



ST. CHRISTOPHER AND NEVIS

CHAPTER 19.05

FIREARMS ACT and Subsidiary Legislation

Revised Edition

showing the law as at 31 December 2009

This is a revised edition of the law, prepared by the Law Revision Commissioner under the authority of the Law Revision Act, Cap. 1.03.

This edition contains a consolidation of the following laws—

FIREARMS ACT

Act 23 of 1967 ... in force 19th December 1967

Amended by: Act 27 of 1976

Act 11 of 1983

Act 8 of 1994

Act 11 of 1996

Act 10 of 1998

Act 6 of 2000

Act 19 of 2006

Act 15 of 2007

Amended by: S.R.O. 6/2006

FIREARMS REGULATIONS – Section 48

S.R.O. 1/1968

FIREARMS (APPEALS TO THE MINISTER) REGULATIONS – Section 48

S.R.O. 2/1968

FIREARMS (AIR GUNS PRESCRIPTION) REGULATIONS – Section 48

S.R.O. 33/1968

FIREARMS (PRESCRIPTION OF FEES) ORDER – Section 48

S.R.O. 5/2006

Page

3

36

51

52

52

**CHAPTER 19.05
FIREARMS ACT**

ARRANGEMENT OF SECTIONS

1. Short title

PART I

PRELIMINARY

2. Interpretation
3. Declaration of restricted person

PART II

IMPORTATION, EXPORTATION AND TRANSHIPMENT

4. Restriction on importation, exportation and transhipment of firearms and ammunition
5. Travellers to make declaration of firearms and ammunition
6. Further provisions relating to declaration of firearms or ammunition by travellers
7. Custody of firearms and ammunition by officer of customs
8. Firearms and ammunition not to be held to be imported into Saint Christopher and Nevis in certain circumstances

PART III

MANUFACTURE, SALE, PURCHASE AND REPAIR OF FIREARMS AND AMMUNITION

9. General restrictions upon manufacture and dealing in firearms and ammunition
10. Restrictions upon acquisition or disposal of firearms and ammunition
11. Restriction on delivery of firearm and ammunition
12. Special restrictions upon holders of Firearm Manufacturers' or Firearm Dealers' Licences
13. General restriction on repair and transfer of firearms and ammunition
14. Restrictions relating to gunsmiths
15. Special restrictions on shortening firearms and converting imitation firearms into firearms
16. Notice to be displayed by licensees
17. Records and returns
18. Revocation of licences in case of certain offences
19. Penalty for taking in pawn firearms or ammunition

PART IV

POSSESSION AND USE OF FIREARMS AND AMMUNITION

20. Possession of firearms and ammunition
21. General restriction upon carrying firearms and ammunition in public
22. Special restriction on carrying of firearms and ammunition in public places
23. Restrictions relating to the discharge of firearms and ammunition
24. Penalty for possessing firearm or ammunition with intent to injure

25. Penalty for use and possession of firearms or imitation firearms in certain circumstances
26. Penalty for use of firearm or ammunition in contravention of terms or conditions of licences, etc.

PART V

LICENCES, CERTIFICATES AND PERMITS

27. Types of licences, certificates and permits
28. Application for licences, certificates and permits
29. General provisions as to grant and issue of licences, certificates and permits
30. Firearm User's (Employee's) Certificate
31. Special provisions relating to Firearm User's (Special) Permit
32. Special provisions relating to Firearm Disposal Permit
33. General provisions as to licences, certificates and permits
34. Duration of licence or permit
35. Amendment of licences, certificates and permits
36. Revocation of licences, certificates and permits
37. Appeals
38. Appropriate authority

PART VI

POWER OF SEARCH AND TO OBTAIN INFORMATION

39. Power of police officer to require production of licence, certificate or permit
40. Further provisions relating to production of licence, certificate or permit
41. Report of loss or theft of firearm or ammunition
42. Power to stop and search vehicles
43. Search warrants

PART VII

FINANCIAL AND MISCELLANEOUS PROVISIONS

44. Appropriate fee
 45. Custody of a firearms and ammunition
 46. Forfeiture of firearms and ammunition
 47. Carrying firearms or ammunition in parts
 48. Regulations
 49. Service of notices
 50. General penalty
 51. Compulsory imprisonment for certain offences
 52. Saving
 53. Inaugural provisions
- FIRST SCHEDULE: Offences in relation to which possession of a firearm or imitation firearm contravenes subsection (2) of section 25
- SECOND SCHEDULE: List of Police Stations
- THIRD SCHEDULE: Firearms Regulations
- FOURTH SCHEDULE: The Firearms (Appeals to the Minister) Regulations

FIFTH SCHEDULE: Firearms (Air Guns Prescription) Regulations
SIXTH SCHEDULE: Firearms (Prescription of Fees) Order

CHAPTER 19.05 FIREARMS ACT

AN ACT TO MAKE PROVISION FOR THE IMPORTATION, EXPORTATION, SALE, REPAIR, MANUFACTURE, POSSESSION AND USE OF FIREARMS AND AMMUNITION, AND FOR THE REGISTRATION AND LICENSING OF FIREARMS; AND TO PROVIDE FOR RELATED OR INCIDENTAL MATTERS.

Short title.

1. This Act may be cited as the Firearms Act.

PART I PRELIMINARY

Interpretation.

2. (1) In this Act—

“acquire” means hire, accept as a gift or borrow;

“appointed day” means the 19th day of December, 1967;

“appropriate authority” means, in relation to the grant, amendment or revocation of any licence, certificate or permit, the appropriate authority specified in section 38;

“ammunition” means ammunition for any firearm and includes restricted ammunition;

“artillery” means any cannon, howitzer, mortar or flamethrower except of a type commonly in use before the year one thousand eight hundred and fifty;

“automatic firearm” means any firearm so designed or adapted that if pressure is applied to the trigger missiles continue to be discharged until pressure is removed from the trigger or the magazine containing the missiles is empty;

“certificate” means a certificate under this Act;

“chief officer of police” means, in respect of an area which constitutes a single police division, the officer designated by the Chief of Police to be the chief officer of police in that area for the purposes of this Act;

“firearm” means any lethal barreled weapon from which any shot, bullet or other missile can be discharged, or any restricted weapon or, unless the context otherwise requires, any prohibited weapon, and includes any component part of any such weapon and any accessory to any such weapon designed or adapted to diminish the noise or flash caused by firing the weapon but does not include any air rifle, air gun, or air pistol of a type prescribed by the Minister of National Security and of a calibre so prescribed;

(Amended by Act 6 of 2000)

“Firearm Dealer’s Licence” means a licence authorising the holder thereof to buy or sell or buy and sell at such place as may be specified in the licence firearms or ammunition of such type as may be so specified;

“Firearm Disposal Permit” means a permit authorising the holder thereof to dispose of the firearm or ammunition specified therein;

- “Firearm Export Permit” means a permit authorising the holder thereof during such period as may be specified therein to export from Saint Christopher and Nevis to such destination and in such manner such firearms or ammunition of such type as may be so specified;
- “Firearm Import Permit” means a permit authorising the holder thereof during such period as may be specified therein to import into Saint Christopher and Nevis from such source as may be specified therein such firearms or ammunition as may be so specified;
- “Firearm Manufacturer’s Licence” means a licence authorising the holder thereof to manufacture in Saint Christopher and Nevis at such place as may be specified in the licence firearms or ammunition of such type as may be so specified and to buy and sell in Saint Christopher and Nevis at such place as may be so specified firearms or ammunition of such type as may be so specified (whether manufactured by the holder or not);
- “Firearm Transhipment Permit” means a permit authorising the holder thereof during such period as may be specified therein to tranship from some vessel so specified to some other vessel so specified such firearms or ammunition of such type as may be so specified;
- “Firearm User’s Licence” means a licence authorising the holder thereof, subject to section 22 and to the terms and conditions specified in the licence, to be in possession of the firearm or ammunition so specified;
- “Firearm User’s (Employee’s) Certificate” means a certificate issued pursuant to section 30;
- “Firearm User’s (Special) Permit” means a permit authorising the holder thereof to be in possession of the firearm or ammunition specified therein within any area so specified to which section 22 applies upon such occasions as may be so specified;
- “Gunsmith’s Licence” means a licence authorising the holder thereof to carry on the business of repairing, testing or proving firearms or ammunition at such premises as may be specified in the licence;
- “licence” means a licence under this Act;
- “officer of customs” means any officer in the Department of Customs;
- “police officer” means any member of the Royal Saint Christopher and Nevis Police Force;
- “permit” means a permit under this Act;
- “prohibited weapon” means—
- (a) any artillery or automatic firearm; or
 - (b) any grenade, bomb or other like missile;
- “restricted ammunition” means any ammunition containing or designed to contain any noxious liquid, gas or other thing;
- “restricted person” means any person who—
- (a) is a habitual criminal;
 - (b) has at any time within five years next before the event in relation to which the term is used—

- (i) been declared by a court pursuant to section 3 to be a restricted person; or
- (ii) been convicted of an offence involving violence and sentenced to a term of imprisonment, whether with or without hard labour, exceeding three months;

“restricted weapon” means any weapon of whatever description or design which is adapted for the discharge of any noxious liquid, gas or other thing;

“slaughtering instrument” means a firearm which is specially designed or adapted for the instantaneous slaughter of animals or for the instantaneous stunning of animals with a view to slaughtering them;

“transfer” includes let on hire, give, lend and part with possession;

“traveler” means any person who arrives in Saint Christopher and Nevis as an officer or member of the crew or passenger or stowaway upon any vessel or aircraft.

(2) For the purposes of this Act, any firearm or ammunition shall be deemed to be of an obsolete type if of a type commonly in use before the year one thousand eight hundred and fifty or of such other type as the Chief of Police may certify as being obsolete.

Declaration of restricted person.

3. A court before which a person is convicted of an offence under this Act (other than an offence against section 41) or under any law in force before the commencement of this Act in respect of the importation, exportation, possession or use in Saint Christopher and Nevis of any firearm or ammunition, may declare that person to be a restricted person for the purposes of this Act.

PART II

IMPORTATION, EXPORTATION AND TRANSHIPMENT

Restriction on importation, exportation and transhipment of firearms and ammunition.

4. (1) A person shall not import into, export from or tranship in Saint Christopher and Nevis any firearm or ammunition except under and in accordance with the terms of a Firearm Import Permit, Firearm Export Permit or Firearm Transhipment Permit, as the case may be.

