



LAWS OF SEYCHELLES

FIREARMS AND AMMUNITION ACT

CHAPTER 80

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CHAPTER 80

FIREARMS AND AMMUNITION ACT

*(1st November, 1973)*Act 9/1973,
S.L. 95/1975,
S.L. 72/1976,
Act 23/1976,
Act 31/1980.

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SCHEDULE

PART I. - PRELIMINARY

1. This Act may be cited as the Firearms and Ammunition Act Short title.
3/23/1976.
2. In this Act, except where the context otherwise requires — Interpretation.
S.L. 95/1975.
S.L. 72/1976.
3/23/1976.
 - "acquiring" means hiring, accepting as a gift and borrowing, and the expressions "acquire" and "acquisition" shall be construed accordingly;
 - "ammunition" includes --
 - (i) every shell, cartridge case, bomb, hand grenade, or projectile, whether containing any explosive or gas or chemical or not, and whether intended to be discharged from or by any gun or other propelling or releasing instrument or mechanism or not, except hand grenades which can be used only for the purposes of extinguishing fires;
 - (ii) every part of any such shell, cartridge case, bomb, hand grenade or projectile; whether such shell cartridge case, bomb, hand grenade or projectile may have been completed or fired at any time or not;
 - (iii) every live or dummy round or priming cap, which

could be used for the purpose of exploding any shell, bomb, hand grenade or other projectile;

- (iv) every bullet or cartridge clip;
- (v) an explosive when enclosed in any case or contrivance, or otherwise adapted or prepared so as to form a cartridge, charge or complete round of small arms, cannon, or any other weapon, or to form any tube for firing explosives, or to form a detonator, a projectile, or contrivance other than a firework, which can be used either singly or in suitable combinations, as, or in connection with, a missile;
- (vi) everything which may be declared by regulations made by President to be ammunition,

but does not include anything declared by regulations made by the President not to be ammunition,

"approved carrier" means a carrier approved by the Licencing Authority;

"approved servant" means an employee approved by the Licencing Authority;

"arms of war" means artillery of all kinds, apparatus for the discharge of all kinds of projectiles explosive or gas-diffusing, flame-throwers, bombs, grenades, machine-guns and rifled small-bore breech-loading weapons;

"customs control" means the control of the Seychelles Customs Department;

"customs officer" means an officer of the Seychelles Customs Department;

"firearm" means any lethal barrelled weapon of any description from which any shot, bullet, spear or other missile can be discharged or which can be adapted for the discharge of any shot, bullet, spear or other missile, and any weapon of whatever description designed or adapted for the discharge

of any noxious liquid, gas, spear or other thing, and includes the barrel, bolt and chamber, and any other essential component part, of any such weapon as aforesaid, but does not include anything which may be declared by regulations made by the President not to be a firearm;

"firearms licence" means a firearm licence granted under section 5;

"firearms dealer" means a person who, by way of trade or business, sells, transfers, repairs, tests or proves firearms or ammunition;

"immigration officer" has the same meaning as in the Immigration Decree and includes an assistant immigration officer;

Cap. 93.

"Licensing Authority" means the Commissioner of Police and every police officer delegated under section 3;

"munitions of war" means ammunition for use with arms of war;

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

"transferring" includes letting on hire, giving, lending and parting with possession, and the expressions "transfer", "transferee" and "transferor" shall be construed accordingly.

3(1) The Commissioner of Police shall be the Licensing Authority.

Licensing
Authority.
§1 05:0175,
§1 72:0170,
§2 3:1976

(2) The Commissioner of Police may delegate any or all of his powers under this Act to a member or members of the Police Force.

(3) The Commissioner of Police shall be deemed to be present

under this Act shall be under the control and direction of the President.

PART II. - REGULATION OF PURCHASE, POSSESSION,
MANUFACTURE AND SALE OF FIREARMS AND
AMMUNITION AND OTHER TRANSACTIONS.

Penalty for
purchasing etc.
firearms or
ammunition
without firearm
licence
3/23/1976.

4(1) Subject to the provisions of this Act, no person shall purchase, acquire or have in his possession any firearm or ammunition unless he holds a firearm licence in force at the time.

(2) If any person —

(a) purchases, acquires or has in his possession any firearm or ammunition without holding a firearm licence in force at the time, or otherwise than as authorised by such a licence, or, in the case of ammunition, in quantities in excess of those so authorised; or

(b) fails to comply with any condition subject to which a firearm licence is held by him,

he shall, subject to the provisions of this Act, be guilty of an offence and liable to imprisonment for a term not exceeding one year or to a fine not exceeding Rs2,000 or to both such imprisonment and fine.

Grant, etc of
firearm licences
3/23/1976.

5(1) An application for the grant of a firearm licence shall be made in the prescribed form to the Licensing Authority, and shall state such particulars as may be required by the said form.

(2) The firearm licence shall be granted by the Licensing Authority if he is satisfied that the applicant has a good reason for purchasing, acquiring or having in his possession the firearm or ammunition in respect of which the application is made, that such firearm or ammunition is in good and serviceable condition and that the applicant can be permitted to have in his possession such firearm or ammunition without danger to the public safety or to the peace;

Provided that a firearm licence shall not be granted to a person

whom the Licensing Authority has reason to believe to be prohibited by or under this Act from possessing a firearm, or to be of intemperate habits or unsound mind, or to be for any reason unfitted to be entrusted with such a firearm, or who has not satisfied the Licensing Authority that he will at all times keep the firearm securely and in safe custody in terms of section 18(3) and in a safe condition and take all reasonable precautions to ensure that the firearm is not lost or stolen and is not at any time available to any person not lawfully entitled to possess the same or where the Licensing Authority has reason to believe that the firearm or ammunition is not in good and serviceable condition or is unsafe.

(3) A firearm licence granted under this section shall be in the prescribed form, and shall specify the conditions subject to which it is held, the nature and number of firearms to which it relates and, as respects ammunition, the quantities authorized to be purchased and to be held at any one time thereunder.

(4) A firearm licence shall, unless previously revoked or cancelled, continue in force for one year from the date when it was granted or last renewed, but shall be renewable for a further period of one year, by the Licensing Authority, and so from time to time, and the foregoing provisions of this section shall apply to the renewal of a firearm licence as they apply to the grant of a firearm licence.

(5) The Licensing Authority may at any time by notice in writing vary the conditions subject to which a firearm licence is held, except such of them as may be prescribed and may by the notice require the holder to deliver up the firearm licence to him within fourteen days from the date of the notice for the purpose of amending the conditions specified therein.

(6) A firearm licence may also, on the application of the holder thereof, be varied from time to time by the Licensing Authority.

(7) A firearm licence may be revoked by the Licensing Authority if —

(a) the Licensing Authority is satisfied that the holder is

prohibited by or under this Act from possessing a firearm to which the firearm licence relates, or is of intemperate habits or unsound mind, or is otherwise unfitted to be entrusted with such a firearm; or

- (b) the holder fails to comply with a notice under subsection (5) of this section requiring him to deliver up the firearm licence; or
- (c) if the Licensing Authority is satisfied that the firearm or ammunition to which the firearm licence relates is not in good and serviceable condition or is unsafe.

(8) In any case where a firearm licence is revoked by the Licensing Authority, he shall by notice in writing require the holder to surrender the firearm licence, and if the holder fails to do so within fourteen days from the date of the notice he shall be guilty of an offence and liable to a fine not exceeding Rs. 1,000:

Provided that, where an appeal is brought against the revocation, this subsection shall not apply to that revocation unless the appeal is abandoned or dismissed, and shall in that case have effect as if for the reference to the date of the notice there were substituted a reference to the date on which the appeal was abandoned or dismissed.

(9) If any person makes any statement which he knows to be false for the purpose of procuring, whether for himself or any other person, the grant of a firearm licence under this section, or the variation or renewal of a firearm licence, he shall be guilty of an offence and liable to imprisonment for a term not exceeding six months or to a fine not exceeding Rs. 1,000, or to both such imprisonment and fine.

Fees in respect
of firearm
licences.

6(1) Subject to the provisions of this section, there shall be payable on the grant of a firearm licence, and on the renewal of a firearm licence, and on any variation of a firearm licence which increases the number of firearms to which such firearm licence relates, and on the replacement of a firearm licence which has been lost or destroyed, such fees as may be prescribed in the Schedule.

Provided that, where a firearm licence is varied as aforesaid and renewed or replaced at the same time, no fee shall be payable on the variation.

