

FIREARMS

[CAP. 198.

FIREARMS

An Act to provide for the regulation and control of the possession, purchase, manufacture, sale, and import of firearms, and ammunition and any other matter connected therewith.

INTERPRETATION

1. In this Act, unless the context otherwise requires-

"acquire" means hire, accept as a gift or borrow;

"air weapon" means an air rifle, air gun or air pistol;

"ammunition" means ammunition for any firearm as defined in this section and includes grenades, bombs and other like missiles whether capable of use with firearms or not and also includes prohibited ammunition but does not include spears discharged from a firearm solely for the purpose of killing fish;

"approved rifle club" means any rifle club approved by the Minister;

"automatic firearm" means any firearm which when fired ejects the spent round and refills the breech;

"Commissioner" means the Commissioner of Police;

"firearm" means any lethal barrelled weapon of any description from which any shot, bullet, cartridges, shells or other missile can be discharged, and includes any air weapon, any prohibited weapon, any component part of any such lethal barrelled weapon, air weapon or prohibited weapon and any accessory to any such weapon designed or adopted to diminish the noise or flash caused by firing the weapon;

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

"firearms dealer's licence" means a licence issued under section 11;

"firearms import licence" means a licence issued under section 14;

"firearm licence" means a licence issued under section 9;

"imitation firearm" means anything which has the appearance of being a firearm, whether or not it is capable of discharging any shot, bullet, cartridge, shell or other missile;

"licensing officer" means any licensing officer appointed under section 2;

"prescribed" means prescribed by regulations made under this Act;

"prohibited ammunition" means any ammunition referred to in section 8;

"prohibited weapon" means any firearm or weapon referred to in section 8.

APPOINTMENT OF LICENSING OFFICERS

2. (1) The Commissioner may appoint in writing such persons as he may think fit to be licensing officers, under this Act.
- (2) Subject to the provisions of this Act, a licensing officer shall exercise his powers subject to any directions which the Commissioner may give.

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REQUIREMENT FOR A FIREARM LICENCE

3. Subject to the provisions of this Act no person shall-
- (a) have in his possession, purchase or acquire a firearm without holding a firearm licence in force at the time; or
 - (b) have in his possession, purchase or acquire any ammunition without holding a firearm licence in force at the time, or in quantities greater than those specified in the licence.

PROHIBITION ON PERSONS UNDER THE AGE OF 18

4. (1) No person under the age of 18 years shall have in his possession, purchase or acquire any firearm or ammunition.
- (2) No person shall sell, gift, let, lend or hire any firearm or ammunition to any other person whom he knows or has reasonable ground for believing to be under the age of 18 years.

PROHIBITION ON POSSESSING, ACQUIRING, PURCHASING ETC. OF AIR WEAPONS

5. (1) Subject to subsection (2) and section 32 and notwithstanding anything to the contrary in any other provision of this Act, no person shall after the commencement of this Act (28 March 1988), have in his possession, purchase, acquire, manufacture, sell or import any air weapon, or ammunition designed for such weapon.
- (2) Every person who is in possession of an air weapon on the date of commencement of this Act (28 March 1988), shall within 12 months from that date surrender that weapon to any police station.
- (3) Every person who surrenders an air weapon under subsection (2) shall be entitled to compensation in such amount and in such manner as may be prescribed by the Minister.

REQUIREMENT FOR A FIREARMS DEALER'S LICENCE

6. No person shall by way of trade or business-
- (a) manufacture, sell, transfer, repair, test or prove; or
 - (b) expose for sale or transfer; or
 - (c) have in his possession for sale, transfer, repair, test or proof any firearm or ammunition,
- without holding a firearms dealer's licence.

REQUIREMENT FOR A FIREARMS IMPORT LICENCE

7. No person shall, import into Vanuatu, any firearms or ammunition without holding a firearms import licence in force at the time.

PROHIBITED WEAPONS

8. No person shall without the special authority of the Commissioner, manufacture, 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 pressure is removed from the trigger or 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 other thing; or
 - (c) any ammunition containing or designed or adapted to contain any such noxious thing.