EXPLANATORY MEMORANDUM TO

The Firearms (Variation of Fees) Order (Northern Ireland) 2015

S.R. 2015 No. 405

1. Introduction

1.1. This Explanatory Memorandum has been prepared by the Department of Justice (DOJ) to accompany the Statutory Rule (detailed above) which is laid before the Northern Ireland Assembly.

1.2. The Statutory Rule is made under powers conferred by Article 75(3) of the Firearms (Northern Ireland) Order 2004 (the 2004 Order) and is subject to the negative resolution procedure.

2. Purpose

2.1 The purpose of the Statutory Rule is to amend firearms licensing fees in Northern Ireland contained in Schedule 6 to the 2004 Order.

3. Policy Background

3.1. Under the terms of Article 75(3) of the 2004 Order the DOJ may, with the approval of the Department of Finance and Personnel (DFP), make an Order to vary or cancel any fee specified in Schedule 6. DFP has approved the fees in the Order.

3.2. This Statutory Rule amends the fees charged by the Police Service of Northern Ireland (PSNI) for administering the firearms licensing process. The museum licensing fees are payable to the DOJ. These fees have not changed since the introduction of the 2004 Order.

3.3. In determining fees DOJ is required by DFP to secure cost recovery. To assist in determining the appropriate fee level DOJ commissioned consultants from Business Consultancy Service in DFP to undertake a review of fees. Their reports were published and consulted upon, including in workshops and meetings between DOJ staff, the PSNI, MLAs and shooting sector representatives. The fees in this Order reflect the figures in a third, revised report, which has also been published.

4. Consultation

4.1. The DOJ consulted extensively on the proposals. This led to modifications. It also established and consulted via a workshop comprising the DOJ, the PSNI and shooting organisations representatives. The Department presented its conclusions to the Justice Committee on 18 June 2015.

5. Equality Impact

5.1. An Equality Impact Assessment (EQIA) was carried out in respect of the proposals to vary firearms licensing fees and other amendments to the 2004 Order. As no significant adverse impact on those listed under section 75 of the Northern Ireland Act 1998 was identified a full Equality Impact Assessment is not considered necessary.

6. Regulatory Impact

6.1. The impact on individuals will be an increase in the licensing fees charged by the PSNI for the grant, variation and regrant of a firearms certificate as well as an increase in fees for visitor's firearms permits. The impact on business (firearms dealers) will be the increase in fees for the regrant of a firearms dealer's certificate, indirectly from the grant or re-grant of a firearms certificate as well as an increase in the cost of a visitor's certificate.

6.2. Some fees, for instance, for firearms clubs, have been reduced.

6.3. The impact on the public sector will be the accrual of additional revenue from the increased firearms licensing fees for the service the PSNI provides to the public for administering the firearms licence process.

6.4. An Impact Assessment has been prepared.

7. Financial Implications

7.1. These proposals increase a number of fees above the rate of inflation to meet the cost of the firearms licensing process run by PSNI. This is after reviews conducted by the Business Consultancy Service of DFP and after deductions of areas of work which are not recoverable through fees. The approach is in line with the DFP's document entitled Managing Public Money.

8. Section 24 of the Northern Ireland Act 1998

8.1. There are no section 24 implications.

9. EU Implications

9.1. None.

10. Parity or Replicatory Measure

10.1. This is stand-alone legislation for Northern Ireland. Fees in England, Wales and Scotland were increased in April 2015.

11. Additional Information

11.1. This Order will come into operation on 22nd February 2016.

12. Contact Details

12.1. Any queries should be directed to DOJ, Firearms and Explosives Branch, Block B, Castle Buildings, Stormont Estate, Belfast, BT4 3SG.

Department of Justice
1st December 2015