(2) No fee shall be payable on the grant, variation or renewal of a firearm licence if the Licensing Authority is satisfied that the firearm licence relates solely to, and, in the case of a variation, will continue when varied to relate solely to —

- (a) a firearm or ammunition which the applicant requires as part of the equipment of a ship; or
- (b) a signalling apparatus, or ammunition therefor, which the applicant requires as part of the equipment of an aircraft or aerodrome; or
- (c) a slaughtering instrument or ammunition therefor, which the applicant requires for the purpose of the slaughter of animals.

7(1) The following provisions of this section shall have effect notwithstanding anything in section 4

Exemptions from holding a firearm licence.

3/23/1976

(2) A person carrying on the business of a firearms dealer and registered as such under this Act, or an approved servant of such a person, may, without holding a firearm licence, purchase, acquire or have in his possession a firearm or ammunition in the ordinary course of that business.

(3) A person carrying on the business of an auctioneer or an approved carrier or an approved servant of such a person or of a bank licensed under section 5 of the Financial Institutions Act, may, without holding a firearm licence, have in his possession a firearm or ammunition in the ordinary course of that business.

Cap. 79.

(4) A person may, without holding a firearm licence, have in his possession a slaughtering instrument and ammunition therefor in any abattoir the operation of which is licensed or permitted by law if employed in such abattoir.

(5) The proprietor of an abattoir such as is referred to in section 6A(1) of the said Act, or a person appointed administrator

charge of slaughtering instruments and ammunition therefor for the purpose of storing them in safe custody at that abattoir, may, without holding a firearm licence, have in his possession a slaughtering instrument or ammunition therefor for that purpose.

(6) Any person may, without holding a firearm licence —

- (a) have in his possession a firearm or ammunition on board a ship, or a signalling apparatus or ammunition therefor on board an aircraft or at an aerodrome, as part of the equipment of the ship, aircraft or aerodrome; and
- (b) remove a signalling apparatus or ammunition therefor, being part of the equipment of an aircraft, from one aircraft to another at an aerodrome, or from or to an aircraft at an aerodrome to or from a place appointed for the storage thereof in safe custody at that aerodrome, and keep any such apparatus or ammunition at such a place; and
- (c) if he has obtained from a police officer of or above the rank of Assistant Superintendent or from the Licensing Authority a permit for the purpose in the prescribed form, remove a firearm from or to a ship, or a signalling apparatus from or to an aircraft or aerodrome, to or from such place and for such purpose as may be specified in the permit.

(7) A person carrying a firearm or ammunition belonging to another person holding a firearm licence relating thereto may without himself holding a firearm licence, have in his possession that firearm or ammunition under instructions from and for the use of that other person for sporting purposes only.

(8) Any person may, without holding a firearm licence, have a firearm in his possession at an abbatoir or other sporting meeting for the purpose of slaughtering at that meeting.

8(1) Notwithstanding anything contained in any of the foregoing sections the Licensing Authority may refuse to grant, renew or vary firearm licence unless and until any firearm to which such firearm licence is granted, renewed or varied, relates to is produced to him for his inspection and for marking, if necessary, in accordance with the requirements of subsection (2).

Power to refuse firearm licence unless firearm or ammunition produced.

(2) No firearm licence shall be granted, or, as the case may be, varied or renewed, in respect of a firearm unless such firearm bears a mark or number of identification or is first marked with such a mark or number by, or under and in accordance with the directions of, the Licensing Authority.

9(1) No person shall manufacture any firearm or ammunition save on behalf of the Government and at a place established or designated for the purpose by, and in accordance with instructions to be issued by, the Minister.

Prohibiting of manufacture of firearm and ammunition.
S.I. 95/1975.
S.I. 72/1976.

(2) In this section, "manufacture", in relation, to firearms or ammunition includes the filling, refilling and other processing of ammunition, but does not include the repair of firearms or ammunition, or the conversion into a firearm of anything which has the appearance of a firearm but is so constructed as to be incapable of discharging any missile through the barrel thereof, or the alteration, or substitution or replacement of any component part, of a firearm.

(3) If any person contravenes any of the provisions of subsection (1) of this section, he shall be guilty of an offence and liable to imprisonment for a term not exceeding five years or to a fine not exceeding Rs10,000, or to both such imprisonment and fine.

10(1) Any police officer, customs officer or the Licensing Authority may demand from any person whom he believes to be in possession of a firearm or ammunition the production of any firearm licence at or before such time, at such place and to such police officer, customs officer or to the Licensing Authority as he may specify.

Production of firearm licence

(2) Such demand may be made orally or in writing.

(3) If any person upon whom a demand is so made fails to produce any licence granted to him, or to allow the Licensing Authority or the officer to read the same, or to show that he is entitled by virtue of this Act to have a firearm or ammunition in his possession without holding a firearm licence, the Licensing Authority or the officer may seize and detain the firearm or ammunition, and may require that person to declare to him immediately his name and address.

(4) If any person upon whom a demand is so made fails, without reasonable cause, to produce any licence granted to him, or to allow the Licensing Authority or the officer to read the same, or refuses so to declare his name and address, or fail to give his true name and address, he shall be guilty of an offence and liable to a fine not exceeding Rs. 1,000.

Production of
and accounting
for firearms and
ammunition.

11(1) Any police officer, customs officer or the Licensing Authority may demand from any person who holds a firearm licence the production of any firearm or ammunition to which it relates at or before such time, at such place and to such police officer, customs officer, or to the Licensing Authority as he may specify.

(2) The Licensing Authority or any such officer may demand from any person who has within the last preceding five years held a firearm licence the production of any firearm or ammunition to which it relates, or an account of its whereabouts, at or before such time, at such place and to such police officer, customs officer or to the Licensing Authority as he may reasonably specify.

(3) A demand under this section may be made orally or in writing.

(4) If any person fails without reasonable cause to comply with such a demand as aforesaid, he shall be guilty of an offence and liable to a fine not exceeding Rs. 1,000.

Transfer, let-
ting, hire, or
loan of firearm
or ammunition
to another person.

12(1) Subject to the provisions of this section, no person shall, by way of trade or business —

(a) sell, transfer, repair, re-stock or let to

- (b) expose for sale or transfer, or have in his possession for sale, transfer, repair, test or prove,

and firearm or ammunition, unless he is registered under this Act as firearms dealer:

Provided that it shall be lawful for an auctioneer to sell by auction and have in his possession for sale by auction, a firearm or ammunition without being registered as aforesaid if he has obtained from the Licensing Authority a permit for that purpose in the prescribed form, and complies with the terms of the permit.

(2) If any person contravenes any of the provisions of this section, or makes any statement which he knows to be false for the purpose of procuring, whether for himself or for any other person, the grant of a permit under this section, he shall be guilty of an offence and liable to imprisonment for a term not exceeding six months or to a fine not exceeding Rs. 2,000 or to both such imprisonment and fine.

13(1) For the purposes of this Act, the Licensing Authority shall keep in the prescribed form a register of firearms dealers in which, subject as hereinafter provided, he shall cause to be entered the name of every person who applies to be registered as a firearms dealer and furnishes the prescribed particulars:

Registration of
firearms dealers.
3/23/1976

Provided that —

- (i) The Licensing Authority shall not register an applicant who is prohibited to be registered by order of a court made under section 19, and
- (ii) the Licensing Authority may refuse to register an applicant if he is satisfied that the applicant cannot be permitted to carry on business as a firearms dealer without danger to the public safety or to the peace.

(2) On the registration of an applicant as a firearms dealer there shall be payable such fee as may be prescribed in the Schedule in addition to any other fee which the applicant is liable to pay, or would have to pay, or otherwise.

(3) If the Licensing Authority, after giving reasonable notice to any person whose name is on the register, is satisfied that that person —

- (a) is no longer carrying on business as a firearms dealer; or
- (b) cannot be permitted to continue to carry on business as a firearms dealer without danger to the public safety or to the peace,

he shall cause the name of that person to be removed from the register.

(4) The Licensing Authority shall also cause the name of a person to be removed from the register if that person so desires.

(5) If any person, for the purpose of procuring the registration of himself or any other person as a firearms dealer, makes any statement which he knows to be false, he shall be guilty of an offence and liable to imprisonment for a term not exceeding six months or to a fine not exceeding Rs.2,000, or to both such imprisonment and fine.

Certificates of
registration

14(1) The Licensing Authority shall grant or cause to be granted to any person who is registered as a firearms dealer under section 13 a certificate of registration, and such certificate shall be prominently displayed at the firearms dealer's principal place of business.

