been lodged with PSAB, the appellant is not entitled, unless requested by the Appeal Board, to elaborate in writing on his appeal or make further submissions in writing in relation to the grounds of appeal and any such elaboration will not be considered by the PSAB. The Appeal Board may, of its own volition, request appellants to appear before the Board for an oral hearing of their appeal. In addition, an appellant may request an oral hearing with the Appeal Board at the time of submitting a notice of appeal. However, in accordance with Paragraph 21(2), Schedule 2 of the Private Security Services Act 2004, the Appeal Board, has absolute discretion, in determining whether to conduct an oral hearing in any given case. Thus, the appellant has limited opportunity to make his case. When a decision goes against the appellant, he can appeal that decision only to the High Court on a point of law. Where an appeal against a decision to refuse a firearm certificate can currently be made initially at District Court level, to set up a statute-based Appeal Body, whose decisions have the force of law appealable only to the High Court, could prove to be an unwieldy exercise. It would be preferable to establish better guideline for interpretation of legislation by authorising officers, and to ensure there is consistency and fairness when applications are under review by the authorising officer.

44. **FEC Recommendation:** *The process for refusing a firearms license application should be modified to include a letter of intent to refuse that is issued prior to a refusal decision in order to allow the applicant to provide any further relevant*



information that may impact on a licensing decision. **FURG Response:** To issue “a letter of intent to refuse” is to pre-empt a refusal and as such, fetters discretion in a way that is unfair to the applicant. A request for further and better information is reasonable and could lead to a fairer outcome for the applicant. On this basis FURG disagrees with this recommendation.

45. **FEC Recommendation:** *The policy on the reloading of ammunition should be examined with a view to permitting reloading in residential abodes.*

*(Note: Reloading refers to the process of individuals making ammunition by assembling the components (case/hull, primer, powder, and bullet or shot), rather than purchasing completely assembled, factory-loaded ammunition. This recommendation was the view of only one member of the Committee).* **FURG**

**Response:** FURG would welcome the proposed examination of policy on reloading. Reloading in residential abodes is common throughout the EU and our near neighbours in the United Kingdom. Such an activity is not alone critical for competition shooting, where a high volume of ammunition is used but also for deer managers who cull large numbers of deer.

46. **FEC Recommendation:** *Firearms licences should not be conditioned under Section 4(2)(g) of the Firearms Act 1925 to specify the location and purposes where/for which the firearm may be used.*

*(Note: Section 4(2)(g) of the Firearms Act 1925 provides that when a firearms certificate is granted it may be made subject to a condition or conditions by the issuing person in the interests of public safety or security.)* **FURG Response:** FURG

agrees that firearms certificates should **not** be conditioned so as to specify and limit location or purpose of use. Determining how landowners decide who may be allowed to hunt or shoot on their property, should be avoided. It would constitute an interference with landowners’ property rights and seen as anti-rural and anti-hunting, while not benefiting firearm licensing.

47. **FEC Recommendation:** *Provision for specifying the purposes for which a firearm may be used [should] be achieved by introducing different types of firearms*

*certificates that would be aligned with the purpose for which the firearm has been sought. Such licenses [should] be introduced in a similar format as the “limited certificates” provided by Section 3(6) of the Firearms Act 1925.* **FURG Response:**

Section 3 (6) of the Act provides that “where the firearm is a shot-gun, the firearm certificate may, subject to subsection (11) of this section, authorise it to be used only for killing animals or birds other than protected wild animals or protected wild birds

*within the meaning of the Wildlife Act 1976 by the holder of the certificate either (as may be expressed in the certificate) (a) on land occupied by the holder, or (b) on land occupied by another person". Such limited certificates have rarely if ever been granted under the current licensing regime. The original purpose of this provision, which limits use only to "killing animals or birds **other than** (emphasis added) protected wild animals or protected wild birds". This was the so-called "Farmers' Certificate", which carried a lower annual cost and was intended to cover firearms used by landowners for controlling pests and vermin, rather than protected game birds or wildfowl. To limit use of a given firearm for use only for a specified use and non-interchangeable to cover, (for example) game shooting but not vermin control, could conceivably lead to an increase the number of firearms in use, where need exists.*