(2) Every person who contravenes subsection (1) commits an offence and shall be liable—

(a) in the case of an offence relating to a prohibited weapon—

(i) on summary conviction before a Magistrate, to imprisonment with or without hard labour for a term of not less than five years and not exceeding ten years;

(Amended by Acts 8 of 1994 and 19 of 2006)

(ii) on conviction before the High Court, to imprisonment with or without hard labour for a term of not less than ten years;

(Amended by Acts 11 of 1996 and 19 of 2006)

- (b) in the case of an offence relating to a restricted weapon or to restricted ammunition—
 - (i) on summary conviction before a Magistrate, to imprisonment with or without hard labour for a term of not less than five years and not exceeding ten years; or
(Amended by Acts 8 of 1994, 11 of 1996 and 19 of 2006)
 - (ii) on conviction before a High Court to imprisonment with or without hard labour for a term of not less than ten years;
(Amended by Acts 11 of 1996 and 19 of 2006)
- (c) in any other case—
 - (i) on summary conviction before a Magistrate, to imprisonment with or without hard labour for a term not less than five years and not exceeding ten years; or
(Amended by Acts 8 of 1994, 11 of 1996 and 19 of 2006)
 - (ii) on conviction before the High Court to imprisonment with or without hard labour for a term of not less than seven years and not more than ten years.
(Amended by Acts 8 of 1994 and 19 of 2006)

Travellers to make declaration of firearms and ammunition.

5. (1) Every traveller who disembarks in Saint Christopher and Nevis shall, on being required so to do by any officer of customs, make a declaration in the prescribed form stating whether he or she has any, and, if so, what firearms or ammunition in his or her possession or under his or her control.

(2) Every traveller who—

- (a) contravenes subsection (1); or
- (b) in any declaration required by subsection (1) makes a statement which is false,

commits an offence and on summary conviction before a Magistrate shall be liable to a fine not exceeding two thousand five hundred dollars or to imprisonment with or without hard labour for a term of not less than five years and not exceeding ten years.

(Amended by Acts 8 of 1994 and 19 of 2006)

Further provisions relating to declaration of firearms or ammunition by travellers

6. (1) Every traveller who declares under section 5 that he or she has any firearm or ammunition in his or her possession, unless he or she is the holder of a Firearm Import Permit, shall either—

- (a) cause such firearm or ammunition to be retained upon the vessel or aircraft upon which he or she arrived into Saint Christopher and Nevis until after such vessel or aircraft departs from Saint Christopher and Nevis; or
- (b) deliver such firearm or ammunition to an officer of customs in a sealed packet to be dealt with in accordance with section 7.

(2) Every person who contravenes subsection (1) commits an offence.

Custody of firearms and ammunition by officer of customs.

7. Every firearm or ammunition received by any officer of customs pursuant to section 6 shall be retained in the sealed packet in which it is received until either—

- (a) the traveller from whom it was received produces to an officer of customs a Firearm Import Permit in respect of such firearm or ammunition and a licence or certificate authorising him or her to be in possession of such firearm or ammunition and pays the appropriate customs duty and tax on such firearm or ammunition, in which event it shall be delivered to the traveller;
- (b) such traveller gives reasonable notice in writing to the Comptroller of Customs or some other officer of customs specifying some port at which he or she intends to embark for some place outside Saint Christopher and Nevis and the date, time and vessel upon which he or she intends so to embark, in which event the sealed packet containing such firearm or ammunition shall be delivered to the traveller immediately before he or she so embarks;
- (c) some person satisfies the Comptroller of Customs that he or she is lawfully entitled to the possession of such firearm or ammunition and either—
 - (i) produces a Firearm Import Permit in respect of such firearm or ammunition and a licence or certificate authorising him or her to be in possession of such firearm or ammunition, and pays the appropriate customs duty and tax on such firearm or ammunition in which event it shall be delivered to such person; or
 - (ii) gives to the Comptroller of Customs a notice of the nature referred to in paragraph (b), in which event such firearm or ammunition shall be delivered to such person as if he or she had been the traveller from whom such firearm or ammunition was received; or
- (d) the Comptroller of Customs is authorised to dispose of such firearm or ammunition in such circumstances and after such period as may be prescribed.

Firearms and ammunition not to be held to be imported into Saint Christopher and Nevis in certain circumstances.

8. For the purposes of this Part, a person shall not be held to import any firearm or ammunition into Saint Christopher and Nevis merely by reason of such firearm or ammunition being in his or her possession or under his or her control on some vessel within the territorial waters of Saint Christopher and Nevis or on some aircraft flying over Saint Christopher and Nevis or its territorial waters or at some aerodrome in Saint Christopher and Nevis unless he or she causes or attempts to cause or permits such firearm or ammunition to be landed (from such vessel or aircraft in Saint Christopher and Nevis otherwise than for the purpose of being delivered to an officer of customs in accordance with section 6.

PART III

MANUFACTURE, SALE, PURCHASE AND REPAIR OF FIREARMS AND AMMUNITION

General restrictions upon manufacture and dealing in firearms and ammunition.

9. (1) A person shall not manufacture or deal in—
- (a) firearms or ammunition except under and in accordance with the terms of a Firearm Manufacturer's Licence or a Firearm Dealer's Licence; or
 - (b) any prohibited weapon.
- (2) Every person who contravenes subsection (1) commits an offence and shall be liable, in the case of—
- (a) an offence in relation to the manufacture of, or to dealing in, prohibited weapons—
 - (i) on summary conviction before a Magistrate, to imprisonment with or without hard labour for a term of not less than five years and not exceeding ten years; or
 - (ii) on conviction before the High Court to imprisonment with or without hard labour for a term of not less than five years; or
 - (b) an offence in relation to the manufacture of any firearm (other than a prohibited weapon) or ammunition or to dealing in restricted weapons or restricted ammunition—
 - (i) on summary conviction before a Magistrate, to imprisonment with or without hard labour for a term of not less than five years and not exceeding ten years; or
 - (ii) on conviction before the High Court, to imprisonment with or without hard labour for a term of not less than ten years;
 - (c) an offence in relation to dealing in firearms or ammunition, other than prohibited or restricted weapons or restricted ammunition—
 - (i) on summary conviction before a Magistrate, to imprisonment with or without hard labour for a term of not less than five years and not exceeding ten years; or
 - (ii) on conviction before the High Court, to imprisonment with or without hard labour for a term not less than seven years and not more than ten years.

(Amended by Acts 8 of 1994, 11 of 1996 and 19 of 2006)

Restrictions upon acquisition or disposal of firearms and ammunition.

10. (1) A person shall not purchase, acquire, sell or transfer any prohibited weapon.
- (2) A person shall not purchase or acquire any firearm or ammunition from or sell or transfer any firearm or ammunition to any person whom he or she knows or has reason to believe to be under seventeen years, except where such other person is the holder of a certificate issued under paragraph (j) of subsection (2) of section 20.
- (3) A person shall not purchase or acquire any firearm or ammunition unless—

- (a) subject to subsection (9), he or she is the holder of a Firearm Manufacturer's Licence or a Firearm Dealer's Licence or a Firearm User's Licence in relation to a firearm or ammunition of the type purchased or acquired by him or her; and
 - (b) subject to subsections (8) and (9), the person from whom he or she purchases or acquires such firearm or ammunition is the holder of a Firearm Manufacturer's Licence or a Firearm Dealer's Licence, or a Firearm Disposal Permit in respect of the firearm or ammunition so purchased or acquired from such person.
- (4) A person shall not sell or transfer any firearm or ammunition unless—
- (a) subject to subsections (8) and (9), he or she is the holder of a Firearm Manufacturer's Licence, or a Firearm Dealer's Licence, or a Firearm Disposal Permit in respect of the firearm or ammunition so sold or transferred by him or her; and
 - (b) subject to subsection (9), the person to whom he or she sells or transfers such firearm or ammunition is the holder of a Firearm User's Licence or a Firearm Dealer's Licence or a Firearm Manufacturer's Licence in respect of a firearm or ammunition of the type so sold or transferred to such person.
- (5) A person, other than the holder of a Firearm Manufacturer's Licence or a Firearm Dealer's Licence, shall not accept the delivery of any firearm or ammunition pursuant to any purchase or acquisition of such firearm or ammunition except in accordance with section 11.
- (6) A person shall not, pursuant to any purchase or acquisition of any firearm or ammunition deliver such firearm or ammunition to any person other than the holder of a Firearm Manufacturer's Licence or a Firearm Dealer's Licence except in accordance with section 11.
- (7) Every person who contravenes this section commits an offence, and shall be liable—
- (a) in the case of the purchase, acquisition, sale or transfer of a prohibited weapon—
 - (i) on summary conviction before a Magistrate, to imprisonment with or without hard labour for a term of not less than five years and not exceeding ten years; or
 - (ii) on conviction before the High Court, to imprisonment with or without hard labour for a term of not less than ten years;
 - (b) in the case of the purchase, acquisition, sale or transfer of a restricted weapon or of restricted ammunition by any person or of the purchase, acquisition, sale or transfer of a firearm or ammunition other than a prohibited or restricted weapon or restricted ammunition by a restricted person—
 - (i) on summary conviction before a Magistrate, to a fine not exceeding five thousand dollars or to imprisonment with or without hard labour for a term of not less than five years and not exceeding ten years; or
 - (ii) on conviction before the High Court, to imprisonment with or without hard labour for a term of not less than seven years and not more than ten years;

- (c) in any other case, on summary conviction before a Magistrate, to imprisonment with or without hard labour for a term of not less than five years and not exceeding ten years.

(Amended by Acts 8 of 1994, 11 of 1996 and 19 of 2006)

(8) Notwithstanding anything to the contrary, firearms (other than prohibited weapons) or ammunition may be sold at a public auction by the Comptroller of Customs without any such licence or permit as is referred to in paragraph (a) of subsection (4).

(9) Subsections (3) and (4) in so far as they relate to the acquisition or transfer of a firearm or ammunition shall not apply to the obtaining of possession of a firearm or ammunition by any such person as is mentioned in paragraphs (b) to (i) of subsection (2) of section 20 in the circumstances set out in those paragraphs.

Restriction on delivery of firearm and ammunition.

11. (1) Where any person (in this section referred to as “the purchaser”) other than the holder of a Firearm Manufacturer’s Licence or a Firearm Dealer’s Licence proposes to purchase or acquire any firearm or ammunition from any other person (in this section referred to as “the vendor”)—

- (a) the vendor and purchaser shall certify to the Chief of Police in writing particulars as to—
- (i) the purchaser’s name and address;
 - (ii) the vendor’s name and address; and
 - (iii) the type of firearm or ammunition to be purchased or acquired; and
- (b) the Chief of Police shall notify the purchaser and vendor in writing as to the terms and conditions on the fulfilment of which delivery of the firearm or ammunition will be permitted.

(2) Where delivery of any firearm or ammunition is effected in contravention of any terms or conditions imposed by a Chief of Police pursuant to subsection (1) the purchaser or, as the case may be, the vendor of such firearm or ammunition commits an offence and shall be liable, on summary conviction before a Magistrate, to imprisonment with or without hard labour for a term of not less than five years and not exceeding ten years.

(Amended by Acts 8 of 1994 and 19 of 2006)

Special restrictions upon holders of Firearm Manufacturers’ or Firearm Dealers’ Licences.

12. (1) A holder of a Firearm Manufacturer’s Licence or a Firearm Dealer’s Licence shall not manufacture or deal in firearms or ammunition elsewhere than at the place specified in his or her licence or in any amendment thereof.

