

**IRISH AIRSOFT
ASSOCIATION**

Airsoft, The Republic of Ireland and the Law.

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Introduction

The IAA would like to thank the recipients and readers of this document for taking the time to give the issues specific to airsoft consideration.

What is airsoft

Airsoft is a modern hybrid sport combining the tradition of competitive “tag” sports with re-enactment and living history into a unique passtime.

Airsoft devices were developed in Japan around the 1970's to circumvent the tight restrictions placed by the Japanese Swords and Firearms laws (which have their roots in the WW2 peace agreement) which prevented civilian ownership of firearms. Due to the low muzzle energy (the energy of a projectile as it leaves the barrel) and equally low kinetic energy transfer (the amount of energy imparted to a surface on impact) it was possible for the devices to be used in wargames and tag-games similar to paintball without the potential for serious personal injury.

Airsoft equipment takes the form of highly detailed and accurate replicas of real-world firearms which are capable of propelling a light, low velocity, plastic spherical projectile by means of a number of different mechanisms (see “*Explanation of airsoft equipment*”)

In the Republic of Ireland Airsoft is a fairly new phenomenon having only recently become a feasible pursuit with the introduction of the Criminal Justice Act of 2006, despite being a widespread and immensely popular pursuit in many other contries worldwide.

In 1964, airsoft devices were deemed to be firearms by the 1964 Firearms Act which read:

2. —(1) In the Principal Act and this Act, "firearm" shall include an airgun (which expression includes an air rifle and an air pistol) and any other weapon incorporating a barrel from which metal or other slugs can be discharged and a prohibited weapon

The 2006 Criminal Justice Act altered the Firearms Acts in Ireland. According to the *Criminal Justice Act 2006, Part 5 “ammendments of Firearms Acts”, Section 26 “Ammendments of section 1 of the Principal Act”* a firearm is now defined as (at least in relation to airguns):

an air gun (including an air rifle and air pistol) with a muzzle energy greater than one joule or any other weapon incorporating a barrel from which any projectile can be discharged with such a muzzle energy,

According to this legislation any device (such as an airsoft device) whose muzzle energy is at or below 1 joule is not considered a firearm and is therefore legal to import, retail, purchase and operate without restriction within the Republic of Ireland.

Specifically, 1 joule was set as the limit due to the findings of the British House of Commons (*Home Affairs Second Report, 6 April 2000, appendix 1, section B*) which noted that spherical projectiles impacting with an energy of less than 1.35joules were “incapable of penetrating even

vulnerable parts of the body, such as the eye” and from the forensic study (*Control of Firearms in Northern Ireland and the Draft Firearms (Northern Ireland) Order 2002, paragraph 32*) which noted that minimum energy required to cause a penetrating wound lay between 2.2 and 3.0ft/lb (foot pounds) or 3 – 4 joules.

What is the IAA

Founded in 2006 after changes in the applicable legislation and constituted as the de facto governing body for the sport by its membership at its first annual general meeting (December 12th, 2007) the Irish Airsoft Association is a non-profit, voluntary organisation dedicated to protecting the interests of the airsoft community and encouraging the responsible growth of the pursuit.

The IAA membership is made of every interested group within the airsoft community (players, commercial interests etc) and has advocated the voluntary adherence of its membership to agreed standards (see attached documents; Retailers Regulations, Venue Regulations and Code of Conduct). The IAA constitution, code of conduct etc has been used as the model for a number of foreign organisations (Malta & Portugal) and has been instrumental in the association becoming an all-Ireland representative body (including Northern Ireland pending minor changes to the IAA Constitution).

The stated objective of the IAA is to ensure the continued existence, freedom and growth of the community in the whole of Ireland and to protect the rights of its members to practice their chosen sport without interference where they themselves do not interfere with others.

The issues

Recently there has been a lot of media attention on criminal activity relating to “gun-crime” and we have seen drastic and sweeping changes enacted by the Department of Justice (DoJ) with relation to legal pistol ownership in Ireland. The provision of a bill of miscellaneous addendums to the Criminal Justice Act of 2006 will likely contain restrictions with relation to airsoft as a sport.