48. **FEC Recommendation:** *The framework for authorisation of shooting clubs by An Garda Síochána should be expanded to all clubs. (Note: Currently this requirement currently only applies to rifle and short firearm target shooting clubs.)* **FURG Response:** FURG disagrees with this proposal. Not all shooting takes place at ranges, and such a restriction would be merely anti-hunting and anti-firearm.
49. **FEC Recommendation:** *If the suggestion to expand the authorisation of shooting clubs by An Garda Síochána is accepted, then the provision of insurance by these clubs should be evaluated and requirements introduced to ensure that such provisions are harmonised and appropriate for all involved.* **FURG Response:** The vast majority of firearms users carry shooting insurance, and it is both a requirement and a benefit of membership of FURG's different participating bodies. Public liability insurance is a characteristic of most businesses, which Ranges are, and ranges are in any event amenable to the provisions of the Occupiers Liability Act 1995.
50. **FEC Recommendation:** *A harmonised framework for authorisation and inspection of all ranges or where non-certificate holders are engaging in shooting should be introduced.*  
*(Note: all rifle and pistol target shooting ranges are subject to authorisation under Section 4A of the Firearms Act 1925, as amended. While not all shotgun ranges are currently subject to authorisation and inspection in the same manner as rifle and short firearm ranges, persons who do not hold a firearms certificate are prohibited from using a firearm unless they do so at a location authorised by An Garda Síochána. Thus, the range or location must be authorised by An Garda Síochána if a non-certificate holder is to engage in target shotgun or clay target shooting).* **FURG Response:** FURG disagrees with this proposal. Where it affects non-certificate

holders, it limits opportunity for training of newcomers to shooters but intending to become firearms owners and users. Where certificate holders are concerned, there is already a harmonised framework in place for the authorisation and inspection of ranges, although it is unclear to FURG why *inspection* falls to the Department of Justice, where *authorisation* falls to An Garda Síochána. This begs the question, why does the Department of Justice employ an Inspector of Ranges in the first place? It is akin to the Department of Justice employing an Inspector of Kitchens, where responsibility for food safety and enforcement falls to the Food Safety Authority of Ireland.

51. **FEC Recommendation:** *A separate authorisation should not be required for certificate holders who wish to engage in clay-target shooting on private property as part of a group of ten persons or less.* **FURG Response:** FURG agrees broadly with this proposal but qualifies it by saying that it is arbitrary to impose a limit of ten persons. There might easily be more than ten family or friends gathered for a pre-season practice shoot and where there is no competitive or commercial element in place, the ten-person limit is unduly restrictive.
52. **FEC Recommendation:** *It should be explicitly clear to certificate holders that firearms may only be used to hunt on land on which the person, or their club, has permission to shoot. Further, it would be preferable that all permissions be evidenced in a written form so they may be easily verified.*  
*(Note: There are existing limits to the locations where hunting may occur. The Wildlife Act 1976, as amended, establishes that it is illegal to hunt on any lands without the express permission of the landowner. The Committee believes there would be merit in providing that to use the firearm at a location without permission or to hunt wildlife in contravention of the wildlife legislation would also be a breach of the corresponding firearm certificate.)* **FURG Response:** FURG disagrees with this proposal. It is not practical. It is the long-standing precedent, and the sensible approach, that if you have a valid licence to shoot a given area, you can shoot any other area in the State where you have permission. Firearms users must have valid permission to shoot where they seek to shoot, this is adequately provided for in the Wildlife Act 1976 (as amended) and an endorsement on a firearms certificate is completely unnecessary. Not all landowners wish to provide written permission, as they sometimes believe a written permission might convey unintended rights. It should be noted that applicants for a Deer Hunting Licence until recently had to provide current written evidence of permission over private land, subject to validation

by a Conservation Ranger. With over 6000 applicants for the DHL, this was patently incapable of enforcement, and in 2022 was replaced by a Declaration signed by the applicant. We can only speculate what would be the implications of seeking to verify tens of thousands of applications from deer hunters, game shooters, wildfowlers, and vermin shooters.

