

LAWS OF GUYANA

FIREARMS ACT

CHAPTER 16:05

Act

11 of 1940

Amended by

4 of 1945
31 of 1947
49 of 1950
7 of 1966B
7 of 1981
5 of 1982
23 of 1991
16 of 1993
17 of 2007
6 of 1997
2 of 2014

Reg. 42 / 1940
9 / 1960

Current Authorised Pages

Pages *Authorised*
(inclusive) *by L.R.O.*

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on
Repeal**

This Act Repealed the Arms and Ammunition Ordinance, Cap. 75 of the 1929 Edition.

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CHAPTER 16:05**FIREARMS ACT**

1953 Ed.
c. 345

11 of 1940

An Act to make provision for the importation, sale, possession and use of firearms and ammunition and for

the registration, and licensing, of firearms, and for matters connected with the matters aforesaid.

[1ST DECEMBER, 1940]

Short title.

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

Interpretation.
[7 of 1966B
23 of 1991]

2. (1) In this Act—

“acquiring” means hiring, accepting as a gift and borrowing, and the expressions “acquire” and “acquisition” shall be construed accordingly;

“ammunition” means—

- (a) ammunition for any firearms of any kind;
- (b) every shell, cartridge case, bomb, hand grenade, bullet, or like missile, 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 missiles which can be used only for the purpose of extinguishing fires;
- (c) every part of any such shell, cartridge case, bomb, hand grenade, bullet or missile, whether such shell, cartridge case, bomb, hand grenade, bullet or missile may have been completely formed at any time or not;
- (d) every fuse, percussion cap, or priming cap, adapted or prepared for the purpose of exploding any shell, bomb,

hand grenade, bullet or other projectile;

- (e) every bullet clip or cartridge clip;
- (f) an explosive when enclosed in any case or contrivance adapted or prepared so as to form a cartridge, charge or complete round for any firearm or any other weapon, or to form any tube for firing explosives, or to form a detonator, or a projectile, which can be used (whether singly or in suitable combinations) as, or in connection with, a missile;
- (g) everything declared by order of the Minister to be ammunition and includes prohibited ammunition;

“explosive” has the meaning assigned to it by section 2 of the Explosives Act;

c. 16:06

“firearm”, except where otherwise expressly provided, means any lethal barrelled weapon of any description from which any shot, bullet or other missile can be discharged and includes any prohibited weapon, whether it is such a lethal weapon as aforesaid or not, any component part of any such lethal or prohibited weapon, and any accessory to any such weapon designed or adapted to diminish the noise or flash caused by firing the weapon and anything else declared by order of the Minister to be a firearm;

“firearms dealer” means a person who, by way of trade or business, manufactures, sells, transfers, repairs, tests or proves firearms or ammunition to which Part III applies;

“offence under this Act” includes any act, omission or

other thing which is punishable under this Act;

“prohibited ammunition” means any ammunition referred to in section 32(1) (c);

“prohibited weapon” means any firearm or weapon referred to in section 32(1) (a) or (b);

“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;

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

“valid licence” or “valid permit” means a licence or permit issued under this Act which is not time expired.

(2) Every order of the Minister whereby anything is declared to be ammunition or a firearm for the purposes of subsection (1) shall be laid before the National Assembly within fourteen days after it is made, and if the National Assembly, within the period of thirty days beginning with the day on which it is laid as aforesaid, resolves that it shall be annulled, wholly or in part, it shall thereby be annulled to the extent set forth in the resolution and the order or part thereof so annulled shall become void and of no effect, but without prejudice to the validity of anything previously done thereunder or the making of another such order; and in reckoning for the purposes of the foregoing provisions of this subsection any period of days, no account shall be taken of any time during which Parliament is dissolved or prorogued or during which the National Assembly is adjourned for more than seven days.

PART I

PRODUCTION OF FIREARMS FOR REGISTRATION

All firearms to be surrendered at nearest police station within 2 months of the commencement of this Act.

3. (1) Within two months of the commencement of this Act, every person who has in his possession, custody or control any firearm to which this Act applies shall surrender such firearm to the officer in charge of a police station:

Provided that—

- (a) this subsection shall not apply to any person holding a valid dealer's licence except with regard to any firearm the said person may have in his possession, custody or control for his own use and not for sale or hire; and
- (b) if in any case it is impossible or appears to be unreasonably inconvenient to surrender any firearm within the aforesaid period of two months the person owning or having in his possession or control such firearm shall report the facts in writing to the Commissioner of Police within two months of the commencement of this Act and the said Commissioner may, in his discretion, extend the period within which the surrender of such firearm shall be made.