(2) On or before the first day of January in each year, every person for the time being registered as a firearms dealer shall —

- (a) surrender to the Licensing Authority his certificate of registration; and
- (b) apply in the prescribed form for a new certificate of registration; and
- (c) pay such fee as may be prescribed in the Schedule in addition to any other fee which he is liable to pay for the renewal of his licence or otherwise.

and thereupon the Licensing Authority shall, subject to the provisions of subsection (3) of section 13 grant him a new certificate of registration.

(3) If any such person fails to comply with all or any of the requirements of subsection (2) on or before the first day of January in any year, the Licensing Authority shall by notice in writing require him to comply therewith, and, if he fails to do so within twenty-one days from the date of the notice, or within such further time as the Licensing Authority may by special circumstances allow, shall cause his name to be removed from the register.

(4) In any case where the Licensing Authority causes the name of a firearms dealer to be removed from the register, he shall by notice in writing require the dealer to surrender his certificate of registration, and if the dealer fails to do so within twenty-one days from the date of the notice he shall be guilty of an offence and liable to a fine not exceeding Rs.1,000:

Provided that —

- (i) where an appeal is brought against the removal, this subsection shall not apply to that removal unless the appeal is abandoned or dismissed, and shall in that case have effect as if for the reference to the date of the notice there were substituted a reference to the date on which the appeal was abandoned or dismissed;
- (ii) until the dealer surrenders his certificate of registration in accordance with the provisions of this subsection, or, if he fails so to surrender his said certificate, until the expiration of the aforesaid period of twenty-one days, the dealer shall be deemed to be registered as a firearms dealer for the purpose only of disposing of the stock in hand of his business.

15(1) The prescribed particulars which a person applying to be registered as a firearms dealer under section 13 is required to furnish shall include particulars of every place of business at

in the case of
this of course
is "firearm"
15(1)

which he proposes to carry on business as a firearms dealer, and the Licensing Authority shall, subject as hereinafter provided, enter in the register every such place of business.

(2) Every person registered as a firearms dealer who proposes to carry on business as such at any place of business which is not entered in the register shall notify the Licensing Authority and furnish him with such particulars as may be prescribed, and the Licensing Authority shall, subject as hereinafter provided, enter that place of business in the register.

(3) The Licensing Authority, if he is satisfied that any place of business notified to him by any person under subsection (1) or subsection (2) of this section, or any place entered as the place of business of any person in the register of firearms dealers, is a place at which that person cannot be permitted to carry on business as a firearms dealer without danger to the public safety or to the peace, may refuse to enter that place of business in the register or remove it from the register, as the case may be.

(4) If—

- (a) any person, being a registered firearms dealer, has a place of business which is not entered on the register and carries on business as a firearms dealer at that place; or
- (b) any person makes any statement which he knows to be false for the purpose of procuring, whether for himself or any other person, the entry of any place of business in the register of firearms dealers,

he shall be guilty of an offence and liable to imprisonment for a term not exceeding six months or to a fine not exceeding Rs. 2,000, or to both such imprisonment and fine.

Penalty for
selling or
transferring
firearms or
ammunition
without licence

(6) If a person sells or transfers to any other person in contravention of the provisions of this section, any firearm or ammunition or any other person produces a firearm licence and if he is liable to a fine or imprisonment or both, he shall be liable to a fine or imprisonment or both, as the case may be.

to acquire it by means of such transfer, without holding such a licence:

Provided that this subsection shall not prevent a person parting with the possession of a firearm or ammunition, otherwise than in pursuance of a contract of sale or hire or by way of gift or loan to a person who shows that he is by virtue of this Act entitled to have possession of the firearms or ammunition without holding a firearm licence.

(2) Every person who sells, lets on hire, gives or lends a firearm or ammunition to any other person in Seychelles, other than a registered firearms dealer, shall, unless that other person shows that he is by virtue of this Act entitled to purchase or, as the case may be, to hire, accept as a gift or borrow the firearm or ammunition without holding a firearm licence, comply with any instructions contained in the licence produced, and in the case of a firearm, shall, within forty-eight hours from the transaction, send by registered post, or personally deliver, notice of the transaction to the Licensing Authority.

(3) No person shall undertake the repair, test or proof of a firearm or ammunition for any other person in Seychelles, other than a registered firearms dealer as such, unless that other person produces or causes to be produced a firearm licence authorizing him to have possession of the firearm or ammunition, or shows that he is by virtue of this Act entitled to have possession of the firearm or ammunition without holding such a licence.

(4) If any person

- (a) contravenes any of the provisions of this section, or
- (b) with a view to purchasing or acquiring, or procuring the repair, test or proof of, a firearm or ammunition produces a false firearm licence or a firearm licence in which any false entry has been made, or personates a person to whom a firearm licence has been issued, or makes any false statement;

or sells the publicly owned firearm and holds the same for a day

not exceeding six months or to a fine not exceeding Rs 2,000, or to both such imprisonment and fine.

Register of
transactions in
firearms and
ammunition.
3/23/1976.

17(1) Every person who by way of trade or business deals in, sells or transfers firearms or ammunition shall provide and keep a register of transactions, and shall enter or cause to be entered therein such particulars as may be prescribed.

(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 person as aforesaid shall at the time of the transaction require the purchaser or transferee to furnish particulars sufficient for identification, and shall immediately enter the said particulars in the register.

(3) Every such person as aforesaid shall, on demand, allow any police officer or the Licensing Authority to enter and inspect all stock in hand, and shall on request by any such police officer or the Licensing Authority produce for inspection the register so required to be kept as aforesaid.

(4) Every such person shall make a quarterly return to the Licensing Authority of all firearms and ammunition received and sold by him.

(5) If any person --

- (a) fails to comply with any of the provisions of this section; or
- (b) knowingly makes any false entry in a register required to be kept under this section; or
- (c) knowingly furnishes any false particular of identification of himself or any other person; or
- (d) fails to comply with any regulations made under this Act.

He shall be guilty of an offence and liable to imprisonment for a term not exceeding six months or to a fine not exceeding Rs 2,000 or to both such imprisonment and fine.

(6) Nothing in this section shall apply to the sale of firearms or ammunition by auction in accordance with the terms of a permit issued under the proviso to subsection (1) of section 12.

18(1) Every registered firearms dealer shall maintain at each of his places of business a suitable enclosed store, approved by the Licensing Authority, for the safe custody of firearms and ammunition in his possession.

Storage and safe custody of firearms and ammunition

(2) Each such store as aforesaid shall be, and be maintained constantly, secure to the satisfaction of the Licensing Authority, and shall have only one means of entry thereto, which shall be provided with two locks, of which master-keys shall be delivered to, and retained by, the Licensing Authority.

(3) Every person having in his possession any firearm or ammunition shall keep the same at all times securely and in safe custody and in a safe condition and, when not in use, in a locked fireproof steel box or other locked fireproof receptacle approved by the Licensing Authority, and shall take all reasonable precautions to ensure that such firearm or ammunition is not lost or stolen and is not at any time available to any person not lawfully entitled to possess the same.

(4) Any person who fails to comply with any of the provisions of this section shall be guilty of an offence and liable to imprisonment for a term not exceeding six months or to a fine not exceeding Rs 5,000, or to both such imprisonment and fine.

19. Where a registered firearms dealer is convicted of an offence under this Act, or under any law for the time being in force in Seychelles relating to customs in respect of the import or export of firearms or ammunition, the court may order —

Orders of court in case of offence by registered firearms dealer, s.19

(a) that the name of the registered firearms dealer be removed from the register; and

(b) that neither the dealer nor any person who acquires the business of that dealer, nor any person who took over the management of the business and was

knowingly a party to the offence, shall be registered as a firearms dealer; and

- (c) that any person who, after the date of the order, knowingly employs in the management or conduct of his business the dealer convicted of the offence, or any person who was knowingly a party of the offence, shall not be registered as a firearms dealer, or, if so registered, shall be liable to be removed from the register; and
- (d) that any stock in hand of the business shall be disposed of by sale or otherwise in accordance with such directions as may be contained in the order:

Provided that a person aggrieved by an order made under this section may appeal against the order in the same manner as against the conviction, and the court may, if it thinks fit, suspend the operation of the order pending the appeal.

Penalty for
taking in pawn
firearms or
ammunition.

20(1) No person shall take any firearm or ammunition in pawn from any other person.

(2) Any person who contravenes the provisions of this section shall be guilty of an offence and liable to imprisonment for a term not exceeding six months or to a fine not exceeding Rs 2,000, or to both such imprisonment and fine.

Provisions as to
converting
misdean
firearms into
firearms.