(2) Every person who contravenes subsection (1) commits an offence and shall be liable—

- (a) if such offence relates to any restricted weapon or restricted ammunition—
- (i) on summary conviction before a Magistrate, to imprisonment with or without hard labour for a term not less than five years and not exceeding ten years; or

- (ii) on conviction before the High Court, to imprisonment with or without hard labour for a term of not less than ten years; or
- (b) in any other case—
 - (i) on summary conviction before a Magistrate, to a fine not exceeding two thousand five hundred dollars or to imprisonment with or without hard labour for a term not exceeding twelve months; or
 - (ii) on conviction before the High Court, to imprisonment with or without hard labour for a term not less than seven years and not more than ten years.

(Amended by Acts 8 of 1994, 11 of 1996 and 19 of 2006)

General restriction on repair and transfer of firearms and ammunition.

13. (1) A person shall not undertake the repair, test or proof of a firearm or ammunition for any other person except under and in accordance with the terms of a Gunsmith's Licence.

(2) A person shall not sell or transfer a firearm or ammunition to, or repair, test or prove a firearm or ammunition for, any person whom he or she knows, or has reasonable cause to believe, to be a restricted person, or to be drunk or of unsound mind or, at the time, otherwise unfit to be entrusted with such a firearm or ammunition.

(3) Every person who contravenes this section commits an offence.

Restrictions relating to gunsmiths.

14. (1) A holder of a Gunsmith's Licence shall not accept delivery of any firearm or ammunition for the purpose of effecting any alteration or repair thereto—

- (a) elsewhere than at the premises in respect of which he or she is licensed as a gunsmith; and
- (b) from any person unless that person produces or causes to be produced a Firearm Manufacturer's Licence, a Firearm Dealer's Licence, or a Firearm User's Licence, or a certificate issued under paragraph (j) of subsection (2) of section 20 authorising him or her to manufacture, buy, sell or be in possession of, as the case may be, such firearm or ammunition.

(2) A holder of a Gunsmith's Licence shall forthwith enter in the records kept by him or her pursuant to section 17 particulars of any licence or certificate produced to him or her pursuant to paragraph (b) of subsection (1), and shall in due course return such licence or certificate to the person who produced it.

(3) Every holder of a Gunsmith's Licence who contravenes subsection (1) or (2) commits an offence and, on summary conviction before a Magistrate, shall be liable to a fine not exceeding five thousand dollars or to imprisonment with or without hard labour for a term of not less than five years and not exceeding ten years.

(Amended by Acts 11 of 1996 and 19 of 2006)

Special restrictions on shortening firearms and converting imitation firearms into firearms.

15. (1) Subject to subsection (5), a person other than the holder of a Gunsmith's Licence shall not—

- (a) shorten a barrel of any smooth bore gun to a length of less than twenty inches;
- (b) convert into a firearm anything which is not a firearm;
- (c) convert into a prohibited weapon anything which is not a prohibited weapon; or
- (d) convert into a restricted weapon anything which is not a restricted weapon.

(2) A holder of a Gunsmith's Licence shall not do any of the things referred to in subsection (1) except with the prior written approval of the Chief of Police.

(3) Every person who contravenes subsection (1) or (2) commits an offence, and in the case of a contravention of paragraph (c) of subsection (1) shall be liable—

- (a) on summary conviction before a Magistrate to imprisonment with or without hard labour for a term of not less than five years and not exceeding ten years;
- (b) on conviction before the High Court to imprisonment with or without hard labour for a term of not less than ten years.

(Amended by Acts 8 of 1994 and 19 of 2006)

(4) For the purposes of this section, the length of the barrel of a firearm shall be measured from the muzzle to the point at which the charge is exploded on firing.

(5) This section shall not apply to the holder of a Firearm Manufacturer's Licence operating in accordance with the terms of that licence.

Notice to be displayed by licensees.

16. (1) Every holder of a Firearm Manufacturer's Licence or a Firearm Dealer's Licence or a Gunsmith's Licence shall cause to be affixed and keep affixed over one of the principal entrances of the place in which or premises upon which he or she carries on business as a firearm manufacturer or a firearm dealer or a gunsmith, as the case may be, a board on which shall be printed in legible letters at least two inches in height the name in full of such licensee and the words "Licensed as a firearm manufacturer" or "Licensed as a firearm dealer" or "Licensed as a gunsmith", as the case may be.

(2) Every person who contravenes subsection (1) commits an offence and on summary conviction before a Magistrate shall be liable to a fine not exceeding one thousand dollars or to imprisonment with or without labour for a term not exceeding twelve months.

(Amended by Act 8 of 1994)

Records and returns.

17. (1) Every licensed dealer (as defined in this section) shall provide and keep a register of transactions and shall enter or cause to be entered therein such particulars as may be prescribed of all transactions relating to his or her business as a licensed dealer.

(2) Every such entry shall be made within twenty-four hours after the transaction to which it relates took place, and, in the case of a sale or transfer, every such licensed dealer shall at the time of the transaction require the purchaser or transferee, if not known to him or her, to furnish particulars sufficient for identification, and shall immediately enter the said particulars in the register.

(3) Every such licensed dealer shall, on demand, allow any police officer duly authorised in writing in that behalf by the Chief of Police, or any member of the Police Force of or above the rank of Sergeant to enter and inspect all stock in hand and shall on request by—

- (a) any police officer duly authorised in writing in that behalf by the Chief of Police;
- (b) an officer of customs; or
- (c) any member of the Police Force as aforesaid,

produce for inspection the register required to be kept under subsection (1):

Provided that any written authority required by this subsection shall be produced on demand.

(4) Every person who is required to keep a register of transactions under subsection (1) shall make such returns to such authority in such form, in respect of such periods, at such time and containing such particulars as may be prescribed.

(5) Every person who contravenes this section or knowingly makes any false entry in the register required to be kept under subsection (1) commits an offence.

(6) In this section, “licensed dealer” means the holder of a Firearm Manufacturer’s Licence, a Firearm Dealer’s Licence or a Gunsmith’s Licence.

Revocation of licences in case of certain offences.

18. (1) Where a licensed dealer (as defined in this section) is convicted of an offence under this Act or of an offence against the Customs Law in relation to the import or export of firearms or ammunition, the court shall cause the conviction to be certified to the appropriate authority who may, giving notice in accordance with subsection (2) of section 36 and subject to section 37, revoke the licence of the licensed dealer.

(2) In this section “licensed dealer” means the holder of a Firearm Dealer’s Licence or a Gunsmith’s Licence.

Penalty for taking in pawn firearms or ammunition.

19. (1) A pawnbroker shall not take in pawn from any person any firearm or ammunition.

(2) Any pawnbroker who contravenes subsection (1) commits an offence and if such offence relates to a prohibited weapon shall be liable—

- (a) on summary conviction before a Magistrate, to imprisonment with or without hard labour for a term of not less than five years and not exceeding ten years;
- (b) on conviction before the High Court, to imprisonment with or without hard labour for a term of not less than ten years.

(Amended by Acts 8 of 1994, 11 of 1996 and 19 of 2006)

PART IV

POSSESSION AND USE OF FIREARMS AND AMMUNITION

Possession of firearms and ammunition.

20. (1) A person shall not—

- (a) save as authorised by a licence which continues in force by virtue of section 55, be in possession of a prohibited weapon; or
- (b) subject to subsection (2), be in possession of any other firearm or ammunition except under and in accordance with the terms and conditions of a Firearm User's Licence.

(2) Subsection (1), except in so far as it relates to a prohibited weapon, shall not apply—

- (a) to any holder of a Firearm Manufacturer's Licence or a Firearm Dealer's Licence in respect of any firearm or ammunition manufactured by him or her or forming part of his or her stock in trade as a firearm manufacturer or a firearm dealer;
- (b) to the executor or administrator of any deceased person or to the Trustee in Bankruptcy or liquidator of any insolvent person, or of any company in liquidation, who before his or her decease, or becoming insolvent or going into liquidation, as the case may be, was the holder of a Firearm Manufacturer's Licence or a Firearm Dealer's Licence, in respect of any firearm or ammunition forming part of the stock in trade of such person during the administration by such executor, administrator, Trustee in Bankruptcy or liquidator of the affairs of such person;
- (c) to the holder of any Gunsmith's Licence, in respect of any firearm or ammunition in his or her possession for the purpose of repairing, testing or proving such firearm or ammunition;
- (d) to any person who came into possession of any firearm or ammunition in the capacity of executor or administrator of the estate of any deceased person, or Trustee in Bankruptcy or liquidator of any insolvent person or of any company in liquidation, during the period of thirty days after the day upon which he or she came into possession of such firearm or ammunition;
- (e) to any person who came into possession of any firearm or ammunition in the capacity of auctioneer, bailiff or assistant bailiff of a Court, or landlord bailiff, during the period of thirty days after the day upon which he or she came into possession of such firearm or ammunition;
- (f) to any servant or agent of any of the persons referred to in paragraphs (a) to (e) (both inclusive) in respect of any firearm or ammunition entrusted to him or her for delivery to the owner or to some person who is about to become the owner thereof in accordance with this Act;
- (g) to any officer of customs or to any police officer in respect of his or her possession of any firearm or ammunition which comes into his or her possession pursuant to this Act during such period as such firearm or ammunition is retained by him or her pursuant to this Act; or

- (h) to any person in respect of the possession by him or her of any firearm or ammunition entrusted to him or her by any police officer for transportation pursuant to section 11, from any place to any other place during such period, not being longer than is reasonably necessary for the transportation of such firearm or ammunition, as such firearm or ammunition is contained in a sealed packet;
 - (i) to any person in respect of the possession by him or her of any firearm or ammunition delivered to him or her for storage in accordance with subsection (2) of section 45 during the period of the absence from Saint Christopher and Nevis of the owner of such firearm or ammunition and two weeks thereafter, or the period of twelve months from the date of the departure of such owner from Saint Christopher and Nevis whichever is the shorter; or
 - (j) to any person to whom this paragraph relates in respect of the possession by him or her of any firearm or ammunition under and in accordance with the terms of a certificate issued to him or her in respect thereof by the appropriate authority.
- (3) The persons to whom paragraph (j) of subsection (2) relates are—
- (a) any person taking part in a theatrical performance or any rehearsal thereof, or in the production of a cinematograph or television film;
 - (b) any person present at an athletic meeting for the purpose of starting races at that meeting;
 - (c) any other person prescribed under section 48.
- (4) Every person who contravenes this section commits an offence, and shall be liable—
- (a) if the offence relates to the possession of a prohibited weapon—
 - (i) on summary conviction before a Magistrate, to imprisonment with or without hard labour for a term of not less than five years and not exceeding ten years;
 - (ii) on conviction before the High Court, to imprisonment with or without hard labour for a term of not less than ten years;
 - (b) if such person is a restricted person or if the offence relates to the possession of a restricted weapon or restricted ammunition—
 - (i) on summary conviction before a Magistrate, to imprisonment with or without hard labour for a term of not less than five years and not exceeding ten years; or
 - (ii) on conviction before the High Court, to imprisonment with or without hard labour for a term of not less than ten years; and
 - (c) in any other case—
 - (i) on summary conviction before a Magistrate, to imprisonment with or without hard labour for a term of not less than five years and not exceeding ten years; or
 - (ii) on conviction before a High Court to imprisonment with or without hard labour for a term not less than seven years and not exceeding ten years.