The IAA does not dispute that airsoft devices and equipment may be used irresponsibly or in the commission of a criminal act – however – the association, as a whole, disputes that airsoft is the direct cause of any criminal activity. It has been the position of the association that the propensity towards criminal activity is down to the choice of an individual and not contingent on the access to, or possession of any single object.

The IAA recognises that airsoft equipment can be used to intimidate – however, no statistical study exists to show that more instances of threats with airsoft devices occur than with other objects such as knives, syringes, hurleys or large dogs.

The IAA also recognises that since the introduction of Airsoft to Ireland there has been an unexpected and unprecedented surge in its popularity and availability (mainly through “gadget shops” and “head shops”). Due to absence of any legislation regarding the specifics of replicas (to include swords, knives or firearms) it has been possible for irresponsible retailers to make airsoft equipment available to persons under the age of 16.

What are the IAA's proposals

The IAA proposes the following legislative and policy changes as a means of controlling the unchecked proliferation of airsoft equipment and its irresponsible use;

- 1) Legislation should be introduced to include the specific offence of carrying or brandishing a replica device in a public place in a manner that is reasonable to cause harm or distress to others.
- 2) Legislation should be introduced to restrict the sale of airsoft replicas to persons over 18 or to those over 16 with consent of a parent or guardian.
- 3) That the authorities should enter into negotiations with the dedicated commercial interests with a view to agreeing a set standard for the issuing of a "permit to trade" for all those wishing to retail equipment.

The IAA feels that the above, properly implemented and policed constitutes the greatest effect possible with regard to the issue of both irresponsible use and unchecked proliferation of devices. Furthermore the IAA feels that additional restrictions placed on the airsoft community and the equipment required for the community to exist constitutes a prejudicial response by the authorities.

Introduction of measures preventing the sale of equipment to persons not registered with particular group (including IAA membership) would drive small enterprise out of business. Mandatory registration of equipment is physically impossible with regard to airsoft owing to a lack of serial numbers (and the ease with which these could be altered, damaged or removed). Requiring that a specific percentage of the device be painted or coloured to distinguish it from a real firearm are at best useless (they can be painted over) and at worst a potential danger (criminals could paint real firearms to look like legal "toys").

The majority of the airsoft community supports the proposed legislation and policies.

Explanation of Airsoft Equipment

Paintball and Airsoft share more similarities in the field of equipment. Most paintball venues supply camouflage overalls to players to protect their clothes from the paint and both sports insist on eye protection as a bare minimum to protect from unlikely, but still potential, accidental injury.

Where Airsoft and Paintball tend to differ is in the tag devices. Paintball players use "Markers", which are powered by compressed gas and fire 3gram paint filled cellulose balls at about 100meters per second. The design of these Markers is most often very simple and designed for practicality rather than aesthetics however MilSim paintball players often invest in much more realistic looking markers designed as replicas of modern firearms.

Airsoft devices are quite different in that they are most often highly detailed and specifically targeted towards the MilSim and Woods Ball players. These Airsoft devices most often use a 6mm plastic (or other biodegradable substance) round weighing about 0.2gm which is accelerated either by electric motor or gas charge and travels at about 90-100 meters per second.

When you are hit with a paintball the cellulose shell shatters splattering paint over the affected area. The impact of the paintball, though certainly capable of stinging, rarely results in anything more serious than a small bruise or welt.

The impact of an Airsoft round may sting sharply for a few seconds and can leave a small bruise or red mark if it hits bare skin. The low velocity and low weight of the Airsoft round ensures its safe use by players.

| Device | Projectile | Average Speed | Muzzle Energy | Power Source |
|-----------|--|--------------------------|-----------------------------|-----------------------------|
| Airsoft | 6mm 0.2g Plastic Pellet (most common) | 250-325 Fps (80-100 m/s) | Generally less than 1 joule | Battery or Low-pressure gas |
| Paintball | 3g Cellulose or Plastic Ball (approximate 1.5 - 2cm) | 300 Fps (90m/s) | Between 11 and 17 joules | Compressed gas |

As you can see, Paintball Markers create a much larger force than an Airsoft device.