(2) Within two months of the commencement of this Act every person holding a valid dealer's licence, issued under section 6 of the (repealed) Arms and Ammunition Ordinance, shall submit to the Commissioner of Police a return showing the total number of firearms in his custody, possession or control, other than those retained for his personal use, and shall in respect of each such

Cap. 75
1927 Ed.

<p>No penalty or forfeiture for surrender of firearm by reason only of the fact that it is unlicensed.</p>	<p>firearms, state the marker's name the distinguishing mark or number thereof.</p> <p>4. No person who surrenders any firearm in compliance with the provisions of the last preceding section shall be liable to any penalty or forfeiture by reason only of the fact that at the time of such surrender, or at any time prior to such surrender, he holds, or held, no valid licence in respect of such firearm or that he obtained such firearm without being in possession of a certificate stating that he was a fit and proper person to whom a licence might be issued.</p>
<p>All firearms to bear a distinguishing mark or number.</p>	<p>5. Every officer to whom any firearm is surrendered shall satisfy himself that such firearm has engraved or otherwise clearly marked upon it a distinguishing mark or number and, in the absence of such distinguishing mark or number, shall himself engrave or mark, or cause to be engraved or marked, thereon a distinguishing mark or number.</p>
<p>Register of firearms to be kept by police. First Schedule.</p>	<p>6. There shall be kept at every police station a firearms register which shall be in Form A in the First Schedule.</p>
<p>Entries in register.</p>	<p>7. Each officer in charge of a police station shall enter in a firearms register the required information in respect of every firearm surrendered to him in compliance with section 3.</p>
<p>No firearm to be returned to person surrendering it unless and until a valid licence is produced.</p>	<p>8. No firearm surrendered in accordance with section 3 shall be delivered back to the person who surrendered such firearm, or to any other person on his behalf, until he produces or causes to be produced, to the officer in charge of the police station where the firearm was surrendered a valid firearm licence in respect of that firearm.</p>
<p>Penalty for</p>	<p>9. (1) Any person having a firearm in his possession, custody or control who fails to surrender such firearm in the</p>

non-surrender
of firearms.
[7 of 1966B]

manner and within the period provided by section 3 or, if such period is extended by the Commissioner of Police, then within the period so extended shall be guilty of an offence and the firearm in respect of which the offence was committed shall be forfeited.

(2) Any person who holds a valid dealer's licence who fails to comply with section 3(2) shall be guilty of an offence.

Firearms not
surrendered to
be liable to
seizure and
forfeiture.

10. Any firearm not surrendered in compliance with section 3 shall be liable at any time to be seized by any constable and the destruction or disposal of any firearm so seized shall be at the discretion of the Commissioner of Police.

Interpretation.

11. In this Part the expression "officer in charge of a police station" includes any member of the police force for the time being in charge of a police station.

PART II

SUPERVISION OF IMPORTATION OF FIREARMS AND AMMUNITION

Prescribed
ports and
aerodromes for
importation of
firearms by sea
or air.

12. No firearms or ammunition shall be imported into Guyana by sea or air except at a prescribed port or at a prescribed aerodrome.

Firearms
imported by
land to be
deposited at
nearest police
station.

13. All firearms and ammunition imported into Guyana by land shall be deposited at the police station nearest to the point at which the Guyana frontier was crossed by the person bearing, or in control of, such firearm or ammunition.

No imported
firearm to be

14. No person shall withdraw from a customs warehouse or from a police station any firearm unless and until such firearm has engraved, or otherwise clearly marked,

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Firearms

withdrawn from a customs ware- house or police station unless and until mark or number,

upon it a distinguishing mark or number:

Provided that a registered firearms dealer may withdraw a firearm not bearing a distinguish mark or number from a customs warehouse or from a police station on the express condition that such dealer shall, within one month of such withdrawal, cause such firearm to be so engraved or marked.

Terms upon which firearms may be with- drawn from customs ware- house and police station.

15. (1) Subject to this Act, no person shall withdraw any firearm or ammunition from a customs warehouse until he, or some other person on his behalf, has produced for examination by the customs officer in charge of the warehouse either—

- (a) a valid firearm licence authorising the possession of such firearm or such quantity of ammunition; or
- (b) a firearms dealer’s certificate.