(Amended by Acts 8 of 1994, 11 of 1996, 10 of 1998 and 19 of 2006)

General restriction upon carrying firearms and ammunition in public.

21. (1) A person shall not carry any firearm or ammunition in any public place unless at the time when he or she carries such firearm or ammunition he or she has about his or her person a licence, certificate or permit granted by the appropriate authority, authorising him or her to carry such firearm or ammunition in such place and, if such place is a place to which section 22 applies, a Firearm User's (Special) Permit authorising him or her to carry such firearm or ammunition in such place on such occasion.

(2) Every person who contravenes sub-section (1) commits an offence, and on summary conviction before a Magistrate, shall be liable to a fine not exceeding two thousand five hundred dollars or to imprisonment with or without hard labour for a term of not less than five years and not exceeding ten years.

(Amended by Acts 8 of 1994 and 19 of 2006)

Special restriction on carrying of firearms and ammunition in public places.

22. (1) The Minister of National Security may, by order, apply this section to any area, parish, district, town or village specified in such order.

(2) Every order under subsection (1)—

(a) shall remain in force for a period of not more than one month (without prejudice to the power to issue a further order at or before the end of such period);

(b) shall be published in the *Gazette*; and

(c) may at any time be varied, altered, amended or revoked by the Minister of National Security.

(Amended by Act 6 of 2000)

(3) A person shall not carry any firearm or ammunition in any public place within any area, parish, district, town or village to which this section applies, except in accordance with the terms of a Firearm User's (Special) Permit.

(4) Every person who contravenes this section commits an offence and shall be liable—

(a) on summary conviction before a Magistrate, to a fine not exceeding ten thousand dollars or to imprisonment with or without hard labour for a term of not less than five years and not exceeding ten years;

(b) on conviction before the High Court, to a fine or to imprisonment with or without hard labour for a term not exceeding seven years.

(Amended by Acts 8 of 1994 and 19 of 2006)

(5) Where any person is arrested or legal proceedings are instituted against any person in respect of any contravention of this section, any firearm or ammunition found upon such person at the time of the arrest or at the time of the alleged contravention of this section shall be retained by the police until such time as any legal proceedings against such person in respect of such contravention are finally disposed of.

Restrictions relating to the discharge of firearms and ammunition.

23. (1) A person shall not discharge any firearm or ammunition on or within forty yards of any public road or in any public place except—

- (a) in the lawful protection of his or her person or property or in the protection of the person or property of some other person in danger or in peril;
- (b) in the lawful shooting of such trespassing animals in such circumstances as may be provided for in specific laws of the State;
- (c) under the direction of some civil or military authority authorised to give such direction; or
- (d) with the permission of the Minister of National Security.

(Amended by Act 6 of 2000)

(2) Where any contravention of subsection (1) occurs, any Justice of the Peace or police officer may without warrant enter any premises on which he or she has reasonable cause to believe such contravention was committed and seize any firearm and ammunition there found which he or she has reasonable cause to believe were used in such contravention or are about to be used in the commission of a contravention of subsection (1) and may retain such firearm or ammunition for so long as may be necessary for the purpose of any investigation in relation thereto, and where such investigation results in legal proceedings against any person for any such offence until such legal proceedings are finally disposed of.

(3) Every person who contravenes sub-section (1) commits an offence under this Act.

(4) Where any person is charged with a contravention of subsection (1), the burden of proving that the discharge of the firearm or ammunition in respect of which the contravention is alleged to have occurred was a lawful discharge shall lie upon the person asserting the same.

Penalty for possessing firearm or ammunition with intent to injure.

24. Every person who has in his or her possession any firearm or ammunition with intent by means thereof to endanger life or cause serious injury to property, or to enable any other person to endanger life or cause serious injury to property shall, whether any injury to person or property has been caused or not, be guilty of felony and shall be liable, on conviction on indictment before the High Court, to imprisonment with or without hard labour for a term not less than fourteen years.

(Amended by Act 11 of 1996)

Penalty for use and possession of firearms or imitation firearms in certain circumstances.

25. (1) Every person who makes or attempts to make any use whatever of a firearm or imitation firearm with intent to commit or to aid the commission of a felony or to resist or prevent the lawful apprehension or detention of himself or herself or some other person, commits an offence against this subsection.

(2) Every person who, at the time of committing or at the time of his or her apprehension, for any offence specified in the First Schedule, has in his or her possession any firearm or imitation firearm, unless he or she shows that he or she had it in his or her possession for a lawful object, commits an offence against this subsection and, in addition to any penalty to which he or she may be sentenced for the first mentioned offence, shall be liable to be punished accordingly.

(3) Any person found guilty of an offence against subsection (1) or (2) shall be liable, on conviction on indictment before the High Court, to imprisonment with or without hard labour for a term not less than fourteen years, and where any person

commits an offence against subsection (1) in respect of the commission of a felony or the lawful apprehension or detention of himself or herself for any other offence committed by him or her, he or she shall be liable to the penalty provided by this subsection in addition to any penalty to which he or she may be sentenced for that felony or other offence.

(Amended by Act 11 of 1996)

(4) On the trial of any person for an offence against subsection (1) the jury, not being satisfied that that person is guilty of that offence, but being satisfied that he or she is guilty of an offence against subsection (2), may find him or her guilty of the offence against subsection (2) and thereupon he or she shall be liable to be punished accordingly.

(5) In this section—

“firearm” means any lethal barreled weapon of any description from which any shot, bullet or other missile can be discharged and includes any prohibited weapon and any restricted weapon, whether such a lethal weapon or not;

“imitation firearm” means any thing which has the appearance of being a firearm within the meaning of this section whether it is capable of discharging any shot, bullet or missile or not.

Penalty for use of firearm or ammunition in contravention of terms or conditions of licences, etc.

26. Every person who, being the holder of a licence, certificate or permit, contravenes any of the terms or conditions thereof, commits an offence and, on summary conviction before a Magistrate, shall be liable to a fine not exceeding five thousand dollars or to imprisonment with or without hard labour for a term not less than twelve months and not exceeding three years.

(Amended by Acts 8 of 1994 and 19 of 2006)

PART V

LICENCES, CERTIFICATES AND PERMITS

Types of licences, certificates and permits.

27. Subject to section 22 and to this Part, the appropriate authority may grant the following licences, certificates or permits—

- (a) a Firearm Import Permit;
- (b) a Firearm Export Permit;
- (c) a Firearm Transhipment Permit;
- (d) a Firearm Manufacturer’s Licence;
- (e) a Firearm Dealer’s Licence;
- (f) a Gunsmith’s Licence;
- (g) a Firearm Disposal Permit;
- (h) a Firearm User’s Licence;
- (i) a Firearm User’s (Special) Permit;

- (j) a certificate under paragraph (J) of subsection (2) of section 20; or
- (k) a Firearm User's (Employee's) Certificate.

Application for licences, certificates and permits.

28. Every application for any licence, certificate or permit shall—

- (a) be addressed to the appropriate authority;
- (b) be in the prescribed form;
- (c) contain the prescribed particulars;
- (d) be accompanied by the prescribed number (if any) of photographs of the prescribed dimensions of the person to whom the licence, certificate or permit applied for is desired to be granted;
- (e) bear upon it, if so prescribed, a specimen of the signature of the person to whom the licence, certificate or permit applied for is desired to be granted;
- (f) be signed by the applicant; and
- (g) be accompanied by the receipt for the prescribed application fee (if any) and by such other documents, if any, as may be prescribed.

General provisions as to grant and issue of licences, certificates and permits.

29. (1) Subject to this section and to sections 28 and 37, the grant of any licence, certificate or permit shall be in the discretion of the appropriate authority.

(2) No licence, certificate or permit shall be granted in relation to any prohibited weapon, without permission of the Minister of National Security.

(Amended by Act 6 of 2000)

(3) No licence, certificate or permit shall be granted to a restricted person or in relation to any restricted weapon or restricted ammunition except with the prior approval of the Minister of National Security:

Provided that this subsection shall not apply to the grant to any restricted person of a Firearm Disposal Permit.

(Amended by Act 6 of 2000)

(4) A Firearm Import Permit, a Firearm User's Licence, a Firearm User's (Special) Permit, a Firearm User's (Employee's) Certificate or a certificate issued under paragraph (j) of subsection (2) of section 20 shall be granted by the appropriate authority only if he or she is satisfied that the applicant has a good reason for importing, purchasing, acquiring or having in his or her possession the firearm or ammunition in respect of which the application is made, and can be permitted to have in his or her possession that firearm or ammunition without danger to the public safety or to the peace:

Provided that such a permit, certificate or licence shall not be granted to a person whom the appropriate authority has reason to believe to be of intemperate habits or unsound mind, or to be for any reason unfit to be entrusted with such a firearm or ammunition.

(5) Subsection (1) shall not apply to the grant of any Firearm Disposal Permit.

(6) A licence or certificate shall not be issued to any person until the appropriate authority is satisfied that the appropriate duty has been paid.

(7) Where the application for a licence or certificate is refused, the applicant may, on the presentation of a certificate to that effect from the appropriate authority, obtain from the Comptroller of Inland Revenue a refund of the duty paid in respect of that application.

Firearm User's (Employee's) Certificate.

30. Subject to the provisions of this Act, the appropriate authority, on the application of any person who is acting with the written consent of the holder of a Firearm User's Licence in respect of a particular firearm specified in such application, may grant to such person a Firearm User's (Employee's) Certificate which shall authorise such person to keep, carry and use in connection with the business of the holder of such Firearm User's Licence the particular firearm specified in such certificate and such ammunition therefor as may be so specified.

Special provisions relating to Firearm User's (Special) Permit.

31. (1) Subject to the provisions of this Act, the appropriate authority, on the application of any person who is the holder of a Firearm User's Licence, may grant to such person a Firearm User's (Special) Permit authorising such person during the continuance in force of any order under section 22 to carry the firearm and ammunition in respect of which he or she is the holder of a Firearm User's Licence in any public place within the area, parish, district, town or village to which such order applies upon the occasions and subject to the conditions specified in such permit.

(2) Every permit under subsection (1) shall specify the area, parish, district, town or village to which it relates.

Special provisions relating to Firearm Disposal Permit.

32. (1) The appropriate authority, on the application of any person who he or she is satisfied is the owner or is acting with the authority of the owner of any firearm or ammunition, shall grant to such applicant a Firearm Disposal Permit authorising the holder thereof within thirty days of the grant of such permit to transfer or to sell, subject to this Act and to such terms and conditions as may be specified in the permit, the firearm or ammunition specified in such permit.