In real world terms a joule is the equivalent of the energy required to lift a small apple (102g) one meter against Earth's gravity, one hundredth of the energy a person can get by drinking a single 5 mm diameter droplet of beer or the kinetic energy of a tennis ball dropped from 1 meter under Earth's gravity.

Safety & Urban Myths

The perception that many people have of Airsoft is coloured by the equipment and apparel used by the players. This has led to a number of misconceptions, myths and some concern about the sport, not the least of which is the safety issues.

Safety is the primary concern of any responsible venue operator and players of Airsoft. It is also an inherent feature of the device design and equipment used during skirmishes.

All players wear protective goggles or ballistic glasses designed to withstand impacts higher than those of the plastic Airsoft rounds. Use of eye protection is mandatory on all sites in Ireland and the UK and is the generally accepted practice amongst all Airsoft players.

In addition to eyewear, many players choose to wear plastic or cushioned neoprene masks to protect their face and teeth. Military grade and replica helmets are common, as are kneepads and the vast majority of players wear gloves to protect their fingers and hands. While there is no danger of serious injury, most players prefer to avoid the sharp stings of Airsoft rounds impacting exposed, bony areas.

Venues always have what is called a "safe zone". In this area every Airsoft device must be switched to "safe" and the magazine removed before entry. This ensures that no accidents can take place in the presence of people who may not be wearing their eye protection.

Further to this, many venues adopt a "fire zone only" policy, which means that the Airsoft devices outside of the actual play area must be inactive (safety on and magazine out) regardless of whether a player is in a designated "safe zone" or not.

Finally, all Airsoft games and venues, like Paintball and Laser tag, have marshals operating within the play area. The purpose of this is to make sure that the rules of the game are followed (eliminated players leaving the play area, etc) and that the safety rules are adhered to. Marshall's

also provide an additional layer of safety in that, should the worst happen and a player is injured, the game can be stopped immediately and the injured party can be safely and quickly removed from the play area and given whatever appropriate first aid or medical attention is required.

Regardless of this, there are still a number of misconceptions that surround the Airsoft devices and the sport in general. We will attempt to dispel a number of this but please keep in mind that it is not feasible to cover every potential misconception and we make no claim to do so.

Examples of common misconceptions

Airsoft devices are dangerous, can cause injury or even kill!

Airsoft devices are specifically designed to be harmless beyond a sharp sting. According to the law, the legal and scientific threshold for any projectile round to cause a wound is greater than 1.35 joules of muzzle energy¹. All Airsoft devices used in skirmishes produce muzzle energy at or below 1 joule, that is, more than 20% less than the defined energy required for any round to cause any significant injury.

Many people claim that an impact with the human eye, even at such low velocities, could result in the loss of the eye or other significant permanent damage. This is also erroneous since the 1joule limit takes into account the resilience of the human eye.

It is currently recognised by the British Home Office and forensic science service that projectiles with muzzle energy of less than 1.35j are “incapable of penetrating even vulnerable parts of the body, such as the eye, although a direct hit from very close range would cause bruising”²

Furthermore, it has also been noted that “assessments by forensic scientists had indicated that the minimum muzzle energy required to inflict a penetrating wound lay between 2.2 and 3.0 ft/lb (foot pounds), or 3-4 joules.”³

Airsoft devices are illegal in Ireland.

The current law in Ireland exempts any device launching a projectile with muzzle energy not exceeding 1 joule from classification as a firearm⁴. Therefore, Airsoft devices are indeed legal and in fact fall under the definition of “projectile toys” under the definitions set by European standards.

