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**Title:** Dáil Question, with reply and notes, addressed to Taoiseach Jack Lynch asking which departments of state are authorised to appoint arms purchasers.

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*Submitted 27/10*  
*For approval of draft reply, please.*  
 DÁIL QUESTION addressed to the Taoiseach  
 by Deputy Harte for answer on Wednesday,  
 28th October, 1970.

*NR 26/10/70*  
 Question No. 12

QUESTION:

To ask the Taoiseach the Departments of State which are authorised to appoint arms purchasers.

DRAFT REPLY:

No Departments of State are authorised to appoint arms purchasers.

Note for information.

This matter is governed by section 17 of the Firearms Act, 1925 (copy attached). Under that section, no person may import any firearm, ammunition etc. unless such import is authorised by a licence from the Minister for Justice: this section does not however apply to firearms etc. imported under the authority of the Minister for Defence for the use of the Defence Forces or under the authority of the Minister for Justice for the use of the police force. In practice, the procedure in regard to the Defence Forces and the Garda Síochána is as follows:-

Defence Forces: An officer of the Department of Defence - the Principal Officer who heads the Contract Section - is authorized by the Minister under the Ministers and Secretaries Act to certify that any particular consignment of arms etc. being imported is for the use of the Forces.

Garda Síochána: A firearms dealer in Dublin (who is the agent in this country for the pistol which the Gardaí use) is permitted by ~~certificate~~ <sup>licence</sup> granted by the Minister for Justice under section 17(3) of the Firearms Act, 1925, to import the arms, <sup>etc.</sup> for transmission to the Garda Síochána.

Minutes from Department of Defence and Department of Justice also attached. *Replies from all other Departments did not provide any ~~useful~~ relevant information.*



Extract from Firearms Act, 1925.

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Restrictions on the import of firearms, prohibited weapons and ammunition.

17.- (1) No person shall import into Saorstát Éireann any firearm, ammunition, or prohibited weapon unless such import is authorised by a continuing licence granted under this section and in force at the time, or by an occasional licence granted under this section and relating to the specific firearm, ammunition or prohibited weapon so imported.

*(Subsection (2) repealed by Firearms Act, 1964)*

(3) A continuing licence to import firearms or ammunition may on application in the prescribed manner be granted by the Minister<sup>x</sup> if he thinks fit so to do to any registered firearms dealer, and every such continuing licence shall operate and be expressed to authorise the importation into Saorstát Éireann of firearms and ammunition generally or of any specified class or classes of firearms and ammunition through the port, by the registered dealer, during the period and subject to the conditions named in such licence.

(4) An occasional licence to import into Saorstát Éireann a firearm, with or without ammunition therefor, may, on application in the prescribed manner be granted by the Minister<sup>x</sup> to any person who holds or could be granted a firearm certificate for the firearm and ammunition (if any) in respect of which the occasional licence is sought or is a registered firearms dealer and every such occasional licence shall operate and be expressed to authorise the importation into Saorstát Éireann of the firearm and the quantity of ammunition (if any) specified in such licence through the port, by the person, within the time and subject to the conditions named in such licence.

(5) Every continuing licence granted by the Minister under this section may be varied or revoked by the Minister<sup>x</sup> at any time before its expiration.

(6) If any person imports into Saorstát Éireann a firearm or prohibited weapon or any ammunition without or otherwise than in accordance with a licence under this section authorising such importation or, in the case of ammunition, in quantities in excess of those so authorised, or fails to comply with any condition named in a licence granted to him under this section, he shall be guilty of an offence under this Act and shall be punishable accordingly.

(7) The possession of a licence granted under this section shall not relieve from the obligation to obtain or hold any certificate, permit, or authority required by any other provision of this Act.

(8) This section shall not apply to the importation into Saorstát Éireann of any firearms, ammunition or prohibited weapon which is so imported under the authority of the Minister for Defence for the use of the Defence Forces of Saorstát Éireann or under the authority of the Minister<sup>x</sup> for the use of any lawful police force in Saorstát Éireann.

*x "Minister" defined as "Minister for Justice" in the Act.*