53. **FEC Recommendation:** *Hunting and game clubs should be subject to authorisation by An Garda Síochána. Authorisation should include submission of maps of lands on which they will hunt, documentation detailing membership and insurance details.*

**FURG Response:** FURG disagrees with this proposal. Gun Clubs are ‘*recognised bodies*’ under the Wildlife Act 1976 and named and categorised as such in legislation. This is an attempt to put a second authorisation designation on them, without any reason or justification given.

54. **FEC Recommendation:** *Club membership should be required when a firearm is sought for the purpose of recreational hunting or game shooting, unless the applicant is seeking a firearm for use on their own land or with the permission of a limited number of landowners.* **FURG Response:** FURG disagrees with this proposal.

Putting restrictive blunt stipulations like this will cause problems, and there is no need for them.

55. **FEC Recommendation:** *A limit should not be applied on the number and type of firearms a person may hold.* **FURG Response:** FURG agrees with this proposal, where “Good reason” is followed as the benchmark for granting of a certificate.

56. **FEC Recommendation:** *Statutory Instrument No: 307 of 2009 -Firearms (Secure Accommodation) Order, 2009 should be amended with a view to aligning the security arrangements required when a person owns a significant number of firearms with those required for Registered Firearms Dealers.*

*(Note: these are currently set out in Statutory Instrument No: 646/2017 - Firearms (Storage of Firearms and Ammunition by Firearms Dealers) Regulations 2017.)*

**FURG Response:** This wording is deliberately misleading, where “*significant number*” is not defined. A “*significant number*” for a RFD might run into hundreds of firearms, a “*significant number*” for an individual user would seldom exceed two firearms. The storage requirements for RFDs are considerably more onerous (and rightly so) than for the individual user and the cost of meeting requirements under SI 646/2017 would be prohibitively expensive, and disruptive to the average household.

57. **FEC Recommendation:** *Silencers should remain licensable in the State, but applicants should continue to be required to demonstrate “good reason” for their*

possession to An Garda Síochána for their consideration. **FURG Response:** FURG disagrees with this proposal, other than to say that sound moderators should be licensable **as a matter of course** for all applicants. The ‘good reason’ is usually identical for all applicants, in their practical use in the field, and this should be evident to licencing officers. There is a strong case for the opposite argument, that applicants should give a ‘good reason’ why they are **not** using them.

58. **FEC Recommendation:** *Silencers should be available to be licensable for use by employees who use firearms as part of their legitimate duties.*  
(*Note: The Committee suggests that applications for a silencer for this purpose should be supported by a letter from the employer outlining that such a device is required and why the use of ear protection is not sufficient.*) **FURG Response:** FURG believes this is an inappropriate question, and its obvious implication is that the determination is based on whether the person is an employee or not, rather than the merits or otherwise of the intended use. It is discriminatory against non-employees for no reason relevant to the use.
59. **FEC Recommendation:** *Any person using a silencer outside a range should be required to take reasonable steps to ensure the safety of other people who may be in the area. For example, this could include placing warning signs on gates and entrances to advise persons shooting is happening in the area.* **FURG Response:** The use of a sound moderator is not connected with safe shooting. Sound moderators are used for purposes of noise abatement, hearing protection, and to minimise disturbance to livestock and bloodstock. Safe shooting practice is exercised with or without a sound moderator.
60. **FEC Recommendation:** *Thermal imaging sights designed to be mounted onto a firearm should not be available to be licensed in the State.* **FURG Response:** FURG strongly disagrees with this proposal. These devices are an asset in ensuring safe practical use in the field where night shooting is required for stipulated reasons, and they should be available and considered.
61. **FEC Recommendation:** *Telescopic scopes with light beam (“night scopes”) should only be licensable for professional users who can demonstrate a need for this device and that no other device is suitable.* **FURG Response:** FURG strongly disagrees with this proposal. “Professional user” is not defined. The determination should be based on the ‘good reason’ or need, not on what category the person aligns to.
62. **FEC Recommendation:** *If a person is authorised to possess a telescopic scope with a light beam (“night scope”) by An Garda Síochána, this should be detailed on the*

*person's firearm certificate, so that it is clear to firearm dealers who may be permitted to purchase such a device.* **FURG Response:** FURG disagrees with this proposal, which it regards as nonsensical, as it always happens the other way around. The applicant must give details of what they are applying for, so they have at least a bill of sale or device details from their RFD, not the other way around as is implied by the wording here.

