

## **Munitions of War**

### **Statutory Basis**

The Air Navigation (Carriage of Munitions of War, Weapons and Dangerous Goods) Order, S.I. 224 1973, as amended, provides that no munitions or weapons of war may be carried by an aircraft in Irish airspace without an exemption granted under the Order. The Minister's functions are limited to munitions or weapons of war with no function in relation to the transport of troops themselves.

The primary purpose of the regulations is the safety of the aircraft and the persons on board. Any applications for munitions that are categorised as dangerous goods are forwarded to a dangerous goods specialist in the Irish Aviation Authority.

The link to both SIs is as follows:

- (1) <http://www.irishstatutebook.ie/eli/1973/si/224/made/en/print> and
- (2) <http://www.irishstatutebook.ie/eli/1989/si/130/made/en/print>

### **MoW Procedures**

Each munition of war flight requires a separate exemption for every flight including overflights of Irish sovereign airspace. In the case of all applications, the Department of Transport seeks the views of the Department of Foreign Affairs, in relation to foreign policy and the Department of Justice and Law Reform, in relation to security. Each application is also sent to the Department of Defence for its information.

Ireland's procedures in relation to aircraft engaged in the carriage of munitions of war in Irish airspace are also outlined in detail in a standard international

civil aviation documentation known as the Integrated Aeronautical Information Package, which is published on the Irish Aviation Authority's website at:

[http://iaip.iaa.ie/iaip/IAIP\\_Frame\\_CD.htm](http://iaip.iaa.ie/iaip/IAIP_Frame_CD.htm)

The relevant extract from the IAIP on the carriage of munitions of war and dangerous goods is as follows:

**“ 1.5 Carriage of Warlike/Dangerous Goods Stores**

1.5.1 The Air Navigation (Carriage of Munitions of War, Weapons and Dangerous Goods) Order, 1973, (S.I. No. 224 of 1973), gives effect to article 35 of the Chicago Convention. Article 5 of the 1973 Order was amended by the Air Navigation (Carriage of Munitions of War, Weapons and Dangerous Goods) (Amendment) Order, 1989 (S.I. No. 130 of 1989). These Orders apply to all aircraft, other than State Aircraft, in or over the State.

1.5.2 Subject to sub-paragraph GEN 1.4 1.5.3 and GEN 1.4 1.5.4 of this paragraph i. Munitions of war may not be carried on an aircraft ii. It is an offence for a person to take or cause to be taken on board an aircraft, or to deliver or cause to be delivered, for carriage thereon, goods which he knows or has reason to suspect to be munitions of war.

1.5.3 Munitions of War may be carried on an aircraft if, as provided for in the 1973 Order, an exemption is obtained from the Minister for Transport.

1.5.4 Munitions of War may be carried on an aircraft registered elsewhere than in the State if under the laws of the State in which the aircraft is registered, the munitions of war may be taken on board for the purpose of ensuring the safety of the aircraft or the persons on board.

1.5.5 Under the 1973 Order, “Munitions of War” means material, weapons and ammunition designed for use in warfare and includes parts of, or for such weapons and ammunitions.

1.5.6 Forms for applying for exemptions may be obtained on request from the Department of Transport, Tourism and Sport. Email: [exemptwm@dtas.ie](mailto:exemptwm@dtas.ie) Completed applications forms must be submitted to the exempt mailbox no later than 48 hours before the departure of the flight.

1.5.7 For the purpose of ensuring compliance with the 1973 Order, authorised officers may search aircraft landing at Irish Aerodromes.”

A link to the Application Form for Exemption from prohibition on carrying weapons or munitions that all aircraft seeking an exemption must complete may be found [here](#):

### **Transportation of Dangerous Goods**

The views of the Irish Aviation Authority is also sought in relation to aviation safety aspects if the weapons / munitions are classified as ‘dangerous goods’ in accordance with instructions stipulated by the International Civil Aviation Organisation (ICAO). The IAA verifies that the airline is complying with the requirements of the ICAO Technical Instructions. If the packaging of dangerous goods does not comply with the Technical Instructions or the products are normally forbidden under the Technical Instructions, the applicant must provide a copy of the applicable exemption issued by the State of Origin of the airline.

### **Foreign Military Aircraft**

Foreign military aircraft require the permission of the Minister for Foreign Affairs to overfly or land in the State in accordance with the Air Navigation (Foreign Military Aircraft) Order 1952. The Minister for Transport, Tourism and Sport has no statutory responsibility in regard to these matters.