(2) Any person who transfers or sells any firearm or ammunition in contravention of any term or condition imposed in a permit under subsection (1) commits an offence.

General provisions as to licences, certificates and permits.

33. (1) Every licence, certificate or permit shall be in the prescribed form and shall contain the prescribed particulars and shall specify the conditions (if any) subject to which it is held, and if so prescribed, shall bear upon it a photograph of the person to whom it is granted and a specimen of the signature of such person.

(2) Subject to subsection (1), every licence, certificate or permit shall be subject to the prescribed conditions and to such other terms and conditions as the appropriate authority may impose.

(3) Every licence, certificate or permit—

- (a) in respect of the grant of which the Minister of National Security is the appropriate authority; or
- (b) in respect of the grant of which the prior approval of the Minister of National Security is required by this Act,

shall be subject to such conditions as the Minister of National Security in his or her absolute discretion may specify or direct to be specified therein.

(Amended by Act 6 of 2000)

Duration of licence or permit.

34. (1) Subject to sections 18, 36 and 46 and to the payment in each financial year of the appropriate duty prescribed by section 44, every licence shall continue in force for one year from the day on which it is granted.

(2) Subject to sections 36 and 46, every permit, except a Firearm User's (Special) Permit, shall continue in force until the act authorised to be done by such permit has been done or the expiration of the period specified in such permit, which ever shall first happen.

(3) Subject to sections 36 and 46, every Firearm User's (Special) Permit shall continue in force until the revocation or expiration of the order applying section 22 to the area, parish, district, town or village to which such permit relates.

Amendment of licences, certificates and permits.

35. (1) Subject to section 37, the appropriate authority may at any time by notice in writing to the holder of a licence, certificate or permit vary the conditions subject to which such licence, certificate or permit is held except such of them as may be prescribed.

(2) A notice under subsection (1) shall specify the nature of the variation of conditions proposed and require the holder to deliver up the licence, certificate or permit to the appropriate authority on or before a day specified in the notice (not being less than three days after delivery of the notice) for the purpose of amending the conditions specified therein.

(3) Every person who fails, without lawful excuse, (the proof whereof shall lie on such person) to comply with a notice under this section requiring him or her to deliver up a licence, certificate or permit to the appropriate authority commits an offence and shall be liable, on summary conviction before a Magistrate, to a fine not exceeding one thousand dollars or to imprisonment with or without hard labour for a term not less than twelve months and not exceeding three years or to both such fine and imprisonment.

(Amended by Act 8 of 1994)

(4) A licence, certificate or permit may also, on the application of the holder thereof, be varied from time to time by the appropriate authority.

Revocation of licences, certificates and permits.

36. (1) Subject to section 37, the appropriate authority may revoke any licence, certificate or permit if—

- (a) he or she is satisfied that the holder thereof is of intemperate habits or of unsound mind, or is unfit to be entrusted with such a firearm or ammunition as may be mentioned in the licence, certificate or permit; or
- (b) the holder thereof fails to comply with a notice under section 35.

(2) Where the appropriate authority revokes any licence, certificate or permit under this section or under section 18 or 46, he or she shall give notice in writing to the holder thereof—

- (a) specifying that he or she has revoked such licence, certificate or permit;
- (b) requiring such person to deliver up such licence, certificate or permit to him or her on or before the day (not being less than three days after delivery of such notice) specified in such notice.

(3) Every person who fails, without lawful excuse, (the proof whereof shall lie on such person) to comply with a notice under subsection (2) requiring him or her to deliver up a licence, certificate or permit to the appropriate authority commits an offence and shall be liable, on summary conviction before a Magistrate, to a fine not exceeding one thousand dollars or to imprisonment with or without hard labour for a term not less than twelve months and not exceeding three years.

(Amended by Act 8 of 1994)

Appeals.

37. (1) Subject to this section, any aggrieved party may, within the prescribed time and in the prescribed manner, appeal to the Minister of National Security against any decision of an appropriate authority—

- (a) refusing to grant any application for a licence, certificate or permit;
- (b) amending or refusing to amend any licence, certificate or permit; or
- (c) revoking or refusing to revoke any licence, certificate or permit.

(Amended by Act 6 of 2000)

(2) Upon the determination of any appeal under this section, the Minister of National Security shall give to the appropriate authority against whose decision such appeal is taken such directions as the Minister of National Security may think fit.

(Amended by Act 6 of 2000)

(3) In this section, the expression “aggrieved party” means the applicant for or the holder of any licence, certificate or permit in respect of the refusal to grant or the amendment or the revocation of which any appeal is taken and the owner of the firearm or ammunition to which such application, licence, certificate or permit relates.

(4) The provisions of this section shall not apply to any application for a licence, certificate or permit approval for the grant of which has been refused by the Minister of National Security or to any licence, certificate or permit the appropriate authority for the grant of which is the Minister of National Security.

(Amended by Act 6 of 2000)

Appropriate authority.

38. (1) The appropriate authority for the grant, amendment or revocation of any Firearm Manufacturer’s Licence shall be the Minister of National Security.

(2) The appropriate authority for the grant, amendment or revocation of any Firearm Dealer’s Licence, or any Gunsmith’s Licence shall be the Chief of Police.

(3) The appropriate authority for the grant, amendment or revocation of any Firearm Import Permit, or Firearm Export Permit, or Firearm User’s (Special) Permit shall be the Chief of Police, or in the case of Firearm User’s (Special) Permit the chief officer of police for the police division if so authorised in writing in that behalf by the Chief of Police.

(4) The appropriate authority for the grant, amendment or revocation of any Firearm Transhipment Permit shall be the Comptroller of Customs.

(5) The appropriate authority for the grant, amendment or revocation of any Firearm User's Licence or Firearm Disposal Permit or Firearm User's (Employee's) Certificate shall be the Chief of Police.

(6) The appropriate authority for the grant, amendment or revocation of any certificate under paragraph (j) of subsection (2) of section 20 shall be the Minister of National Security or a police officer authorised by him or her.

(Amended by Act 6 of 2000)

PART VI

POWER OF SEARCH AND TO OBTAIN INFORMATION

Power of police officer to require production of licence, certificate or permit.

39. (1) Any police officer who sees any person carrying any firearm or ammunition in any public place may require such person unless he or she is exempted by virtue of subsection (2) of section 20 to produce to him or her his or her licence or certificate in relation to such firearm or ammunition and if such place is within any area to which section 22 applies to produce his or her Firearm User's (Special) Permit in relation to such firearm or ammunition.

(2) If any person so required fails unless he or she is exempted as aforesaid to produce the licence, certificate or permit, as the case may be, or to permit the police officer to read the licence, certificate or permit or to examine the firearm or ammunition for the purpose of verifying the particulars in the licence, certificate or permit—

- (a) that person commits an offence under this Act;
- (b) the police officer may seize and retain the firearm or ammunition until such time as legal proceedings against that person in respect of that offence are finally disposed of and may require that person to declare to him or her immediately his or her name and address; and
- (c) the police officer may arrest without a warrant any person possessing, carrying or using a firearm or ammunition without a licence or without satisfactorily accounting for his or her failure to produce such licence, certificate or permit, as the case may be:

Provided however that the police officer may grant to such person a reasonable time as the circumstances may permit to produce such licence and may accompany such person to his or her residence or place of business in the State for production of the licence if such person so requests.

(3) If any person so required refuses to declare his or her name and address, or fails to give his or her true name and address, he or she commits an offence and the police officer may arrest without warrant any person who refuses so to declare his or her name and address, or whom he or she suspects of giving a false name or address or of intending to abscond.

(4) A police officer authorised in writing by the Chief of Police may at any time require the holder of a licence, certificate or permit to produce for inspection the firearm and ammunition to which it relates, and any person who, without good cause, refuses or fails to do so commits an offence.

Further provisions relating to production of licence, certificate or permit.

40. (1) Where any police officer suspects that any person is carrying any firearm or ammunition concealed about his or her person he or she may—

- (a) ask that person if he or she is carrying such firearm or ammunition; and
- (b) if that person admits that he or she is carrying such firearm or ammunition, require that person to produce such firearm or ammunition and, unless he or she is exempted by virtue of subsection (2) of section 20, his or her licence or certificate in respect thereof and if the place in which that person is carrying such firearm or ammunition is within any area to which section 22 applies to produce his or her Firearm User's (Special) Permit in relation to such firearm or ammunition.

(2) If any person so required fails, unless he or she is exempted as aforesaid, to produce the licence, certificate or permit, as the case may be, or to permit the police officer to read the licence, certificate or permit or to examine the firearm or ammunition for the purpose of verifying the particulars in the licence, certificate or permit—

- (a) that person commits offence under this Act;
- (b) the police officer may seize and retain the firearm or ammunition until such time as legal proceedings against that person in respect of that offence are finally disposed of and may require that person to declare to him or her immediately his or her name and address; and
- (c) the police officer may arrest that person without a warrant.

(3) If any person denies that he or she is carrying any firearm or ammunition about his or her person the police officer may search that person and seize and retain any firearm or ammunition carried by that person until such time as legal proceedings against that person in respect of that offence are finally disposed of and may require that person to declare to him or her immediately his or her name and address, or the police officer may arrest that person without a warrant if any firearm or ammunition is found on that person or reasonably near to such person.

(4) If any person so required refuses to declare his or her name and address, or fails to give his or her true name and address, he or she commits an offence and the police officer may arrest without warrant any person who refuses so to declare his or her name and address or whom the police officer suspects of giving a false name or address or of intending to abscond.

Report of loss or theft of firearm or ammunition.

41. (1) The holder of a licence, certificate or permit in respect of any firearm or ammunition and any other person lawfully in possession of any firearm or ammunition by virtue of subsection (2) of section 20 shall, within forty-eight hours after he or she discovers the loss or theft of such firearm or ammunition, report the loss or theft at a Police Station.

(2) Any person who contravenes subsection (1) commits an offence and shall be liable, on summary conviction before a Magistrate, to a fine not exceeding one thousand dollars and in default of payment to imprisonment with or without hard labour for a term not exceeding three months.

Power to stop and search vehicles.

42. (1) Any police officer may, without warrant, stop any vehicle in which he or she suspects any firearm or ammunition is being conveyed, and may search such vehicle and the driver thereof and any person conveyed therein.

(2) Any person who—

- (a) being the driver or person operating a vehicle, fails to stop the vehicle at the request of a police officer under this section;
- (b) being conveyed in a vehicle, prevents or intimidates the driver thereof or other person operating such vehicle from stopping at the request of a police officer under this section; or
- (c) escapes or attempts to escape from a vehicle requested to be stopped under this section,

commits an offence and, on summary conviction before a Magistrate, shall be liable to a fine not exceeding five thousand dollars or to imprisonment with or without hard labour for a term not less than twelve months and not exceeding three years.

(Amended by Act 8 of 1994)

Search warrants.