The IAA acknowledges that people may take exception with their legality on the grounds of their arguing that there should be some legislation applied to their purchase, import and operation. The IAA fully supports fair and balanced legislation to prevent the misuse of Airsoft equipment provided it does not impact negatively on the Airsofting community.

Airsoft devices are the same thing as BB guns and Air Guns.

No, they are not. The IAA does however understand that there is some confusion in this regard.

To clarify:

Air Guns are weapons which propel a lead projectile at high velocity and are typically used for target shooting and hunting very small game (rodents etc). *Air guns* use compressed gas and

¹ The kinetic energy possessed by a projectile as it leaves the barrel of the device.

² British House of Commons, Home Affairs Second Report, 6 April 2000, Appendix 1, section b.

³ Control of Firearms in Northern Ireland and the Draft Firearms (Northern Ireland) Order 2002, paragraph 32.

⁴ Criminal Justice Act 2006, Part 5 “Amendments of Firearms Acts”, section 26 “Amendments of section 1 of the Principle Act”

generate muzzle energy in the region of 17joules. Such muzzle energy is far in excess of the physical capabilities of any Airsoft device.

A *BB gun* (wherein the “*BB*” is actually a gauge rather than a contraction of “ball bearing”) is a weapon that propels a metal projectile at high velocities by means of an explosive charge or compressed gas. *BB guns* are capable of achieving muzzle velocities in excess of 1000 feet per second and are often used for hunting rabbits and other small animals as well as for target shooting. These uses and stats are also far outside the potential of an Airsoft device and distinction should be drawn. An Airsoft device is a precision sporting device designed to safely propel a plastic bead or ball at speeds in the region of 100meters per second. Airsoft rounds and devices are incapable of producing the energy required to cause harm and as such are suitable for player-to-player “tagging”.

Airsoft devices could be loaded with metal shot making them lethal weapons.

Airsoft devices are precision devices that are designed to operate within specific parameters.

First, the weight of a metal round is far higher than that of an Airsoft round⁵, which means that an Airsoft device is unable to generate sufficient energy to propel the metal round with any significant velocity.

Second, the internal gearboxes of Airsoft devices, the part of the device which loads the ammunition from the magazine into the barrel, are constructed to deal with a very light, and very specifically dimensioned⁶ projectile. Any attempt to force the gearbox to cope with vastly heavier objects (>1.5g), or objects not meeting the tolerances mentioned in footnote 6, will severely damage the device.

Finally, the barrel of an Airsoft device is specifically machined to very exact tolerances⁷, any attempt to pass anything but an Airsoft specific pellet through them will result in one of two things happening. Either the projectile will be too small to form an air seal and will simply roll out of the barrel, or it will be too large, and jam in it.

Airsoft will lead people to want to buy real firearms.

There is no such thing as a “gate way sport”. If an Airsoft player wishes to take the time to learn to operate, store and maintain a firearm that is legally purchased, licensed and registered then there is no issue.

Airsoft, as a sport, has nothing to do with actual firearms and the IAA make it clear that any member who operates an actual firearm does so outside of the remit of the IAA and Airsoft.

Airsoft devices are regularly used in crimes.

It is the intent of the perpetrator of a crime that is the problem and not the object used. No statistical study exists with regard to this question and it is a matter of conjecture as to whether their use would be regular to the point of excluding other objects such as knives, hammers and syringes.

Airsoft and Paintball glorify violence, war and crime.

This is a common point of view. It is also exactly the same one that many people have towards video games, rock/heavy metal/rap music, modern cinema, television shows and the news. There has never been a conclusive study showing a causal link between video games, music etc and violent crime much less one showing a causal link between involvement in specific sports and violent crime.

⁵ Airsoft pellets are available in weights from 0.12g up to a maximum of 0.42g

⁶ Airsoft pellets are machined to exactly 5.95mm with a maximum tolerance of 0.01mm either way

⁷ Airsoft barrels are manufactured in steps of 0.01mm from 6.08mm down to 6.01mm

Statement in Closing

Airsoft is a sport which has served to establish a new retailer industry in Ireland, it has spawned many gaming sites which have served as a mixing ground for people of all ages, from all cultures and of every level of physical ability from wheelchair bound to fighting fit.