21(1) No person other than a registered firearms dealer shall convert into a firearm anything which, though having the appearance of being a firearm, is so constructed as to be incapable of discharging any missile through the barrel thereof.

(2) Any person who contravenes the provisions of this section shall be guilty of an offence and liable to imprisonment for a term not exceeding six months or to a fine not exceeding Rs 2,000, or to both such imprisonment and fine.

Penalty for
having possession
of dangerous
firearms.

22. Any person having possession of a firearm or ammunition, whether or not he holds a firearms licence, that he or is entitled to have possession thereof without holding a firearms licence, shall,

if such firearm or ammunition is lost, stolen or destroyed, report such loss, theft or destruction as soon as possible after its occurrence to the police officer in charge of the nearest police station, and if he fails to do so, shall be guilty of an offence and liable to imprisonment for a term not exceeding six months or to a fine not exceeding Rs. 2,000, or to both such imprisonment and fine.

23(1) Any person aggrieved by a refusal of the Licensing Authority to grant him a firearm licence under section 5 or to vary or renew a firearm licence, or by the revocation of a firearm licence, or by refusal of the Licensing Authority to register him as a firearms dealer, or by the removal of his name from the register of firearms dealers by the Licensing Authority, or by the refusal of the Licensing Authority to enter a place of business in the register of firearms dealers under section 15 or by the removal of any such place of business from the register, may appeal to the President, whose decision shall be final.

Appeals under
this part.
S.I. 95/1975,
S.I. 72/1976.

(2) An appeal under this section shall be lodged within fourteen days after the date on which the appellant first received notice, whether written or oral, of the decision by which he is aggrieved.

(3) On an appeal under this section, the President may either dismiss the appeal or give such directions as he may think fit to the Licensing Authority from whose decision the appeal has been lodged, as respects the firearm licence or register which is the subject of the appeal.

24(1) This Part applies to all firearms as defined in section 2 and to all safety, toy and alarm pistols and rifles which are capable of being converted into, or have the appearance of, lethal barrelled weapons, or which can be used or adapted for the discharge of any noxious liquid, gas or chemical.

Application of
this Part

PART III - MISCELLANEOUS PROVISIONS AS TO
FIREARMS AND AMMUNITION

Special provisions relating to certain types of weapons and ammunition.
S.I. 95/1975.
S.I. 72/1976.
3/23/1976.

25(1) It shall not be lawful for any person, other than a person in the service of the Republic acting in his capacity as such a person authorised in writing in that behalf by the President or a person of a class for the time being authorised in that behalf by the President by notice in the *Gazette*, to sell, transfer, purchase, acquire or have in his possession—

- (a) any firearm which is so designed or adapted that if pressure is applied to the trigger missiles continue to be discharged until the pressure is removed or until the magazine containing the missiles is empty; or
- (b) any weapon of whatever description designed or adapted for the discharge of any noxious liquid, gas or similar thing; or
- (c) any ammunition containing, or designed or adapted to contain, any such noxious thing; or
- (d) any firearm or ammunition specified, or of a class or type specified, by the President by notice in the *Gazette*; or
- (e) any accessory or attachment, of a kind specified by the President by notice in the *Gazette*, which is designed or adapted for use with or as part of a firearm.

(2) Any person who does any of the things prohibited by subsection (1) of this section shall be guilty of an offence and liable to imprisonment for a term not exceeding three years or to a fine not exceeding R\$ 5,000 or to both such imprisonment and fine.

(3) Any authority given under this section shall be subject to such conditions as may be specified therein, and if any person authorised thereby fails to comply with any such condition, he shall be guilty of an offence and liable to imprisonment for a term not exceeding six months or to a fine not exceeding R\$ 1,000 or to both such imprisonment and fine.

(4) The President may at any time, if he thinks fit, revoke any individual authority given by him to any person under this section, by notice in writing requiring that person to deliver up the authority to such person as may be specified in the notice within fourteen days from the date of the notice, and if that person fails to comply with that requirements, he shall be guilty of an offence and liable to imprisonment for a term not exceeding six months or to a fine not exceeding Rs. 2,000, or to both such imprisonment and fine.

(5) An authority given by the President under this section to any class of persons may at any time be revoked or varied by the President by notice in the *Gazette*.

(6) The foregoing provisions of this section shall be in addition to and not in derogation of any other provisions of this Act or any other Act relating to the sale, transfer, purchase, acquisition or possession of firearms or ammunition, but the Licensing Authority —

- (a) shall not refuse to grant or renew and shall not revoke, a firearm licence in respect of a firearm, weapon or ammunition such as is referred to in subsection (1) of this section if the applicant is for the time being authorized as aforesaid to have possession of that firearm, weapon or ammunition; and
- (b) shall not refuse to enter in the register of firearms dealers the name of a person for the time being authorized as aforesaid to sell or transfer a firearm weapon or ammunition such as aforesaid, or remove the name of such a person from the register, on the ground that he cannot be permitted to carry on, or to continue to carry on, business as a firearms dealer without danger to the public safety or to the peace, and where any authority to purchase, acquire or have possession of a firearm, weapon or ammunition is revoked under this section, the fire licence relating to that firearm, weapon or ammunition shall be

revoked or varied accordingly by the Licensing Authority by whom it was granted.

Importation and
exportation of
firearms and
ammunition.
S.I. 95/1975.
S.I. 72/1976.

26(1) No person shall import or export any firearm or ammunition save under and in accordance with the terms of an import or export permit, as the case may be, issued by an authorized officer:

Provided that where any firearm or ammunition, not being a firearm or ammunition the importation of which is for the time being prohibited under subsection (2), is imported for the personal use of the owner thereof but without an import permit under this section having been previously obtained authorizing the importation thereof, such importation shall not be deemed to contravene the provisions of this section if such firearm or ammunition on importation is left in customs control until an import permit under this section is obtained in respect of the importation thereof.

(2) No person shall import or export any firearm or ammunition, or any firearm or ammunition of a class or type, of which the importation or exportation, as the case may be, is for the time being prohibited by the President by order published in the *Gazette*.

(3) Any person who contravenes any of the provisions of subsections (1) and (2) of this section shall be guilty of an offence and liable to imprisonment for a term not exceeding six months or to a fine not exceeding Rs. 2,000, or to both such imprisonment and fine:

Provided that where any person imports or exports arms or ammunitions of war in contravention of any of the provisions of this section he shall be guilty of an offence and liable to imprisonment for twenty years.

(4) An authorized officer may, at his discretion and without assigning any reason thereof, refuse to grant any import or export permit under this section, and shall refuse to grant any such permit, whether or not —

- (a) the importation or exportation of any arms or ammunitions of war unless the President has sanctioned such importation or exportation; or
- (b) the importation or exportation of any firearm or ammunitions of war unless the President as the case may be, is for the time being prohibited under subsection (2) of this section.

(5) Import and export permits under this section shall be in the prescribed forms, and there shall be payable in respect thereof such fees as may be prescribed.

(6) An authorized officer may, without assigning any reason therefor, revoke any import or export permit granted under this section at any time before the firearms or ammunition to which it relates have been imported or exported, as the case may be, in pursuance thereof.

(7) Any person who makes any statement which he knows to be false for the purpose of procuring, whether for himself or for any other person, the issue of an import or export permit under this section shall be guilty of an offence and liable to imprisonment for a term not exceeding six months or to a fine not exceeding Rs. 2,000, or to both such imprisonment and fine.

(8) For the purposes of this section "authorised officer" means a police officer or customs officer authorised by the Licensing Authority in writing to grant import and export permits under this section.

(9) In this section, "firearms" includes safety, toy and alarm pistols and rifles which are capable of being converted into, or to have the appearance of, lethal bar, elded weapons, or which can be used or adapted for the discharge of any noxious liquid, gas or solid thing, and "ammunition" means any projectile or shot, or any other thing.

Places of
importation of
firearms or
ammunition and
removal
therefrom.
S.I. 95/1975,
S.I. 72/1976
3/23/1976.

27(1) No person shall import any firearm or ammunition save at any one or more places designated for the purposes by the President and all firearms and ammunition imported at any such place shall be detained in customs control pending removal in accordance with the provisions of this section.

(2) No person who imports any firearm or ammunition by way of trade or business, or for the purposes of any trade or business, or for any purpose other than his own personal use, shall remove the same, or cause the same to be removed, from customs control, unless he has first obtained a removal permit under section 28 authorizing the removal thereof from the place at which the same is detained in customs control.