63. **FEC Recommendation:** *A more uniform approach should be taken to the demonstration of competence in the use of firearms, and this should be defined in legislation.* **FURG Response:** FURG disagrees with this proposal. Good interactive courses, where competence is promoted, accessed and evolving should be the benchmark, not legislation that may be abstract rather than practical. It is the members of FURG, such as NARGC, Deer Alliance HCAP and Country Sports Ireland which to date, entirely on their initiative, have developed and promoted training in firearms. The introduction of statute-defined mandatory training and certification may be a laudable aspiration, but it is a complex question where large numbers of individual shooters might be directly affected. Whereas mandatory training and certification was achieved in respect of applicants for a Deer Hunting Licence, this was only achieved after decades of lobbying and after six years had lapsed between adoption by stakeholders on the Irish Deer Management Forum in 2016 and implementation by NPWS in 2022, and then only for first-time applicants for the DHL.
64. **FEC Recommendation:** *First time applicants for all firearms should be required to undertake appropriate training on an authorised range to an agreed national standard that is aligned with the type of firearm sought and purpose for which it is sought.* **FURG Response:** FURG disagrees with this proposal as expressed here, although there is some merit in ensuring certain minimum standards are achieved for first-time applicants. Firearm safety follows the same basic principles for all types of firearm, and all uses. Good interactive courses and assessment by competent persons or bodies, to an agreed standard and with oversight, is what is required, not picking a type of venue assuming it will deliver on all aspects of what is required. Access to a Range may not be possible for many first-time applicants and moreover, would presumably impose some financial burden on the applicant.
65. **FEC Recommendation:** *A graduated approach to the licensing of first-time licence applicants should be taken in the legislation via the introduction of a provisional firearms certificate.* **FURG Response:** FURG disagrees with this suggestion. To



introduce a graduated or tiered level of firearms certificate is to suggest that there are tiers or levels of safety, which should not be the case.

66. **FEC Recommendation:** *An Garda Síochána should routinely condition the licences of first-time applicants or applicants seeking to use new calibres of firearms to require them to use the firearm in question under supervision of an experienced shooter of the same type of firearm for a specified period.* **FURG Response:** FURG disagrees with this proposal. If a person is deemed competent with any firearm, the basic protocol for safe carriage and use differs little from the types used.
67. **FEC Recommendation:** *A training programme to a national standard should be devised for those that wish to engage in night-time shooting to ensure that persons have the skills to hunt safely in darkness and semi-lit conditions.* **FURG Response:** FURG agrees broadly with this proposal. Safe shooting involves having good consistent habits and rigorously applying them at all times. Night-time shooting is no different and should not require a separate course, however the granting of Section 42 licences to inexperienced shooters is a recipe for trouble. Night shooting carries a high degree of risk, including the likelihood of an inability to properly identify the target, the likelihood of there being no adequate backstop for the bullet and the potential for a breach of Section 8 of the Firearms Act 1925 (as amended), *Reckless Discharge of a Firearm*. In this context, where night shooting must be exercised for stated purposes and under licence, it would be preferable to have properly trained and competent persons carrying out this function.
68. **FEC Recommendation:** *A firearm certificate holder should be required to spend a minimum number of hours using that firearm on a range each year in order for the firearm certificate to remain valid or to be eligible for a renewal.* **FURG Response:** FURG disagrees with this proposal. Most firearms in Ireland are licenced for use in the field and not on ranges. To satisfy this requirement the holder must use it on a Range, which may not be practical in terms of location and moreover, would presumably carry an added cost for the user. There are a limited number of Ranges offering full facilities for shotgun practice or use and only a handful of one-hundred metre centre-fire rifle ranges in the country. Most firearms users would have to travel long distances to satisfy this requirement even though they are regularly using the firearm perfectly competently and safely in the field.
69. **FEC Recommendation:** *Registered firearms dealers should be permitted to repair or modify firearms only if they have completed an appropriate training course or gained an appropriate qualification or possess relevant experience.* **FURG Response:**

FURG supports this proposal, which would ensure a standard of knowledge, training, skill and competence on the part of RFDs.