43. (1) A Justice of the Peace on being satisfied by information on oath that there is reasonable ground for suspecting that an offence under this Act has been, is being, or is about to be committed, may grant a search warrant authorising any police officer named therein—

- (a) to enter at any time any premises or place named in the warrant, if necessary by force, and to search the premises or place and every person found therein; and
- (b) to seize any firearm or ammunition which he or she may find on the premises or in the place, or on any such person, in respect of which or in connection with which he or she has reasonable grounds for suspecting that an offence under this Act has been, is being, or is about to be committed and to retain such firearm or ammunition for so long as may be necessary for the purpose of any investigation in relation thereto, and where such investigation results in legal proceedings against any person for any such offence, until such legal proceedings are finally disposed of.

(2) The police officer making the search may arrest, without warrant, any person found on the premises or in the place whom he or she has reason to believe to be committing an offence under this Act other than an offence against section 41.

PART VII**FINANCIAL AND MISCELLANEOUS PROVISIONS****Appropriate fee.**

44. (1) Subject to subsections (2) and (3), the appropriate fee payable to the Comptroller of Inland Revenue shall be—

- (a) on every Firearm Manufacturer's Licence, two thousand five hundred dollars;
- (b) on every Firearm Dealer's Licence, five hundred dollars;
- (c) on every Gunsmith's Licence, one thousand dollars;
- (d) on every Firearm User's Licence, the terms and conditions of which authorise the holder to carry a firearm or ammunition anywhere in Saint Christopher and Nevis, two hundred and fifty dollars;
- (e) on any Firearm User's Licence, the terms and conditions of which authorise the holder to carry a firearm or ammunition in some specified place or area in Saint Christopher and Nevis, one hundred dollars; and
- (f) on any Firearm User's (Employee's) Certificate, one hundred dollars.
(Amended by Acts 27 of 1976 and 11 of 1983, and S.R.O. 6/2006)

(2) Notwithstanding anything to the contrary, no fees shall be payable under this section—

- (a) by the members of any rifle club recognised by the Minister of National Security other than the sum of fifty dollars:

Provided however that the Minister of National Security shall decide and declare the number and the type of firearms to be used by such rifle club, such firearms to be used solely for target practice at a place approved by the Minister of National Security;

- (b) by the owner of any rifle in respect of which the prescribed authority certifies that such rifle is ordinarily used in the training of members of the Defence Force, the Police Force, the Cadet Corps or any military body established by law in the State;
- (c) by the owner of any firearm or ammunition to which subsection (3) applies.

(Amended by Act 6 of 2000)

(3) This subsection applies to any firearm or ammunition in respect of which the Chief of Police certifies that he or she is satisfied that such firearm or ammunition is of an obsolete type and is not intended by the owner to be used by himself or herself or by any other person.

(4) The appropriate fee shall be payable in respect of the period commencing with the date of grant of the licence or certificate and ending with the next succeeding 31st day of December, and thereafter shall be payable in respect of each calendar year in which the licence or certificate is in force and on or before the 31st day of January in that calendar year:

Provided that where a licence or certificate is first granted in the month of January in any year the appropriate fee shall be deemed to apply to the period ending on the 31st day of January of the next succeeding calendar year, and thereafter shall be payable in respect of each calendar year as aforesaid.

(5) Any person who fails to pay the appropriate fee in accordance with the provisions of this section commits an offence and, on summary conviction thereof before a Magistrate, shall be liable to a fine not exceeding five thousand dollars and in default of payment to imprisonment with or without hard labour for a term not less than twelve months and not exceeding three years.

(Amended by Act 8 of 1994)

(6) The Minister responsible for Finance may from time to time by order revoke, increase, reduce or alter any fee payable under subsection (1).

(7) Every order under subsection (6) shall be subject to affirmative resolution of the National Assembly.

(8) Notwithstanding the provisions of any other law, the appropriate fee shall be payable in one sum.

Custody of a firearms and ammunition.

45. (1) Every person who comes into possession of any firearm or ammunition in the circumstances specified in paragraph (d) or (e) of subsection (2) of section 20 shall, within thirty days of coming into possession of such firearm or ammunition, unless he or she has obtained a Firearm User's Licence in respect thereof within such period, deliver such firearm or ammunition to the officer in charge of the Police Station nearest to the place at which he or she comes into possession of such firearm or ammunition together with a written statement as to the date on which, and the circumstances in which he or she came into possession of such firearm or ammunition.

(2) Where any holder of any Firearm User's Licence is about to leave Saint Christopher and Nevis and does not desire to take the firearm or ammunition to which such licence relates with him or her, he or she shall, before leaving Saint Christopher and Nevis, arrange for the storage of such firearm or ammunition in such place and under such conditions as may be approved by the Chief of Police, or deliver such firearm or ammunition either—

- (a) to some person who is the holder of a Firearm User's Licence in respect of such firearm or ammunition as the case may be; or
- (b) to the officer in charge of the Police Station nearest to the place at which he or she is ordinarily resident.

(3) Every person who contravenes subsection (1) or (2) commits an offence and, on summary conviction before a Magistrate, shall be liable to a fine not exceeding one thousand dollars or to imprisonment with or without hard labour for a term not less than twelve months and not exceeding three years.

(Amended by Act 8 of 1994)

(4) The holder of a Firearm User's Licence may, if he or she does not desire to retain in his or her possession the firearm or ammunition to which such licence relates, surrender the licence and deliver the firearm or ammunition to the officer in charge of the Police Station nearest to the place at which he or she is ordinarily resident.

(5) Every firearm and any ammunition received at any Police Station under this section shall—

- (a) be delivered to any person who produces a Firearm User's Licence granted to him or her in relation to such firearm or ammunition either before or after the date on which such firearm or ammunition was received at such Police Station; or
- (b) if not delivered to any person in accordance with paragraph (a) within twelve months of the date on which it was received at such Police Station render the owner thereof liable for payment of a storage fee in such sum or at such rate as may be prescribed and if such fee is not paid within six months of the expiry of the period of twelve months

aforesaid the firearm or ammunition, or both, as the case may be, shall be forfeited to the Crown.

(6) The Minister of National Security may from time to time by order amend the Second Schedule by adding thereto or removing therefrom any Police Station.

(Amended by Act 6 of 2000)

Forfeiture of firearms and ammunition.

46. Where any person—

- (a) is convicted of an offence under this Act, or of any crime for which he or she is sentenced to penal servitude or imprisonment whether with or without hard labour; or
- (b) has been ordered to be subject to police supervision or to enter into a recognisance to keep the peace or be of good behaviour, for any offence committed under any laws of the State,

the court before which he or she is convicted or by which the order is made may make such order as to the forfeiture or disposal of any firearm or ammunition found in his or her possession as the court thinks fit, and shall cause the conviction or order, as the case may be, to be certified to the appropriate authority who may, giving notice in accordance with subsection (2) of section 36 and subject to section 37, revoke any licence, certificate or permit for firearms held by the person convicted.

Carrying firearms or ammunition in parts.

47. Where any firearm or ammunition is carried in parts by two or more persons in company, each of such persons shall be deemed to carry a firearm or ammunition.

Regulations.

48. The Minister of National Security may make regulations for the better carrying out of this Act, and in particular, but without prejudice to the generality of the foregoing, for prescribing anything required or permitted by this Act to be prescribed.

(Amended by Act 6 of 2000)

Service of notices.

49. Any notice required or authorised by this Act to be given to any person may be sent by registered post in a letter addressed to him or her at his or her last or usual place of abode, or in the case of the holder of a Firearm Dealer's Licence or of a Firearm Manufacturer's Licence or of a Gunsmith's Licence at any place or premises in respect of which the licence is issued.

Compulsory imprisonment for certain offences.

50. Notwithstanding any other provisions to the contrary, a sentence of imprisonment shall be imposed on every person other than a juvenile within the meaning of the law of the State found guilty of an offence under this Act relating to a prohibited weapon.

(Section 50 repealed by Act 19 of 2006)

Saving.

51. This Act shall not apply—

- (a) to any firearm or ammunition the property of the Government of Saint Christopher and Nevis except at a time when such firearm or ammunition is in the possession of some person other than a person authorised by or on behalf of the Government of Saint Christopher and Nevis to be in possession of such firearm or ammunition;
- (b) to any firearm or ammunition or signalling apparatus or ammunition thereof forming part of the equipment of any ship or aircraft or of any aerodrome at any time when such firearm or ammunition or signalling apparatus or ammunition thereof is on board of such ship or aircraft or at such aerodrome, as the case may be;
- (c) to any slaughtering instrument the property of the Government of Saint Christopher and Nevis or of the Nevis Island Administration or of any Society for the Prevention of Cruelty to Animals or of any prescribed person except at a time when such slaughtering instrument is in the possession of some person other than a person authorised under this section to be in possession of such slaughtering instrument;
- (d) to any person authorised by the Government of Saint Christopher and Nevis to be in possession of a firearm or ammunition, in respect of any firearm or ammunition the property of the Government of Saint Christopher and Nevis in his or her possession pursuant to that authority;
- (e) to any member of the Defence Force or the Cadet Corps in the State, or to any police officer or any Special Constable or, in respect of any firearm or ammunition in his or her possession in his or her capacity as a member of the Defence Force or Cadet Corps, or as such police officer or Special Constable, as the case may be;
- (f) to any officer or member of the crew of any ship or aircraft or any employee at any aerodrome in respect of his or her possession on board of such ship or aircraft or at such aerodrome, and in his or her capacity as an officer or member of the crew of such ship or aircraft or an employee of such aerodrome, as the case may be, of any firearm, ammunition, signalling apparatus or ammunition thereof referred to in paragraph (b); or
- (g) to such firearms and ammunition the property of the Government of such country in such circumstances and subject to such conditions as may for the time being be approved by the Minister of National Security and to such persons in respect of their possession thereof as may be so approved.

(Amended by Act 6 of 2000)

Inaugural provisions.

52. (1) The Governor General acting on the advice of the Cabinet may from time to time issue Proclamations ordering that any person who is in possession of any firearm and ammunition and is not the holder of a licence under this Act in respect of such firearm and ammunition shall not be liable to be prosecuted for the contravention of the provisions of this Act by reason only of his or her possession of such firearm and ammunition if he or she surrenders such firearm and ammunition to the police officer in charge at a Police Station in the State within fourteen days after the date of any such Proclamation, the date on which such fourteen days shall end to be proclaimed the appointed day for the purposes of this section.

(2) Any firearm or ammunition which on the appointed day is in the possession of the police and in respect of which there is no firearm licence under the Firearms Act then in force shall render the owner thereof liable to payment of a storage fee in such sum or at such rate as may be prescribed and if such fee is not paid within a period of six months after the appointed day the firearm and ammunition shall be forfeited to the Crown.