(2) No firearm or ammunition deposited in a police station in accordance with section 13 shall be delivered back to the person who deposited it, or to any other person on his behalf, until such person has produced, or caused to be produced, a firearms licence authorising the possession of such firearm or such quantity of ammunition.

PART III
REGULATION OF PURCHASE, POSSESSION,
MANUFACTURE AND SALE OF CERTAIN FIREARMS
AND AMMUNITION AND OTHER TRANSACTIONS

Purchase and Possession of certain Firearms and Ammunition

Penalty for purchasing or possessing firearms or

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

ammunition
without licence.
[23 of 1991
6 of 1997
17 of 2007]

(2) Subject to this Act, if any person purchases, acquires or has in his possession any firearm or ammunition to which this Part applies without holding a firearm licence in force at the time, or otherwise than as authorised by such a licence, or, in case of ammunition in quantities in excess of those so authorised, he shall be liable —

- (a) on summary conviction, to a fine of not less than fifty thousand dollars nor more than one hundred thousand dollars together with imprisonment for not less than two years nor more than five years; and
- (b) on conviction on indictment, to a fine of not less than one hundred and fifty thousand dollars no more than five hundred thousand dollars together with imprisonment for ten years.

(3) If any person fails to comply with any condition subject to which a firearm licence is held by him, he shall, subject to this Act, be liable on summary convictions, to a fine of not less than fifty thousand dollars nor more than one hundred thousand dollars together with imprisonment for not less than one year nor more than three years.

Penalty for
importing,
purchasing or
acquiring
ammunition
without a
permit.
[7 of 1966B]

17. (1) Subject to this Act, no person shall import, purchase or acquire any ammunition to which this Part applies unless he delivers to the customs officer in charge of the warehouse, or the seller or transferor, as the case may be, a permit (in this section referred to as a “permit”) authorising the importation or purchase or acquisition of such ammunition.

First Schedule.

(2) An application for the issue of a permit under this section shall be made in the prescribed form to the prescribed officer for the area in which the applicant resides

and shall state such particulars as may be required by the said form:

Provided that any passenger who, having in his possession or control any ammunition, disembarks at a prescribed port or at a prescribed aerodrome shall make application for the issue of a permit in the prescribed form to the prescribed officer for the area in which such port or aerodrome is situated.

(3) The permit, which shall be in the prescribed form, may be issued by the prescribed officer in such cases in which he is satisfied that the applicant has good reason for importing, purchasing or acquiring the amount of ammunition stated in the application or such lesser amount as may be stated in the permit.

(4) Every person who sells or transfers any ammunition to any other person shall endorse the date of the sale or transfer on the permit and shall—

- (a) if he is a registered dealer, retain the permit in his possession for a period of not less than one year; or
- (b) if he is not a registered dealer, send the permit to the superintendent in charge of the police in the area in which the transaction took place.

(5) Any person aggrieved by a refusal of the prescribed officer to authorise the importation, purchase or acquisition of ammunition or to authorise the purchase or acquisition of the amount of ammunition desired may appeal by petition in writing to the President whose decision shall be final.

(6) 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 issue of a permit under this section, he shall be guilty of an offence.

(7) If any person sells or transfers any ammunition to any other person without obtaining a permit from that other person or sells or transfers to any other person an amount of ammunition in excess of that authorised by any permit, he shall be guilty of an offence.

(8) If any person, with a view to purchasing or acquiring any ammunition to which this Part applies, produces, or delivers, to any other person a false permit or a permit in which any false entry has been made, or personates a person to whom a permit has been granted, he shall be guilty of an offence.

Trafficking in
Firearms and
ammunition
[2 Of 2014]

17A. (1) If any person knowingly imports, exports, acquires, sells, delivers, moves, diverts or transfers any firearm, or its parts and components, or ammunition to or from another country, as the case may be, without a proper authorization, he shall be guilty of an offence.

(2) If any person purchases, acquires or has in his possession any firearms, or its parts and components or ammunition for the purposes of subsection (1), he shall be guilty of an offence.

(3) A person guilty of an offence under the preceding subsections shall be liable on summary conviction to a fine of five hundred thousand dollars and five years imprisonment and on conviction on indictment to a fine of five million dollars and ten years imprisonment.