(3) No person who imports a firearm or ammunition for his own personal use shall remove the same, or cause the same to be removed, from customs control unless he has first obtained a firearm licence, in respect thereof, or unless he is entitled by virtue of this Act to have the firearm licence or ammunition in his possession without holding a firearm licence.

(4) Any person who contravenes any of the foregoing provisions of this section shall be guilty of an offence and liable to imprisonment for a term not exceeding six months or to a fine not exceeding Rs. 2,000, or to both such imprisonment and fine.

(5) In this section, "firearm" includes safety, toy and alarm pistols and rifles which are capable of being converted into, or have the appearance of, lethal barrelled weapons, or which can be used or adapted for the discharge of any noxious liquid, gas or similar thing, and "ammunition" means ammunition to which Part II applies.

removal and
importation of
firearms and
ammunition
from
Seychelles
2/2/1976.

28(1) Subject to the provisions of subsection (4), no person shall remove or transport, or cause to be removed or transported, any firearm or ammunition from one place to another in Seychelles, whether for the purpose of export or otherwise, save under and in accordance with a removal permit issued by the Licensing Authority.

(2) Any person who contravenes any of the provisions of subsection (1), or who makes any statement which he knows to be false for the purpose of procuring for himself or any other person the issue of a removal permit under this section, shall be guilty of an offence and liable to imprisonment for a term not exceeding six months or to a fine not exceeding Rs. 2,000 or to both such imprisonment and fine.

(3) No removal permit shall be issued under this section authorizing the removal or transport of firearms or ammunition by road, by air or by sea from one area to another, save with the general or specific permission of the Licensing Authority.

(4) Nothing in this section shall apply to —

- (a) a person carrying on the business of an approved carrier, or an approved servant of such a person, in respect of the removal or transportation of any firearms or ammunition in the ordinary course of that business;
- (b) the holder of a firearm licence in respect of the carriage with him and in accordance with the terms of the firearm licence of any firearm or ammunition to which the firearm licence relates;
- (c) any person, not being a registered firearms dealer, in respect of the carriage with him of any firearm or ammunition which he is entitled by virtue of the provisions of this Act to have in his possession without holding a firearm licence, or
- (d) the removal or transport by a registered firearms dealer of any firearm or ammunition in his possession in the ordinary course of his business as such from one of his places of business to another or from or to his own place of business from the place of business of another registered firearms dealer.

(5) A permit issued under this section may at any time be revoked by the Licensing Authority and the issuing authority.

ity shall not be compelled to assign any reason for such revocation.

(6) In this section, "firearm" and "ammunition" means respectively a firearm and ammunition to which Part II applies.

Firearms and
ammunition in
transit through
Seychelles.
3/23/1976.

29. Notwithstanding anything in this Act contained, the Licensing Authority may, at his discretion, grant, with or without conditions, refuse, suspend or revoke transit permits for the importation or exportation, or the removal within or transportation through Seychelles, of any firearms or ammunition in transit through Seychelles to any place outside Seychelles, and the importation, exportation, removal, transportation and possession of any such arms or ammunition under and in accordance with the terms of any such transit permit shall be lawful and shall not constitute any offence under this Act.

Restrictions on
possession of
firearms and
ammunition by
young persons

30(1) No person under the age of twelve years shall have in his possession any firearm or ammunition to which Part II applies, and no person under the age of fourteen years shall have in his possession any firearm or ammunition to which Part II applies except in circumstances where he is entitled to have possession thereof without holding a firearm licence by virtue of subsection (7), or subsection (8) of section 7, and no person shall part with the possession of any such firearm or ammunition to any person whom he knows or has reason to believe to be under the age of twelve or fourteen years, as the case may be, except in circumstances where that other person is entitled to have possession thereof as aforesaid.

(2) Any person who contravenes any of the provisions of this section shall be guilty of an offence and liable to imprisonment for a term not exceeding six months or to a fine not exceeding Rs. 2,000, or to both such imprisonment and fine.

Carrying firearm
while drunk or
disorderly

31. Any person who is drunk, or who behaves in a disorderly manner, while carrying a firearm to which Part II applies, shall be guilty of an offence and liable to imprisonment for a term not

exceeding six months or to a fine not exceeding Rs. 2,000, or to both such imprisonment and fine.

32(1) If any person makes or attempts to make any use whatsoever of a firearm or imitation firearm with intent to commit an offence or to resist or prevent the lawful apprehension or detention of himself or any other person, he shall be guilty of an offence and liable to imprisonment for a term not exceeding fourteen years; and, where any person commits any such offence in respect of the lawful apprehension or detention of himself for any other offence committed by him, he shall be liable to the penalty provided in this subsection in addition to any penalty to which he may be sentenced for that other offence.

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

(2) A firearm or imitation firearm shall, notwithstanding that it is not loaded or is otherwise incapable of discharging any shot, bullet or other missile, be deemed to be an offensive weapon or instrument for the purposes of the Penal Code.

(3) In this section, "imitation firearm" means anything which has the appearance of being a firearm, whether it is capable of discharging any shot, bullet or other missile or not.

33(1) Any person who is aggrieved by the refusal of an authorized officer to issue to him an import permit or export permit under section 26, or by the revocation of any such permit, or by the refusal of the Licensing Authority to issue to him a removal permit under section 28 or by the revocation of any such permit, or by the refusal of the Licensing Authority to grant him a transit permit under section 29 or by the imposition of any condition attached to any such permit, or by the suspension or revocation of any such permit, may appeal to the President whose decision shall be final.

Appeals under this part.
S.I. 95/1975
S. 72/1976

(2) The provisions of subsection (2) and (3) of section 23 shall apply *mutatis mutandis* to appeals made under this section.

PART IV. - GENERAL

Convicted persons not to possess firearms or ammunition; forfeiture of firearms and ammunition; and cancellation of firearm licences.
S.I. 95/1975.
S.I. 22/1976.
3/23/1976.

34(1) Where any person —

- (a) is convicted of an offence under this Act or is convicted of an offence for which he is sentenced to imprisonment, or to detention of any description; or
- (b) has been ordered to be subject to police supervision, or to enter into a recognizance to keep the peace or to be of good behaviour a condition of which is that the offender shall not possess, use or carry a firearm or is subject to a probation order containing a requirement that he shall not possess, use or carry a firearm,

the following provisions shall apply

- (i) the court before whom such person is convicted or by whom the order is made may make such order as to forfeiture or disposal of any firearm or ammunition which was found in his possession or in respect of which the offence of which he is convicted was committed or which was used in the commission of such offence as the court thinks fit, and may cancel any firearm licence held by the person convicted;
- (ii) in the case of a person convicted, or convicted and sentenced, as mentioned in paragraph (a), the court before whom he is convicted may order that such person shall not, at any time during such period, not exceeding ten years from the date of his release, as may be specified in the order, have in his possession any firearm or ammunition or, as the case may be, any firearm or ammunition of a class or description specified in the order.

(2) Subject to the provisions of this section, no person who is subject to the supervision of the police, or is subject to a recognizance to keep the peace or to be of good behaviour, or

condition of which is that he shall not possess, use or carry a firearm, or is subject to a probation order containing a requirement that he shall not possess, use or carry a firearm, shall, at any time during which he is so subject as aforesaid, have a firearm or ammunition in his possession.

(3) Subject to the provisions of any other law for the time being in force under which a condition or requirement such as is referred to in subsection (2) is imposed or made, a person prohibited by the said subsection from having in his possession a firearm or ammunition may apply to the President for exemption from such prohibition, and, if the application is granted, the provisions of the said subsection shall not apply to that person.

(4) The President may, in his absolute discretion, grant or refuse any such application for exemption as aforesaid, and shall not be required to assign any reason for the refusal of any such application.

(5) No person shall sell or transfer a firearm or ammunition to, or repair, test or prove a firearm or ammunition for, any person whom he knows, or has reasonable ground for believing to be prohibited by this section or by any order made thereunder from having a firearm or ammunition in his possession.

(6) Where a court cancels a firearm licence or permit under this section —

- (a) the court shall cause notice to be sent to the Licensing Authority;
- (b) the Licensing Authority shall by notice in writing require the holder of the firearm licence or permit to surrender it, and
- (c) if the holder fails to surrender the firearm licence or permit within fourteen days from the date of the last-mentioned notice, he shall be guilty of an offence and liable to a fine not exceeding R5 1,000.

(7) Subject to the provisions of paragraph (c) of subsection

(6), any person who contravenes any provision of this section or of any order made thereunder shall be guilty of an offence and liable to imprisonment for a term not exceeding six months, or to a fine not exceeding Rs. 2,000, or to both such imprisonment and fine.