Airsoft is responsible for bringing about a massive lifestyle change for many people of all ages. People who had previously spent their time indoors playing video games and watching television are now actively engaged in airsoft as an outdoor pursuit. Airsoft provides these people with much needed exercise, a huge benefit in itself given the rising levels of obesity in Irish society.

Furthermore, the venues serve as a hugely social place where people all come together in the name of a common interest, and the ensuing community spirit among the players is incredible. The Filipino populous in Dublin have taken to airsoft in huge numbers, numerous other regular players hail from Poland, the Czech republic, China and South Africa to mention but a few. There is a massive cross border community with the airsofters in Northern Ireland. In short, airsoft is a fantastic gateway for social integration in Irish society.

The airsofting community is comprised of a group of responsible, passionate and fun loving people. The sport has brought a boost in jobs, trade and outdoor activity to the country. Airsoft devices are entirely safe by design, yet by virtue of their appearance, everything that the sport has accomplished stands to be dismissed through the the introduction of laws which will serve no purpose what so ever but to deny a passtime to community, and a business to the sites and retailers. There is no valid defence for the demonisation of this sport and its players purely on account of the inability of the current government to effectively police the state.

Comparative table of muzzle energies by calibre.

| Device | Manufacturer | Model (compared) | Mechanism | Ammunition | Diameter | Weight | Material | Velocity | Energy |
|---|--------------------|-------------------|----------------------|-----------------------|----------|----------|------------|----------|--------|
| Airsoft | n/a | n/a | Automatic Electric* | 6mm Airsoft | 6mm | 0.2gram | Plastic | 100m/s | 1j |
| Paintball | n/a | n/a | Compressed Air | .68 Calibre Paintball | 17.3mm | 3.0gram | PPE Glycol | 100m/s | 15j |
| Airgun | RWS | RWS M350 | Single Stroke Spring | .177 Calibre Pellet | 4.5mm | 0.45gram | Steel | 381m/s | 33j |
| 9mm Pistol | American Eagle | AE9AP | Explosive charge | 9X19mm Bullet | 9mm | 8gram | Lead | 350.5m/s | 495j |
| .22 Rifle | Lapua | Midas L 2.6g | Explosive charge | .22 Calibre bullet | 5.6mm | 2.6gram | Lead | 325m/s | 137j |
| 6mm Rifle | Remington Arms Inc | Remington Express | Explosive charge | 6mm Remington | 6mm | 6.48gram | Lead | 945m/s | 2092j |
| 6mm Airsoft information based on any standard 0.2g Airsoft BB propelled from a Automatic Electric Airsoft operating at the legal limit of 1joule | | | | | | | | | |
| Paintball information based on an average Paintball Marker with a standard .68 calibre paintball | | | | | | | | | |
| Airgun information based on the manufacturer statistics for the RWS M350 Airgun (http://www.rws-airguns.com/) | | | | | | | | | |
| 9mm pistol ammunition statistics taken from Federal Premium Ballistics Ltd (http://www.federalpremium.com/ballistics) | | | | | | | | | |
| .22 Rimfire Long Rifle information taken from the manufacturers specifications (http://www.lapua.com/index.php?id=898) | | | | | | | | | |
| 6mm Rifle details based on manufacturer specifications (http://www.remington.com/products/ammunition/ballistics/comparative_ballistics_results.aspx?data=R6MM4) | | | | | | | | | |
| All information included as a comparisson of kinetic muzzle energy | | | | | | | | | |
| Airsoft devices, like Paintball Markers, do not use an explosive propellant in their respective mechanisms. | | | | | | | | | |
| *Airsoft electric devices use a electric motor driven piston to compress a small quantity of air behind a BB to propel it. | | | | | | | | | |

Contact details

Should you wish to contact the IAA with regard to any specific matter please do not hesitate to do so at any of the details listed below.

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