Grant, variation
and revocation
of licences.
First Schedule.
[7 of 1966B]

18. (1) An application for the grant of a licence under this section shall be made in the prescribed form to the prescribed officer for the area in which the applicant resides and shall state such particulars as may be required by the said form:

Provided that—

- (a) if any applicant is for any reason unable to state all the particulars so required he shall state those known to him and in such case the prescribed officer may at his discretion issue to the applicant a permit in the prescribed form (hereinafter in this section referred to as a “permit”); such permit shall state the conditions (if any) subject to which a licence may be granted to the applicant;
- (b) any passenger who, having in his possession or control a firearm in respect of which he holds no valid licence, disembarks at a prescribed port or at a prescribed aerodrome shall make application for the grant of a licence in the prescribed form to the prescribed officer for the area in which such port or aerodrome is situated.

First Schedule.

(2) A licence or permit shall be granted by the prescribed officer in such cases only in which 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, and can be permitted to have in his possession that firearm or ammunition without danger to the public safety or to the peace:

Provided that a licence or permit shall not be granted to a person whom the prescribed officer has reason to believe to be prohibited by this Act from possessing a firearm to which this Part applies, or to be of intemperate habits or unsound mind, or to be for any reason unfitted to be entrusted with such a firearm.

(3) The holder of a permit may, on ascertaining the particulars which were unknown to him at the time of making application for such permit, endorse such particulars on the permit and submit it to the prescribed officer for the area in which he intends to take possession of the firearm and in such case a licence may be issued to him by such prescribed officer.

(4) A licence granted under this section shall be in the prescribed form and shall specify the conditions (if any) subject to which it is held, the nature and distinguishing numbers or marks of the firearms to which it relates, and, as respects ammunition, the quantities authorised to be purchased and to be held at any one time thereunder.

First Schedule.

(5) A firearm licence shall, unless previously revoked or cancelled, continue in force until the last day of December in the year in which it was granted.

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

(7) A firearm licence may also, on the application of the holder thereof, be varied from time to time by the prescribed officer for the area in which the holder for the time resides.

(8) A firearm licence may be revoked by the prescribed officer for the area in which the holder resides if —

(a) the prescribed officer is satisfied that the holder is prohibited by this Act from possessing a firearm to which this Part applies, or is of intemperate habits or unsound mind, or is otherwise unfitted to be entrusted with such a firearm, or for any reason cannot be permitted to have in his possession without danger to the public safety or to the peace such firearm as may be included in the licence; or

(b) the holder fails to comply with a notice under subsection (6) requiring him to deliver up the licence.

(9) Any person aggrieved by a refusal of the

prescribed officer to grant him a licence under this section or to vary a firearm licence, or by the revocation of a firearm licence under paragraph (a) of the last foregoing subsection, may appeal by petition in writing to the President whose decision shall be final.

(10) In any case where a firearm licence is revoked by the prescribed officer, he shall by notice in writing require the holder to surrender the licence, and, if the holder delays, without reasonable excuse (the proof whereof shall lie upon him), in so doing or in any case fails to do so within twenty-one days from the date of the notice, he shall be guilty of an offence.

(11) 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 licence under this section, or the variation of a firearm licence, he shall be guilty of an offence.

19. (1) Subject to this section and section 21, there shall be paid upon the licensing of firearms and, in cases of loss or destruction of firearm licences, for their replacement such fees as may be prescribed or, in the absence of any such prescription, fees payable as follows in respect of all firearms concerned, that is to say —

Fees in respect of licences. [31 of 1947 7 of 1966B 7 of 1981 16 of 1993 6 of 1997]

- (a) in respect of each rifle or gun, other than that referred to in paragraph (c), or combined rifle and shot gun \$9,000.00
- (b) in respect of a pistol or revolver \$6,000.00
- (c) in respect of a shot gun \$3,000.00

Provided that any person holding a licence valid under

Cap. 75
1929 Ed.

the (repealed) Arms and Ammunition Ordinance in respect of any firearm surrendered in compliance with section 3 shall, in exchange for such licence, be issued with a licence under this Act without payment of a fee.

(2) No fee shall be payable on the grant, to any responsible officer of a rifle club, miniature rifle club or cadet corps approved for the purpose by the Minister, of a licence in respect of firearms or ammunition to be used solely for target practice or drill by the members of the club or corps, or on the variation of a licence so granted.

(3) No fee shall be payable on the grant or variation of a licence if the prescribed officer is satisfied that the 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) an instrument, or an ammunition therefor, which the applicant intends to use solely for the purpose of the slaughter of animals in a slaughter-house or other place used for the slaughter of animals.