Search warrants
and disposal of
firearms and
ammunition
seized.
3/23/1976.

35(1) A Court, if 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 authorizing a police officer or other person therein named —

- (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 and detain any firearm or ammunition which he may find on the premises or place, or on any such person, in respect of which or in connection with which he has reasonable ground for suspecting that an offence under this Act has been, is being or is about to be committed; and
- (c) if the premises are those of a registered firearms dealer, to examine any books relating to the business.

(2) A Court shall have power, on the application of the Licensing Authority, a police officer or a customs officer, to order any firearm or ammunition seized and detained under this Act to be destroyed or otherwise disposed of.

(3) Any firearm or ammunition in the hands of the police or in customs control and unclaimed for a period in excess of six months may, if the owner thereof is unknown, or cannot be traced, or fails, when required, or is not entitled under this Act or any other law for the time being in force, to take possession thereof, be disposed of at any time after the expiration of the period aforesaid and in such manner as the Licensing Authority may direct, and no compensation shall be payable to any person in respect of any firearm or ammunition so disposed of as aforesaid.

36(1) Where any firearm or ammunition, together with any case, holster, strap, lanyard, cleaning equipment, spare part or other accessory packed, carried or stored with such firearm or ammunition, has been held for a period exceeding three months in a firearms store maintained by the Seychelles Police Force, the Commissioner of Police may order the destruction or other disposal of such firearm or ammunition:

Disposal of
firearms and
ammunition.

Provided that —

- (i) before any such destruction or disposal the Commissioner of Police shall take such steps as he deems possible and appropriate to give notice to the owner of the firearm or ammunition (if known) of his intention so to act, and subject as aforesaid shall allow the owner a period of not less than two months within which to make arrangements to the satisfaction of the Commissioner of Police for the disposal of the firearm or ammunition; and
- (ii) in the event of a firearm or ammunition being sold by the Commissioner of Police or any person or body on his behalf, the proceeds of the sale, after deduction of the expenses of and incidental to the sale, shall be paid over to the owner or, if the owner cannot by the exercise of reasonable diligence be traced, shall be held on deposit for a period of three months and shall then be paid into the consolidated fund;
- (iii) where the firearm or ammunition has been sold in bulk together with other firearms or ammunition in circumstances which prevent the actual proceeds and expenses aforesaid from being separately identified, the proportions of the bulk proceeds and expenses attributable to the owner aforesaid shall be assessed and determined by or under the directions of the Commissioner of Police.

(2) No compensation shall be payable in respect of any act or omission done or made in good faith under this section.

Appeals in connection with disposal of firearms etc.
S.I. 95/1975,
S.I. 72/1976.

37(1) Any owner aggrieved by any act or omission done or made under section 36 may, within fourteen days of the receipt of notice, whether written or oral, of such act or omission or, in the absence of such notice, within thirty days of the act or omission aforesaid, appeal to the President whose decision thereon shall be final.

(2) On an appeal under this section, the President may either dismiss the appeal or give such directions as he may think fit to the Commissioner of Police as to the destruction, disposal, sale or retention of the firearm or ammunition which is the subject of the appeal.

Power to inspect premises.
3/23/1976.

38. Any police officer may at all reasonable time enter upon any premises with a view to ascertaining whether or not the provisions of this Act are being complied with, and may inspect such premises and any firearm or ammunition, book, account, register, document or thing found therein, and may require any person appearing to be in control thereof or employed therein to give such information as such police officer may require in order to ascertain whether or not the provisions of this Act are being complied with.

Penalty for obstructing a police officer.

39. Any person who obstructs a police officer in the exercise of any of the powers conferred on him by or under section 35 or section 38, or who fails to give to such police officer any information which he is lawfully required by such police officer under the said section to give to him, shall be guilty of an offence and liable to imprisonment for a term not exceeding six months or to a fine not exceeding Rs. 2,000 or to both such imprisonment and fine.

Arrest without warrant.
3/23/1976.

40. Any police officer may arrest without warrant any person whom he suspects on reasonable ground of having committed an offence under this Act.

Jurisdiction of District Magistrate.
S.I. 95/1975,
S.I. 72/1976.

41. An magistrate shall have power to try any offence under this Act, other than an offence under the proviso to subsection (3) of section 37 or under subsection (1) of section 32 and to award any punishment provided therein.

42. Save where otherwise expressly by this Act provided, any demand or notice required or authorized by this Act to be made of or given to any person shall be served either —

Service of documents, notices, etc
3/23/1976.

- (a) by delivering it to the person to whom it is addressed; or
- (b) by sending it by registered post addressed to that person at his last known postal address; or
- (c) in the case of a registered firearms dealer, by delivering it to him at any place of business in respect of which he is registered or by sending it by registered post addressed to him at his last known postal address.

43(1) Where any person fails or refuses to produce a firearm licence to a police officer, customs officer or the Licensing Authority on demand made under section 10 such failure or refusal shall be held as *prima facie* evidence that such person has not obtained the necessary firearm licence or has not paid the licence fee as the case may be.

Evidence.
3/23/1976.

(2) Wherever any person is charged under this Act with doing or omitting to do anything for which a firearm licence, a firearms dealer's certificate of registration or a permit is required under this Act, the burden of proof as to his having been granted such licence, certificate of registration or permit shall rest with him. If he declares that he had such licence, certificate of registration or permit and has lost it, reference shall be made to the Licensing Authority to ascertain whether or not such licence, certificate of registration or permit has been granted to him.

(3) A certificate in writing signed by the Licensing Authority to the effect that a person has or has not been granted a firearm licence, a firearms dealer's certificate of registration or a permit shall be *prima facie* evidence before any court of the fact that such person had or had not a firearm licence, a firearms dealer's certificate of registration or a permit as the case may be, at the

(4) A certificate under subsection (3) shall be received in evidence without requiring to be stamped.

(5) For the purposes of this Act, the court shall take judicial notice of the signature of the Licensing Authority.

General
exemptions.
S.L. 95/1975,
S.L. 72/1976,
3/23/1976.

44. Notwithstanding anything elsewhere contained in this Act a firearm licence shall not be required to be taken out in respect of firearms or ammunition by:—

- (a) any person in the Defence Force or in the police force or prison service of the Republic, and by any member of any rifle association approved by the Minister in respect of any firearm kept, or carried, or used exclusively for the purposes of such force, service or association;
- (b) any person or class of persons especially exempted by the President from taking out such licence;
- (c) any person in possession of a firearm which by reason of its age, peculiarity of construction, damaged condition or other sufficient cause is certified in writing by the Commissioner of Police to be out of use and kept merely as a curiosity.

President may
prohibit the use
of firearms.
S.L. 95/1975,
S.L. 72/1976

45(1) It shall be lawful for the President by proclamation to prohibit the carrying, use, or keeping of firearms or ammunition in any district or part of the Republic for either a definite or an indefinite period, and to order that within such district or part all firearms shall be delivered up on demand to such person or persons as the President may appoint.

(2) Any person who contravenes the provisions of such proclamation shall be guilty of an offence and liable to imprisonment for five years or to a fine of R\$ 5,000 or to both such imprisonment and fine and to forfeiture of any firearms or ammunition found in his possession.

46. The President may make regulations —

Power to make
regulations.
S.I. 95/1975.
S.I. 72/1976.
3/23/1976.

- (a) prescribing the form of a firearm licence, of any register required to be kept under this Act, of a firearms dealer's certificate of registration and of any other permit or document under this Act;
- (b) prescribing the fees other than those in the Schedule to be paid for anything done, or any permit, document or authorization issued or granted under this Act;
- (c) prescribing any other thing which under this Act is to be prescribed;
- (d) providing for the establishment and maintenance of a central registry of firearms and ammunition;
- (e) regulating the manner in which the Licensing Authority and other officers are to carry out their duties under this Act;
- (f) enabling all or any of the functions of the Licensing Authority to be discharged by deputy in the event of the illness or absence, or a vacancy in the office, of the Licensing Authority;
- (g) amending the Schedule;
- (h) imposing penalties for non-compliance with regulations;
- (i) generally for carrying this Act into effect.

47(1) The provisions of each part of this Act shall be in addition to and not in derogation of the provisions of any other part of this Act or of any other law for the time being in force relating to the manufacture, sale, transfer, purchase, acquisition, possession, use, storage, carriage, transportation, importation or exportation of firearms, ammunition or explosives.

Savings.
2/25/1976

(2) Notwithstanding any rule of law which under the provisions of this Act do not bind the Republic, the provisions of

section 16, subsections (3) and (4) of section 18, section 31 and section 32 shall apply to persons in the service of the Republic in their capacity and in the course of their duty as such.

