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Title: Letter from S McCarthy, Private Secretary to the Minister for Justice, to NS Ó Nualláin, Private Secretary to the Taoiseach, regarding regulations for the import of firearms by the Gardaí and the Defence Forces.

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Mr. O'Malley
23/10/70

OIFIG AN AIRE DLÍ AGUS CIRT
(Office of the Minister for Justice)
BAILE ÁTHA CLIATH
(Dublin)

Rúnaí Príobháideach an
Taoisigh.

With reference to your minute (S 18544) of 16th October, I am directed by the Minister for Justice, Mr. D. O'Malley, T.D., to inform you that in so far as this Department is concerned, the position is that the Garda Síochána do not employ a purchasing agent for their requirements of arms and ammunition. They do their own buying.

By way of supplementary information, I am to say that the Gardai in recent years purchase all their requirements through a firearms dealer in Dublin, who is the Agent in this country for the pistol which the Gardai (and Police Forces elsewhere) find most suitable for their purposes. The orders are placed by the Barrack Master with the approval of the Commissioner, who obtains sanction for the expenditure of a given amount each year for the purpose.

The Firearms Acts, 1925 and 1964 have no special provision concerning the authorisation of persons to purchase arms on behalf of a Government Department.

The following information in regard to the importation and possession of firearms may be helpful -

A Garda does not require a firearm certificate for the possession, etc., of a firearm in the performance of his duty and firearms are distributed to members of the Force at the discretion of the Commissioner.

The Minister for Defence may authorise the importation of firearms and ammunition for the use of the Defence Forces and a member of the Defence Forces does not require a firearm certificate for the possession, etc., of a firearm in the performance of his duty.

Apart from the Gardai and the Defence Forces, the position, in general, is that no firearm or ammunition may be imported without an importation licence granted by the Minister for Justice and no person may possess, etc., a firearm without a certificate from the local Superintendent of the Garda Síochána or the Minister for Justice (the Minister being the authority in relation to persons not ordinarily resident in the State). The holder of a firearm certificate may, however, import the firearm to which the certificate relates without a licence and certain categories of persons are entitled to have firearms in their possession in certain circumstances without being required to be in possession of firearm certificates for them, e.g., auctioneers, registered firearms dealers, etc.

An officer of a Government Department who wished to use a firearm for "official purposes", e.g., a forester of the Department of Lands, would apply in the normal way to the local Superintendent of the Garda Síochána for a firearm certificate - the firearm would probably be purchased from a firearms dealer and sanction for the expenditure would presumably be a normal Departmental decision.

Sincerely,

Rúnaí an Aire.

23 Deireadh Fómhair, 1970.