(4) No fee shall be payable—

- (a) on the grant of a licence relating solely to a firearm which is shown to the satisfaction of the prescribed officer to be kept by the applicant as a

trophy of war; or

- (b) on any variation of a licence the sole effect of which is to add such a firearm as aforesaid to the firearms to which the licence relates, if the licence is granted subject to the condition that the applicant shall not use the firearm.

(5) No licence fee shall be payable by an Amerindian in respect of any firearm.

(6) Where the Minister certifies in writing that the firearm to which a firearms licence relates is essential to the work of any public officer or employee as such, no licence fee shall be payable by such Government officer or employee in respect of such firearm.

20. (1) The following provisions of this section shall have effect notwithstanding anything in section 16.

Exemption
from holding a
firearm licence.

(2) A person carrying on the business of a firearms dealer and registered as such, or a servant of such a person, may, without holding a firearm licence (in this section referred to as a "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 a carrier or warehouseman, or a servant of such a person, may, without holding a licence, have in his possession a firearm or ammunition in the ordinary course of that business.

(4) The proprietor of a slaughter-house or a person appointed by him to take charge of slaughtering instruments and ammunition therefor for the purpose of storing them in safe custody at that slaughter-house may, without holding a licence, have in his possession a slaughtering instrument or ammunition therefor for that purpose.

(5) Any person may, without holding a licence, have in his possession a firearm or ammunition on board an ocean going 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.

In this subsection "ocean going ship" means a boat or vessel normally engaged in navigation outside Guyana but does not include schooners engaged in trade between the Commonwealth territories of the West Indies.

(6) A member of a rifle club or miniature rifle club or cadet corps approved by the Minister may, without holding a licence, have in his possession a firearm and ammunition when engaged as such a member in, or in connection with, drill or target practice.

(7) A person taking part in a theatrical performance or any rehearsal thereof, or in the production of a cinematograph film, may without holding a licence, have a firearm in his possession during and for the purpose of the performance, rehearsal or production.

(8) Any person may, without holding a licence, have a firearm in his possession at an athletic meeting for the purpose of starting races at that meeting.

Application of
foregoing
provisions to
State servants.
[7 of 1966B]

21. Notwithstanding any rule of law where under the Provisions of this Act do not bind the State, so much of the foregoing provisions of this Act as relates to the purchase and acquisition, but not so much thereof as relates to the possession, of firearms and ammunition to which this part applies shall apply to persons in the service of the State in their capacity as such, subject however to the following modification -

- (a) a person in the service of the State duly authorised in writing in that

behalf may purchase or acquire such firearms or ammunition for that service without holding a firearm licence;

- (b) a person in the naval, military or air service of the State or in the police force or a prison officer shall, if he satisfies the prescribed officer on an application under section 18 that he is required to purchase or acquire such a firearm or ammunition for his own use in his capacity as such, be entitled without payment of any fee to the grant of a firearm licence authorising the purchase or acquisition.

Production of
licences.
[7 of 1966B]

22. (1) Any police constable may demand from any person, whom he believes to be in possession of a firearm or ammunition to which this Part applies, the production of his firearm licence.

(2) If any person in possession of such firearm or ammunition, upon whom a demand is so made, fails to produce the licence, or to permit the police constable to read the licence, or to show that he is entitled by virtue of this Act to have the firearm or ammunition in his possession without holding a firearm licence, the said constable may seize and detain the firearm or ammunition, and may require that person to declare to him immediately his name and address.

(3) If any person refuses so to declare his name and address or fails to give his true name and address, he shall be guilty of an offence and the police constable may apprehend without warrant any person who refuses so to declare his name and address, or whom he suspects of giving a false name or address, or intending to abscond.

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Firearms

*Manufacture and Sale of certain Firearms and Ammunition and
other Transactions*

Penalty for
manufacturing
or dealing in
firearms or
ammunition
without being
registered.
[7 of 1966B]

23. (1) Subject to this section, 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 have in
his possession for sale, transfer,
repair, test or proof, any firearm or
ammunition to which this Part
applies, unless he is registered as a
firearms dealer:

Provided that it shall be lawful for any marshal or
bailiff acting under an order of the court, to sell by auction,
expose for sale and have in his possession for sale any
such firearm or ammunition without being registered as
aforesaid.

(2) If any person contravenes this section, or
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 permit under this section, he shall be
guilty of an offence.