70. **FEC Recommendation:** *A graduated approach should be taken towards the authorisation of registered firearms dealers, whereby those wishing to engage in repairs or modifications should be subject to further authorisation beyond the authorisation given to RFDs wishing to engage only in the sale and purchase of firearms and ammunition* **FURG Response:** FURG agrees broadly with this proposal. The Department of Justice have failed to put the necessary infrastructure i.e., proof house, in place for many years now. With the advent of Brexit, and the UK proof houses more difficult and expensive to use, this Health & Safety issue is now critical. All repairs or modification should be checked by adherence to and compliance with international proof standards. Successive governments have failed firearms users in this regard over many years. The need will become even more pronounced with the requirement for use of alternatives to lead.
71. **FEC Recommendation:** *Consideration should be given to insurance requirements for repair work carried out by registered firearms dealers.* **FURG Response:** Liability for inadequate repairs leading to damage or loss (including personal injury), if proven, lies with the person carrying out repairs or modification to any firearm. This proposal therefore makes sense from the point of view of both RFDs and firearms users having repairs carried out.
72. **FEC Recommendation:** *A broad approach should be taken to the qualifications considered acceptable prior to authorisation to engage in repairs or modifications to firearms.* **FURG Response:** No school of higher education in Ireland offers training leading to certification in firearms construction or repair. Persons wishing to enter this field must learn “on the job” or as apprentices to another person, who may not himself have any recognised or verifiable credentials, or travel outside the county for training. This proposal may be acceptable and to that degree, FURG agree with it, but to talk about “qualifications” without facilities for attaining them is a waste of time.

## CONCLUSION

FURG now looks to Minister of State James Browne TD for a full and meaningful engagement with stakeholders in the arena of firearms legislation and the fair implementation of that legislation by AGS. In FURG’s view, the best start would be to scrap the FEC and its two Reports and start again with a properly constructed and inclusive representation of



stakeholders, and work together with stakeholders towards a legislative framework which recognises shooters' rights under legislation and best protects the public interest including public safety and security.

## **FOOTNOTE - THE NARGC SURVEY**

In the course of preparing these submissions, the National Association of Regional Game Councils (NARGC), on behalf of FURG, carried out its own online consultation amongst its 26,000 members over a two-day period, 25<sup>th</sup>-27<sup>th</sup> May 2023. The results of that survey tell their own story:

- 95% of respondents felt that the FEC should have included firearms owners' representation.
- 87.6% of respondents felt that the outcome of the FEC recommendations would directly affect their sport.
- 79.2% of respondents rejected the recommendations set out in the FEC Reports.
- 87% felt that the current government is anti-hunting.
- 84.1% felt that the current government is anti-rural Ireland.
- 64% of respondents ranked AGS as providing a good to excellent service to firearms owners.
- 87.7% of respondents said that the way the FEC report was handled, and the approach of the Government, would affect how they will vote in the next election.

*End of Submission.  
Appendix (Firearms Legislation) attached.  
Submission drafted by L. M. Nolan on behalf of FURG.*

## APPENDIX

### FIREARMS LEGISLATION

Department of Justice

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#### ACTS

- Firearms Act 1925 (No. 17 of 1925)
- Firearms Act 1964 (No. 1 of 1964)
- Firearms (Proofing) Act 1968 (No. 20 of 1968)
- Firearms Act 1971 (No. 13 of 1971)
- Wildlife Act 1976 (No.39 of 1976)
- Postal and Telecommunications Services Act 1983 (No. 24 of 1983)
- Firearms and Offensive Weapons Act 1990 (No. 12 of 1990)
- Firearms (Firearm Certificates for Non-Residents) Act 2000 (No. 20 of 2000)
- Criminal Justice Act 2006 (No.26 of 2006)
- Criminal Justice Act 2007 (No. 29 of 2007)
- Criminal Justice (Miscellaneous Provisions) Act 2009 (No. 28 of 2009)