(3) Where any person is in actual or constructive possession or control of any firearm or ammunition and such person is not the holder of a licence under the provisions of this Act or any other law of the State or is not exempted under this or any other law of the State from obtaining such a licence, at any time after the appointed day proclaimed as described in section 54(1) of this Act, notwithstanding any other provisions to the contrary in this or any other law of the State, such person shall be deemed to have contravened the provisions of section 20 of this Act and to have committed an offence punishable on summary conviction before a Magistrate, and a sentence of imprisonment with or without hard labour not exceeding two years shall be imposed on every person, other than a juvenile within the meaning of the laws of the State, found guilty of such offence under this Act.

FIRST SCHEDULE

(Section 25)

OFFENCES IN RELATION TO WHICH POSSESSION OF A FIREARM OR
IMITATION FIREARM CONTRAVENES SUBSECTION (2) OF SECTION 25

1. Offences against sections 4 to 6, 14 to 18, 27 to 29 and 33 of the Larceny Act, (Cap. 4.16).
2. Offences against sections 2 to 7, 9, 11 to 13, 35, 36 and 39 of the Malicious Damage Act, (Cap. 5.10).
3. Offences against sections 4, 14, 29, 34, 36, 45 to 50, 57 and 62 of the Offences Against the Person Act, (Cap. 4.21).
4. Offences against section 64 of the Vehicles and Road Traffic Act, (Cap. 15.06).
5. Offences against paragraph (b) of subsection 2 of section 50 of the Small Charges Act, (Cap. 4.36).
6. Aiding and abetting the commission of any offence specified in paragraphs 1 to 5 above and attempting to commit any such offence.

SECOND SCHEDULE

(Section 45)

LIST OF POLICE STATIONS

ISLAND OF SAINT CHRISTOPHER

1. Basseterre
2. Cayon
3. Tabernacle
4. Dieppe Bay
5. Sandy Point
6. Old Road
7. St. Johnston Village
8. Stapleton

ISLAND OF NEVIS

1. Charlestown
 2. Gingerland
 3. Newcastle
 4. Cotton Ground
-

THIRD SCHEDULE
FIREARMS REGULATIONS

(Section 48)

1. These Regulations may be cited as the Firearms Regulations.
2. (1) Every application for any certificate, licence or permit to be granted in accordance with the provisions of the Act shall be in the appropriate form specified in Schedule 1 to these Regulations.
(2) Where the application aforesaid is for the grant of—
 - (a) a Firearm Dealer's Licence;
 - (b) a Firearm Manufacturer's Licence;
 - (c) a Gunsmith's Licence;
 - (d) a Firearm User's Licence;
 - (e) a Firearm User's (Special) Permit;
 - (f) a Certificate under paragraph (j) of subsection (2) of section 20 of the Act,

such application shall, if made by an individual, be accompanied by three unmounted photographs of the applicant, made from the same negative, which shall be approximately 2¾" x 2" in dimensions and on the back of one such photograph a certificate in the form set out in Part I of Schedule 2 to these Regulations shall be affixed by one of the following persons, that is to say, a Magistrate, Justice of the Peace, Minister of Religion or Medical Practitioner.

3. Every certificate, licence or permit granted pursuant to an application made in accordance with the provisions of regulation 2 shall be in the appropriate form specified in Schedule 1 of these Regulations, and shall be subject to such terms and conditions as may be set out thereon.
4. For the purposes of section 17 of the Act, every licensed dealer (as defined in that section) shall keep a register in the appropriate form specified in the Schedule 3 to these Regulations, and shall forward to the Chief of Police a true copy of every transaction effected by him or her during the six-month period ending on the 30th of June and on the 31st of December each year, within twenty-one days of the end of the period to which such copy of the register relates.
5. The declaration which a traveller shall make for the purposes of section 5 of the Act, shall be in the form set out in Part II of Schedule 2 of these Regulations and shall contain such particulars as may be specified in such form.
6. Where a traveller has delivered firearms or ammunition to an officer of customs pursuant to section 6 of the Act, and such firearms or ammunition have not been retrieved in accordance with the provisions of section 7 of the Act within three months of the date of such delivery, the Comptroller of Customs shall cause such firearm or ammunition to be forwarded to the Chief of Police, together with all declarations relating thereto.
7. The authority to certify, for the purposes of subsection (2) of section 44 of the Act, that a rifle is ordinarily used in the training of members of the Defence Force, the Police Force, the Cadet Corps, or any military body established by law in the State, shall be the Chief of Police.

8. (1) The storage fees chargeable in respect of all firearms received at a police station pursuant to section 45 and section 53 of the Act shall be at the following rates—

- (a) for every revolver, pistol or other small arm, 50 cents per week;
- (b) for every rifle or shot gun, one dollar per week;
- (c) for every other class of firearm, two dollars per week.

(2) For the purpose of this regulation, “small arm” includes air rifle, air pistol and air gun.

9. Paragraph (j) of subsection (2) of section 20 of the Act relates to the persons specified in Schedule 4 to these Regulations and a certificate issued under that paragraph shall be subject to any conditions specified in that Schedule and in that certificate.

SCHEDULE 1 TO THE REGULATIONS

(Regulations 2 and 3)

FORM OF APPLICATION FOR FIREARM IMPORT PERMIT

To the Chief of Police,

- | | |
|--|--|
| (a) Here insert full name of applicant. | I. (a) |
| (b) Here insert full residential address of applicant. | of (b) |
| (c) Here insert occupation of applicant. | (c)
..... |
| (d) Here insert source of importation | hereby apply for a permit to import into Saint Christopher and Nevis from (d)
.....
the following firearms and ammunition: |
| (e) Here insert type, quantity and Identification Nos., if any, of firearms and ammunition | (e)
..... |
| (f) Here insert period during which applicant desires to import. | during the period of (f) |

Dated this day of 20

Signed

FORM OF FIREARM IMPORT PERMIT

No.

Pursuant to an application dated

(a) Here insert full name of applicant (a)

(b) Here insert full residential address of applicant of (b)

(c) Here insert occupation of applicant (c)

is hereby authorised to import into Saint Christopher and Nevis from

(d) Here insert source of importation (d) the following firearms and ammunition:

(e) Here insert type, quantity and Identification Nos., if any, of firearms and ammunition (e)

(f) Here insert period during which firearms and ammunition may be imported during the period of (f)

Dated this day of 20

Signed

Specimen Signature of Holder of Permit

FORM OF APPLICATION FOR FIREARM EXPORT PERMIT

To the Chief of Police,

(a) Here insert full name of applicant I. (a)

(b) Here insert full residential address of applicant of (b)

(c) Here insert occupation of applicant (c)

hereby apply for a permit to export from Saint Christopher and Nevis to

(d) Here insert destination (d)

(e) Here insert manner in which it is proposed to export the firearms and ammunition (e)

the following firearms and ammunition:

(f) Here insert type, quantity and Identification Nos., if any, of firearms and ammunition (f)

(g) Here insert period during which applicant desires during the period of (g) to export.

Dated this day of 20

Signed

FORM OF FIREARM EXPORT PERMIT

No.

Pursuant to an application dated

- (a) Here insert full name of applicant (a)
- (b) Here insert full residential address of applicant. of (b)
- (c) Here insert occupation of applicant. (c)
- (d) Here insert destination. (d)
- (e) Here insert manner in which firearms and ammunition shall be exported. (e)
- (f) Here insert type, quantity and Identification Nos., if any, of firearms and ammunition for which permit is granted. (f)
- (g) Here insert period during which firearms and ammunition may be exported. during the period of (g)

Dated this day of 20

Signed

.....

Specimen Signature of Holder of Permit

FORM OF APPLICATION FOR FIREARM TRANS-SHIPMENT PERMIT

To the Comptroller of Customs

- (a) Here insert full name of applicant (a)
- (b) Here insert full residential address of applicant. of (b)
- (c) Here insert occupation of applicant. (c)
- (d) Here insert name of vessel from which applicant desires to trans-ship firearms and ammunition. from (d)
- (e) Here insert name of vessel to which applicant desires to trans-ship firearms and ammunition. to (e)
- (f) Here insert period during which applicant desires the trans-shipment to be effected. during (f) the following firearms and ammunition—
- (g) Here insert the amount and type of firearms and ammunition the applicant desires to trans-ship. (g)

Dated this day of 20

Signed

.....

Specimen Signature of Holder of Permit

FIREARM TRANS-SHIPMENT PERMIT

No.

Pursuant to an application dated

- (a) Here insert full name of applicant
(b) Here insert full residential address of applicant
(c) Here insert occupation of applicant
(d) Here insert name of vessel from which applicant may trans-ship firearms and ammunitions
(e) Here insert name of vessel to which applicant may trans-ship firearms and ammunition
(f) Here insert period during which trans-shipment may be effected by applicant
(g) Here insert the amount and types of firearms and ammunition the applicant may trans-ship

Dated this day of 20

Signed

Comptroller of Customs

Specimen Signature of Holder of Permit

FORM OF APPLICATION FOR FIREARM MANUFACTURER'S LICENCE, FIREARM DEALER'S LICENCE, GUNSMITH'S LICENCE

To: (appropriate authority)

I of (name of applicant) (address and occupation of applicant)

hereby apply for a licence under the Firearms Act, Cap. 19.05, to operate the business of .. (nature of business)

at (business address)

in relation to firearms of the following descriptions: (description of firearms)

I declare that

- (a) I do not carry on or intend to carry on upon the said premises any business other than that of (business address)

a except

.....
.....

(b) that if pursuant to this application a
licence is granted to me I intend only to deal in the following types of firearms:

.....
(types of firearms)

(c) that I have not at any time during the five years next preceding the date of this application

(i) been convicted of any offence in relation to the importation, exportation, purchase, sale, possession or use of any firearm except

(ii) been sentenced to any term of imprisonment in respect of any offence except

Dated this day of 20

Signed
(applicant)

FORM OF FIREARM MANUFACTURER'S LICENCE, FIREARM DEALER'S LICENCE, GUNSMITH'S LICENCE

No.

Pursuant to an application dated of
.....

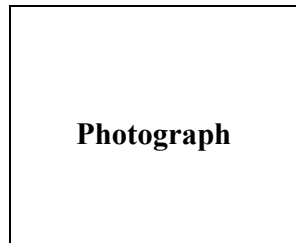
having satisfied me that he or she has paid the appropriate duty in respect of this licence is, in the exercise of the powers conferred upon me by the Firearms Act, Cap. 19.05, hereby licensed to operate the business of

.....
(nature of business)

at in the parish
of in relation to firearms of the following descriptions

.....
(description of firearms)

This licence is granted subject to the following conditions:
.....



Dated this day of 20

Signed
(appropriate authority)

.....
Specimen Signature of Holder of Licence

FORM OF APPLICATION FOR FIREARM DISPOSAL PERMIT

To

- (a) Here insert the authority to whom application is made (a)
(appropriate authority)
- (b) Here insert full name of applicant I, (b)
- (c) Here insert full residential address of applicant of (c)
- (d) Here insert occupation of applicant (d)
- (e) Here insert make, type, calibre and Identification No., if any, of the firearm and ammunition to which application relates being owner of (e)
.....
hereby apply for a Firearm Disposal Permit authorising me to dispose of the firearm and ammunition described above.