(section 6)

SCHEDULE

ANNUAL LICENCE FEES

<i>Section of Act</i>		<i>Ruppes</i>
6(1)	On grant, renewal or replacement of firearm licence, or a variation increasing the number of firearms to which such licence relates:	
	Per airgun	50
	Per shotgun	100
	Per pistol, revolver, rifle or other firearm	200
	(No fee for variation shall be payable where the licence is renewed or replaced at the same time as the variation is made).	
12(1)	For an auctioneer's permit to sell a firearm or ammunition by auction	20
13(2)	On registration as a firearms and/or ammunition dealer	100
14(2)	For annual renewal of firearms dealer's certificate of registration	100
26(5)	For import permit (on import by registered firearms dealers only)	20
29	For a transit permit in respect of bulk consignment of firearms and/or ammunition moving in Seychelles and destined for any place outside Seychelles	200

For transit permit in respect of firearms
and/or ammunition in the personal posses-
sion or personal baggage arriving in
Seychelles and proceeding to any place
outside Seychelles.

20



LAWS OF SEYCHELLES

FIREARMS AND AMMUNITION ACT

CHAPTER 80

(SUBSIDIARY LEGISLATION)

REVISED EDITION OF 1991

PRINTED FOR THE GOVERNMENT OF SEYCHELLES
BY THE GOVERNMENT PRINTER

Section 46

**The Firearms and Ammunition
Regulations**

S.I. 53 of 1973.

[1st November, 1973]

ARRANGEMENT OF REGULATIONS

REGULATION

1. Citation and Commencement.
2. Schedule of fees.
3. Schedule and forms.
4. Firearm dealers.
5. Firearms dealer's register.
6. Penalties.

1. These regulations may be cited as the Firearms and Ammunition Regulations.

Citation.

2. The fees set out in the Schedule to the Act shall be payable in regard to the respective matters herein contained.

Schedule of fees.

3. The forms set out in the Schedule to these Regulations shall be used for the purposes of the Act of these Regulations.

Schedule and forms.

4(1) No firearms dealer shall sell, issue or return to any person, except to another firearms dealer, any firearm, or any barrel, bolt or chamber of a firearm, unless such firearm or part bears a mark or number of identification.

Firearm dealers.

4(2) Every firearms dealer shall maintain equipment for the purpose of stamping marks and numbers of identification on

(3) Every firearms dealer shall comply with any directions given by the Licensing Authority concerning the firearms or parts to be stamped, the manner in which such stamping is to be effected and the marks or numbers to be used.

(4) Every firearms dealer shall maintain securely under lock and key an accurate register of marks in the form prescribed, and shall record therein every mark or number of identification stamped by him, together with the make, type and calibre of the firearm or part stamped, the name and address of the person to whom it is issued and the mark or number of the firearm, if any, to which a part so stamped is affixed.

(5) Every firearms dealer shall endorse upon the firearm licence of every person who purchases any firearm or ammunition from him the number and other details of, including any mark made on, any such firearm and the number, quantity and calibre of such ammunition.

Firearms dealer's register.

5. Every person required under the Act and these regulations to keep a dealer's register of transactions shall comply with any directions which may be given to him by the Licensing Authority concerning the manner in which the register shall be kept and entries made therein

Penalties.

6. Every person who contravenes any of the provisions of regulations 4 and 5, or of any directions given thereunder, shall be guilty of an offence and liable, in addition to any action which may be taken under subsection (3) of section 13 of the Act, to a fine not exceeding two thousand rupees.

SCHEDULE

(r. 3)

FORMS

FORM 1

Application for Firearm Licence

(s. 5 (1))

1. Name (in full)
2. (a) Postal address
- (b) If above address is temporary only, state address to which communications should be sent
- (c) Residential address
- (d) Length of period resident at address (c)
3. Age
4. Nationality
5. Occupation
6. Reason for requiring the firearms(s) and ammunition specified at paragraph 7
.....
.....
.....
7. Firearms and ammunition for which licence required —
 - (a) firearms —
 - (i) possessed at date of application*

*As to liability type, make, model, name and identification, each of the following: a fire —

(ii) desired to be purchased or acquired*

.....

(b) ammunition —

	Quantity	Calibre	and Type
(i) possessed at date of application			
(ii) maximum amount desired to be purchased or acquired at any one time			
(iii) total amount desired to be purchased or acquired in one year			
(iv) maximum amount desired to be possessed at any one time			

8. (a) Whether a firearm licence has previously been held, or applied
for, by applicant

(b) Date and place of issue of any firearm licence previously held

.....

Declaration

9 I hereby apply for a firearm licence in respect of the firearms and
ammunition specified above, and I declare that the statements made
above are true and complete in all respects

Date

Signature

.....

FORM 2
FIREARM LICENCE
(s. 5(3))

This Licence is granted to of
.....
and relates to the firearms and ammunition specified hereunder —

- (a) firearms —
- (i) possessed at date of grant (quantity, type, calibre, maker's name and identification number or other distinguishing mark)
.....
 - (ii) authorised to be purchased or acquired (quantity and type)
- (b) ammunition —
- (i) authority to possess —
possessed at a date of grant*
.....
 - (ii) maximum amount authorized to be possessed at any one time —
.....
.....
authority to purchase or acquire —
 - (iii) total amount authorized to be purchased or acquired in any one year —
.....
 - (iv) maximum amount authorized to be purchased or acquired at any one time —
.....

* State quantity, type and calibre

* State quantity and type

The following conditions shall be observed by the holder of this certificate —

- (1) All firearms and ammunition shall at all times when not in actual use be kept in a locked fireproof receptacle with a view to preventing access to them by unauthorised persons (see section 18(3)).
- (2) The loss or theft of any firearm or ammunition shall be reported, as soon as discovered, to the officer in charge of the nearest police station.
- (3) Any change in the permanent address of the holder of the licence shall be reported within 21 days to the Licensing Authority by whom the licence was granted.
- (4) The holder shall ensure that the date and details of all purchases of firearms and/or ammunition are endorsed on his licence by the firearms dealer or other person from whom they are purchased.
- (5) Other conditions (if any)

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

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 certificate must give a certificate of the transaction in 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 purchases or acquires firearms, such person must obtain a receipt from 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 and ammunition must, within 48 hours of the completion of the transaction in respect of which the certificate in form 'A' was given, report in writing to the Licensing Authority who granted this licence any circumstances which may require investigation.

4. Other instructions (if any)

.....

This licence shall continue in force for one year from the date hereof, unless previously revoked or cancelled.

Date

Signature

Licensing Authority

Every firearm licence shall include a supply of copies of the certificate of the transaction to be given in compliance with Instruction 1 in the firearm licence, which shall be in the following form —

FORM A

I (Name)

of (Address)

certify that on the (date)

I (a) to

of

firearms as follows (b)

.....

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 in possession of firearms or ammunition in excess of the amount authorized by the licence or otherwise than in accordance therewith.

I am authorized to be in possession of firearms and ammunition by virtue of (d)

.....

Dated 19...

Signature

*State quantity, type, calibre, maker's name and serial or identification number or other distinguishing mark.

(a) Insert "sold", "let on hire", "given" or "lent" as the case may be.

(b) Insert quantity, type, calibre, maker's name, serial identification number, or other distinguishing mark.

- (c) Insert quantity, type and calibre.
- (d) Insert particulars of firearm licence, dealer's registration certificate, permit or other authority of the seller, etc., to possess firearms or ammunition.

FORM 3

Application for Renewal or Variation of Firearm Licence

(s. 5(4) and (6))

1. Name (in full)
2. (a) Postal address
- (b) If above address is temporary only, state address to which communications should be sent
- (c) Residential address
- (d) Length of period resident at address (c)
3. Nationality
4. Occupation
5. Reason for requiring the Firearm(s) and ammunition specified at paragraph 6
6. Firearms and ammunition for which licence required —
 - (a) firearms —
 - (i) possessed at date of application*
 - (ii) desired to be purchased or acquired*

*When, if, where, by whom, for what purpose, and in what circumstances, and for what period, etc.

(b) ammunition —

Quantity

Calibre
and Type

- | | | | |
|-------|--|-------|-------|
| (i) | possessed at date of application | | |
| (ii) | maximum amount desired to be purchased or acquired at any one time | | |
| (iii) | total amount desired to be purchased or acquired in one year | | |
| (iv) | maximum amount desired to be possessed at any one time | | |

7. Details of firearm licence to be renewed or varied —

Licence No Date of Licence

DECLARATION

8. I hereby apply for the renewal/variation of the above licence, and I declare that the statements made above are true and complete in all respects.