#### STATUTORY INSTRUMENTS

- SI 64 of 1969 Firearms (Proofing) Act, 1968 (Commencement) Order, 1969
- SI 65 of 1969 Firearms (Shotguns) (Proofing Methods, Marks and Fees) Regulations, 1969
- SI 187 of 1972 Firearms (Temporary Custody) Order, 1972
- SI 251 of 1972 Firearms (Dangerous Weapons) Order, 1972
- SI 239 Of 1976 Firearms Regulations 1976
- SI 239 of 1977 Wildlife Act, 1976 (Firearms and Ammunition) Regulations, 1977
- SI 313 of 1990 Firearms and Offensive Weapons Act, 1990 (Part II) Commencement) Order,1990

- SI 66 of 1991 Firearms and Offensive Weapons Act, 1990 (Offensive Weapons) Order, 1991
- SI 362 of 1993 European Communities (Acquisition and Possession of Weapons and Ammunition) Regulations 1993
- SI 189 of 1999 Firearms (Temporary Provisions) Act, 1998, Continuance Order, 1999
- SI 451 of 2006 Firearms Act 1925 (Surrender of Firearms and Offensive Weapons) Order 2006
- SI 21 of 2008 Firearms (Restricted Firearms and Ammunition) Order 2008
- SI 293 of 2009 Criminal Justice (Miscellaneous Provisions) Order 2009
- SI 295 of 2009 Firearms Acts 1925 to 2009 (Firearm Certificate) Regulations 2009
- SI 307 of 2009 Firearms (Secure Accommodation) Regulations 2009
- SI 308 of 2009 Firearms (Authorisation of Rifle or Pistol Clubs) Regulations 2009
- SI 309 of 2009 Criminal Justice Act 2006 (Commencement) Order 2009
- SI 310 of 2009 Criminal Justice (Miscellaneous Provisions) Act 2009 (Commencement) (No. 2) Order 2009
- SI 311 of 2009 Firearms Act 1925 (Prescribed Firearms Certificates) Regulations 2009
- SI 312 of 2009 Firearms (Fees) Regulations 2009
- SI 337 of 2009 Firearms (Restricted Firearms and Ammunition) (Amendment) Order 2009
- SI 338 of 2009 Firearms and Offensive Weapons Act 1990 (Offensive Weapons) (Amendment) Order 2009
- SI 493 of 2010 European Communities (Acquisition and Possession of Weapons and Ammunition) (Amendment) Regulations 2010
- SI 622 of 2011 Firearms (Authorisation of Rifle or Pistol Shooting Ranges) Regulations 2011 (PDF - 10,451)
- SI 391 of 2015 SI 391 of 2015 Firearms (Restricted Firearms and Ammunition) (Amendment) Order 2015
- SI 646 of 2017 Firearms (Storage of Firearms and Ammunition by Firearms Dealers) Regulations 2017
- SI 420 of 2019 SI No. 420 of 2019 European Communities (Acquisition and Possession of Weapons and Ammunition) (Amendment) Regulations 2019
- SI 283 of 2021 European Communities (Acquisition and Possession of Weapons and Ammunition) (Amendment) Regulations 2021

- SI 180 of 2022 European Communities (Alarm and Signal Weapons) (Technical Specifications) Regulations 2022

## **EU DIRECTIVES**

- Council Directive 91/477/EEC on the Control of the Acquisition and Possession of Weapons
- Directive 2008/51/EC of the European Parliament and of the Council of 21 May 2008 amending Council Directive 91/477/EEC on control of the acquisition and possession of weapons
- Directive (EU) 2017/853 of the European Parliament and of the Council of 17 May 2017 amending Council Directive 91/477/EEC on control of the acquisition and possession of weapons.
- Consolidated Text of EU Firearms Directive 91/477/EEC

## **EU REGULATIONS**

- Commission Implementing Regulation (EU) 2015/2403 of 15 December 2015 establishing common guidelines on deactivation standards and techniques for ensuring that deactivated firearms are rendered irreversibly inoperable.
- Commission Implementing Directive (EU) 2019/68 of 16 January 2019 establishing technical specifications for the marking of firearms and their essential components.