Dated this day of 20

Signed

FORM OF FIREARM DISPOSAL PERMIT

No.

Pursuant to an application dated

- (a) Here insert full name of applicant (a)
- (b) Here insert full residential address of applicant of (b)
- (c) Here insert occupation of applicant (c)
- (d) Here insert make, type, calibre and Identification No., if any, of the firearm and ammunition to which permit relates is hereby authorised to dispose of (d)

Dated this day of 20

Signed

.....
Specimen Signature of Holder of Permit

**FORM OF APPLICATION FOR FIREARM USER'S LICENCE, FIREARM
USER'S (SPECIAL) PERMIT AND ANY CERTIFICATE**

To:
(appropriate authority)

I of
(name of applicant) (address and occupation of applicant)

in the parish of do hereby apply for the
grant of a
(type of licence, permit or certificate)

Licence in respect of a
Permit
Certificate
(make, type, calibre and identification number of firearm)

2. I hereby declare

(a) that I have not previously been refused any licence, permit or certificate to
possess or use any firearm, nor has any licence, permit or certificate previously
granted me been revoked except

(particulars of application refused or licence, etc., revoked)

(b) that I have not been convicted during the five years next preceding the date of
this application of any offence in respect of the importation, exportation,
purchase, sale, possession or use of any firearm except ..

(previous conviction, if any)

(c) that I have not during the five years next before the date of this application been
sentenced to any term of imprisonment except:

(details of imprisonment)

(d) that I have not during the period of five years next before the date of this
application been detained in any Mental Hospital;

(e) that the purposes for which I desire to possess such firearm are as follows:

.....
.....
.....

Dated this day of 20

Signed

(applicant)

FORM OF FIREARM USER'S LICENCE

No.

This licence is granted to of and relates to the firearm and ammunition specified hereunder:

1. Firearm

(a) Here insert type, calibre, maker's name, identification number or any other distinguishing mark (i) Possessed at date of grant (a)

(b) Here insert type. (ii) Authorised to be purchased or acquired (b)

2. Ammunition

Authority to possess

(c) Here insert quantity, type and calibre. (i) Possessed at date of grant (c)

(d) Here state quantity and type. (ii) Maximum amount authorized to be possessed at any one time (d)

Authority to purchase or acquire:

(iii) Total amount authorized to be purchased or acquired. (d)

The following conditions shall be observed by the holder of this licence:

- (1) The firearm and ammunition to which this licence relates shall at all times when not in actual use be kept in a secure place with a view to preventing access to them by unauthorised persons;
(2) The loss or theft of the firearm or ammunition to which this licence relates shall be reported at once to the Chief of Police;
(3) Any change in the permanent address of the holder of this licence shall be notified without undue delay to the Chief of Police.

(Here insert any other conditions subject to which the licence is held)

The following instructions shall be complied with by every person from whom the holder of this licence purchases or acquires firearms or ammunition:

- (1) Every person selling, letting on hire, giving or lending a firearm or ammunition to the holder of this licence must give a certificate of the transaction on one of the forms marked 'A' attached to this licence.
(2) If the holder of this licence is unknown to the person from whom he or she purchases or acquires firearms, such person must obtain a receipt from the holder of the licence for any firearm supplied to the holder of this licence and keep it for production if required.

- (3) The person from whom the holder of this licence purchases or acquires any firearms or ammunition must within forty-eight hours of the completion of the transaction in respect of which the certificate on form 'A' was given report in writing to the Chief of Police any circumstances attending that transaction which appear to require investigation.

.....
(Here insert any other instructions which the Chief of Police may see fit to insert)
.....
.....
.....

This licence will continue in force until the 31st day of December, 20
unless sooner revoked or amended.

Dated this day of 20

Signed

Chief of Police

.....
Specimen Signature of Holder of Licence

FORM 'A'

I

(name)

of

(address)

certify that on the

(date)

- (a) Here insert "sold", "let on hire", "gave" or "lent", as the case may be

I (a) to

of

- (b) Here insert quantity and type of firearms with calibre, maker's name, identification number or other distinguishing mark.

Firearms as follows (b)

- (c) Here insert the quantity, type and calibre of ammunition

and Ammunition as follows (c)

I have inspected the firearm licence and the records of previous transactions attached thereto and I am satisfied that this transaction will not place him or her in possession of firearms or ammunition in excess of, or otherwise than as authorised by, the licence.

I am authorised to be in possession of firearms and ammunition by virtue of

(d) Here give date and particulars of Firearm User's Licence, Firearm Dealer's Licence or other authority of the seller, etc., to possess firearms or ammunition

Dated this day of 20

Signed

FORM OF FIREARM USER'S (SPECIAL) PERMIT

No.

Pursuant to an Application dated

(a) Here insert full name of applicant (a)

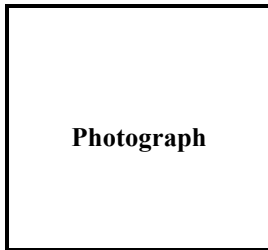
(b) Here insert full residential address of applicant of (b)

(c) Here insert occupation of applicant (c) being the holder of a Firearm User's Licence is hereby authorised to be in possession of

(d) Here insert make, type, calibre and Identification No., if any, of firearm and ammunition (d)

(e) Here insert area, parish, town or village in which applicant may be in possession of the firearm and ammunition (e) on the following occasions:

(f) Here insert occasions on which applicant may be in possession of firearm and ammunition (f)



Dated this day of 20

Signed

Specimen Signature of Holder of Permit

FORM OF CERTIFICATE

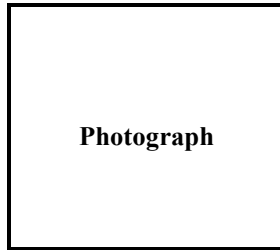
No.

Pursuant to an application dated

- (a) Here insert full name of applicant (a)
- (b) Here insert full residential address of applicant of (b)
- (c) Here insert occupation of applicant (c)
- (d) Here insert make, type, calibre and Identification No., if any, of firearm and ammunition is hereby authorised to be in possession of (d)

subject to the following conditions:

- (e) Here insert conditions subject to which applicant may be in possession of firearm and ammunition (e)



Dated this day of 20

Signed

.....

Specimen Signature of Holder of Permit

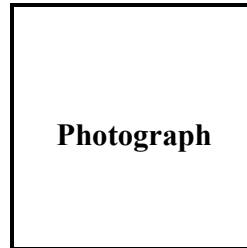
SCHEDULE 2 TO THE REGULATIONS

(Regulations 2 and 5)

PART I

I certify this to be a true photograph of

- Mr.
- Mrs.
- Miss



.....
(Signature and qualification of person certifying photograph)

PART II

FORM OF DECLARATION TO BE SIGNED BY TRAVELLER

I of
(name) (address and occupation)

hereby declare as follows:

- (a) that my address, while in Saint Christopher and Nevis will be

- (b) that I am in possession of
(make, type, calibre and identification number)
 together with rounds of ammunition therefor;
- (c) that I intend to dispose of the abovementioned firearm and
 ammunition in Saint Christopher and Nevis by

OR

- (d) that I do not intend to dispose of the abovementioned firearm and
 ammunition while in Saint Christopher and Nevis;
- (e) that I will inform the Comptroller of Customs within three months of
 the date of this declaration of the time, place and mode of my
 departure from Saint Christopher and Nevis so that the
 abovementioned firearm and ammunition may be returned to me.

Dated this day of 20

Signed

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SCHEDULE 4 TO THE REGULATIONS

(Regulation 9)

Persons to whom paragraph (j) of subsection (2) of section 20 of the Act relates

The members of any rifle club which is operated by a school and is approved by the Minister of National Security, so, however, that any such member—

- (a) shall not be entitled to purchase or sell any firearm or ammunition;
- (b) shall not acquire or have in his or her possession any firearm or ammunition other than a firearm or ammunition provided by that club or by some other club approved by the Minister;
- (c) shall not use any such firearm or ammunition otherwise than at the rifle range of any such club.

FOURTH SCHEDULE

(Section 48)

THE FIREARMS (APPEALS TO THE MINISTER) REGULATIONS

Short title.

1. These regulations may be cited as The Firearms (Appeals to the Minister) Regulations.

Interpretation.

2. In these regulations—

“applicant” means the person appealing from a decision of an appropriate authority;

“Minister” means the Minister charged with the responsibility for the subject of National Security.

(Amended by Act 6 of 2000)

Commencement of Appeal.

3. (1) Every appeal shall be commenced by notice in writing addressed to the Minister and filed within twenty-one days of the date on which the decision from which the applicant is appealing is communicated to him or her, or within such longer period as the Minister may in any particular case allow.

(2) The applicant shall state in his or her notice his or her grounds of appeal and shall forward a copy of such notice to the appropriate authority.

Appropriate authority to forward statement of grounds to the Minister.

4. Within fourteen days of the receipt of a notice of appeal, the appropriate authority shall forward to the Minister a statement in writing setting out the reasons for the decision from which the applicant is appealing together with a copy of every other document relating thereto.

Appearance of Applicant before the Minister.

5. (1) The Minister may, in his or her discretion, permit any applicant to appear before him or her to put forward arguments in support of his or her appeal.

(2) Any applicant permitted to appear before the Minister as aforesaid, may do so in person or may be represented by Counsel or Solicitor if he or she so desires.

(3) Where the Minister permits an applicant to appear before him or her, he or she shall invite the appropriate authority to be represented at the hearing if the appropriate authority so desires.

Communication of Minister's decision to Applicant.

6. So soon as may be practicable after the filing of all documents or the conclusion of the hearing of the appeal, as the case may be, the Minister shall communicate his or her decision in writing to the applicant and to the appropriate authority and give to the appropriate authority such directions as may be necessary.

FIFTH SCHEDULE

(Section 48)

FIREARMS (AIR GUNS PRESCRIPTION) REGULATIONS**Short Title.**

1. These Regulations may be cited as the Firearms (Air Guns Prescription) Regulations.

Prescription of Types of Air Guns not to be Considered Firearms.

2. Air guns of the following makes and calibres shall not be considered to be firearms for the purposes of the Firearms Act—

(a) Diana Smooth Bore Air Gun, .177;

(b) Daisy Smooth Bore Air Gun, .177.

SIXTH SCHEDULE

(Section 48)

FIREARMS (PRESCRIPTION OF FEES) ORDER**Short Title.**

1. This Order may be cited as the Firearms (Prescription of Fees) Order.

Prescription of Fees.

2. The fees outlined in the Schedule to this Order are hereby prescribed.

SCHEDULE

The following fees in Part A are in respect of applications made for the respective licences.

PART A

Licence	Fee (\$)
Firearm Dealer's	250.00
Firearm Manufacturer's	250.00
Gunsmith's	50.00
Firearm User (General)	50.00
Firearm User (Special)	50.00
Firearm User (Employee's Certificate)	50.00

PART B

Firearm Disposal Permit	30.00
Firearm Export Permit	30.00
Firearm Import Permit	30.00