Date Signature

FORM 4

Notice to Licensing Authority of Sale, Letting on Hire,
Gift or Loan of Firearm
(s. 16(2))

(To be sent by registered post within 48 hours from any sale, letting on hire, gift or loan of a firearm to a person in Seychelles other than a registered firearm dealer).

Particulars of firearm licence produced (a)

or nature of evidence that the person acquiring the firearm(s) was entitled to do so without holding a firearm licence (a)

Number and nature of firearms(s) (b)

Period of hiring or loan

I have obtained and have retained for production, if required, a receipt for the firearm(s) (c).

In compliance with the instruction of the firearm licence produced I have to add (d).....

Signature

Address

(c)

- (a) Act, section 16(1) - "No person shall sell or transfer to any other person in Seychelles other than a registered firearms dealer, any firearm or ammunition unless that other person produces a firearm licence authorizing him to purchase or acquire it or shows that he is by virtue of this Act entitled to purchase it, or, as the case may be, to acquire it by means of such transfer, without holding such a licence".
- (b) Give quantity, type, calibre, maker's name and identification number or other distinguishing mark.
- (c) Registered dealers may strike this out in the case of sales, etc. to customers known to them.
- (d) See Instruction 1 in the licence, and add here anything that may be necessary.

(e) Give particulars of any certificate issued by any other authority for

possession of firearms. If you are a registered dealer you are reminded of the provisions of the Act applying specially to such dealers, e.g. section 17.

FORM 5

Import/Export Permit

(s. 26(5)).

Place of issue Permit No.

Permission is hereby granted to (name in block letters)

.....
of (postal address)

(residential address)

to import/export the following firearms and ammunition into/from Seychelles:—

Firearms (quantity, type, calibre, maker's name and, if available identification
number or other distinguishing mark)

.....

.....

.....

.....

Ammunition (quantity, type and calibre)

.....

.....

The above permission is subject to the following special conditions :—

.....

.....

.....

.....

Date Signature

Rank or office

FORM 6

Removal Permit

(s. 28)

Permission is hereby granted to (Name)
of (Address)

to remove/transport or cause to be removed/transported the following firearms
and ammunition —

Firearms (type, calibre, maker's name and identification number or other
distinguishing mark)

Ammunition (quantity, type and calibre)

from

to

by the following means of transport (delete where inapplicable):

Air

Road

Sea

This permit is valid until (date) unless previously
revoked.

Date

Signature

Licensing Authority

FORM 7

**Permit to Remove Firearm from or to a Ship, or Signalling Apparatus from
or to an Aircraft or Aerodrome**

(s. 7(6))

Place of issue Permit No.

Permission is hereby granted to (name)
of (address)

(Rank or other description)

to remove the following firearm/signalling apparatus* :—

from/to }

..... } State particulars of the ships, aircraft or aerodrome,

..... } and also where situated

from/to }

..... } State the other address to or from which the firearm or

..... } signalling apparatus is to be removed

This permit is valid until (date)

Date of issue

Signature of Licensing Authority

Possession of a firearm or a signalling apparatus otherwise than in accordance with the terms of this permit renders the possessor subject to the provisions of the Firearms and Ammunition Act, which imposes heavy penalties for breaches of its provisions.

* Denote the firearm or signalling apparatus by name, type, address, or other distinctive identification number or other description.

FORM 8

**Application for Registration or Re-registration as Firearms Dealer, or
Notification of Fresh Place of Business**

(ss. 13, 14(2) and 15(2))

Note. - It is an offence under the Act for any person to make any statement which he knows to be false, for the purpose of procuring registration as a firearms dealer or of procuring the entry of any place of business in a register of firearms dealers.

To the Licensing Authority, Police Headquarters, Victoria, Mahe, Seychelles.

A. To be completed by a person applying for registration or re-registration as a firearms dealer.

I, ...
(name in full)

apply to be registered as a firearms dealer, and submit the following particulars:—

.....
(file residential address and P.O. Box No.)

.....
(nationality)

Address of each place of business	Name under which business will be carried on at each address	*Nature of firearms business at each address

*See section 13(1)(a) of the Act for proof of the nature of the business and of the fact that the applicant is a person who is qualified to carry on a business in the firearms trade.

Other business (if any) to be carried on at the above address or addresses (i.e. by whom carried on, nature and same under which business will be carried on)

Facts (to be stated by applicant) indicating that he can be permitted to carry on business as a firearms dealer without danger to the public safety or to the peace

Name and address of a responsible householder of Seychellois nationality who can testify concerning the applicant, if required

Address to which certificate of registration, if granted, is to be sent

Date

Signature

B To be completed by a registered firearms dealer notifying a place of business not already entered in the Register.

I, (name in full), being registered as a firearms dealer, apply to carry on business as such at a place of business which is not entered in the Register, and submit the following particulars —

Postal address

Residential address

Address of proposed place of business

Nature of firearms business at proposed address, whether manufacture, repair, test or proof, sale (wholesale or retail) or hire, and whether business will be confined to any particular type of firearms or ammunition.....

Other business (if any) to be carried on at proposed address (i.e. by whom carried on, nature and name under which business will be carried on).....

Number and place of issue of certificate of registration

Date

Signature of registered dealer, ...

A fee of Rs. 100 is payable on registration. A registered dealer is required also, on or before 1st January each year, to —

- (a) surrender his certificate of registration to the Licensing Authority; or
- (b) apply on this form for a new certificate;
- (c) pay a fee of Rs. 100.

Failure to comply with these requirements may result in the removal of the dealer's name from the register.

For use by Licensing Authority Only.

A. Fee of Rs. 100 received on (date)

Signature

Certificate of Registration No. Book No.
Issued on (date), ...

B. Fresh place of business entered in register

Date Signature

FORM 9

Certificate of Registration as a Firearms Dealer

(s. 14(1))

Serial No Dealer's Registration No.

This is to certify that
carrying on business at under the name of
has been registered as a firearms dealer.Additional places of business (addresses, and name and nature of business at
each address)

This certificate is valid until 31st December, 19.....

Date

Signature
Licensing Authority

Unless a fresh certificate is applied for, and a fee of Rs. 100 paid, on or before
1st January in each year, or within such time thereafter as the Licensing Authority
may allow, the name of the dealer will be removed from the register.

FORM 10

Register of Firearms Dealers

(s. 13(1))

Name of dealer

Particulars of places of business at date of registration :—

Addresses	Name of business at each addresses	Nature of business each addresses

Date of registration

Particulars of places of business notified subsequently :—

Addresses	Name of business at each addresses	Nature of business each addresses	Notified on	Entered in register by

FORM 11 — (contd.)

Ammunition

(A separate folio to be used for each calibre of ammunition)

Calibre.....

Date	From whom acquired or to whom issued (full name and address)	Quantity	No. and date of import/export licence (if any)	Seychelles firearm licence No. (if any) of person with	Balance in stock

FORM 11 (Contd.)

Component Parts

(i.e. bolts, barrels, chambers or magazines — a separate folio to be used for each)

Nature of part.....

Lot No.	From whom acquired or to whom issued (full name and address)	Description (make, calibre etc.)	Quantity	No. and date of import/export licence (if any)	Seychelles firearms licence No. (if any) of person with whom trans- actions with	Balance in stock

FORM 11 — (Contd.)
Repairs, Alterations, Storage, Testing, etc.

2. Name and address of depositor	3. Reason for depositing	4. Make, type, calibre and identification No. of firearm or component part deposited	5. Quantity and calibre and ammunition deposited	6. Date Removed	7. By whom removed (full name and address)	8. Firearm licence No. or other authority of person removing	9. Remark

FORM 13

Auctioneer's Permit

(s.12(1))

Permit No.

Permission is hereby granted to:-

(Name)

of (Address)

to have in his possession, for sale by auction, the following firearms and ammunition —

Firearms (description, including type, calibre, maker's name and identification number or other distinguishing mark)

.....

.....

Ammunition (quantity, type and calibre)

.....

.....

on the terms that the permit-holder shall —

- (1) inform the Licensing Authority forthwith of the name and address of any person purchasing or acquiring any of the above firearms or ammunition;
- (2) take all reasonable precautions to ensure the safe custody of the firearms and ammunition, and shall immediately report any loss or theft to the nearest police officer and to the Licensing Authority;
- (3) return this permit to the Licensing Authority as soon as the firearms and ammunition to which it relates have been disposed of.

Date:

.....
Signature of Licensing Authority