Registration of
firearms
dealers.
[49 of 1950
7 of 1966B
6 of 1997
5 of 1982
16 of 1993
6 of 1997]

24. (1) For the purposes of this Act, the
Commissioner of Police shall keep a register of firearms
dealers and, subject as hereinafter provided, shall enter
therein the name of any person who, having or proposing to
have a place of business in Guyana, applies to be
registered as a firearms dealer and furnishes him with the
prescribed particulars:

Provided that—

- (a) the Commissioner of Police shall not

L.R.O. 1/2012

register an applicant who is prohibited to be registered by order of a court in Guyana under section 29, and

- (b) the Commissioner of Police 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, and there shall be no appeal from such refusal to register.

(2) On the registration of an applicant as a firearms dealer and on any variation made in the register on the application of a registered dealer there shall be payable a fee of fifteen thousand dollars:

Provided that no fee shall be payable where —

- (a) the registration is in respect of any public officer in charge of any Government trade store, who resides in the districts specified in the Second Schedule; or
- (b) the Commissioner of Police is satisfied that the variation to be made in the register relates solely to a change of address of either the registered dealer or his place of business.

(3) If the Commissioner of Police, 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) has ceased to have a place of business in Guyana; or
- (c) 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 Commissioner of Police shall also cause the name of any person to be removed from the register who makes application in writing to him requesting such removal.

(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.

25. (1) The Commissioner of Police shall grant or cause to be granted to any person who is registered under the last foregoing section a certificate of registration.

(2) On or before the 1st February in each year, every person for the time being registered as a firearms dealer in any area shall —

- (a) surrender to the Commissioner of Police his certificate of registration; and
- (b) apply in the prescribed form for a new certificate of registration; and
- (c) pay a fee of one thousand three hundred dollars;

Certificates of registration.
[49 of 1950
7 of 1966B
[23 of 1991
6 of 1997]

First Schedule.

and thereupon the said Commissioner shall, subject to the provisions of subsection (3) of the last foregoing section, grant him a new certificate of registration:

Provided that no fee shall be payable by any Government officer in charge of any Government trade store who resides in any of the districts specified in the Second Schedule.

Second
Schedule.

(3) If any such person as aforesaid fails to comply with all or any of the requirements of the last foregoing subsection on or before the 1st February in any year, the Commissioner of Police 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 said Commissioner may in special circumstances allow, shall cause his name to be removed from the register.

(4) In any case where the Commissioner of Police causes the name of any 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 delays, without reasonable excuse (the proof whereof shall lie upon him), in so doing or in any case fails to do so within twenty-one days from the date of the notice, he shall be guilty of an offence.

Registration of
place of
business of
firearms
dealers.
[7 of 1966B]

26. (1) The prescribed particulars which a person applying to be registered as a firearms dealer under section 24 is required to furnish shall include particulars of every place of business at which he proposes to carry on business as a firearms dealer, and the Commissioner of Police 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 Commissioner of Police and furnish him with such particulars as may be prescribed, and the said Commissioner shall, subject as hereinafter provided, enter that place of business in the register.

(3) The Commissioner of Police, if he is satisfied that any place of business notified to him by any person under either of the last two foregoing subsections, 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 in 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 for any other person, the entry of any place of business in the register of firearms dealers, he shall be guilty of an offence.

Restriction on
sale, repair,
etc., of firearms
and
ammunition.
[7 of 1966B]

27. (1) No person shall sell or transfer to any other person in Guyana, other than a registered firearms dealer, any firearm or ammunition to which this Part applies unless that other person produces a firearm licence authorising him to purchase or acquire it or shows that he is by virtue of this Act entitled to purchase or acquire it without holding such a licence:

Provided that this subsection shall not prevent —

- (a) 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 firearm or ammunition without holding such a licence; or
- (b) the delivery of a firearm or ammunition by a carrier or warehouseman, or a servant of a carrier or warehouseman, in the ordinary course of his business or employment as such.

(2) Every person who sells, lets on hire, gives or lends a firearm or ammunition to which this Part applies to any other person in Guyana, other than a registered firearms dealer, shall, unless that other person shows that he is by virtue of this Act entitled to purchase or acquire 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 notice of the transaction to the prescribed officer by whom the licence was issued.

(3) No person shall undertake the repair, test or proof of a firearm or ammunition to which this Part applies for any other person in Guyana, other than a registered firearms dealer as such, unless that other person produces or causes to be produced a firearm licence authorising 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 or fails to comply with 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 to which this Part applies, 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 granted, or makes any false statement, he shall be guilty of an offence.

Register of transactions in firearms. [7 of 1966B] First Schedule. Forms B, C and D.

28. (1) Every person who by way of trade or business manufactures, sells or transfers firearms or ammunition to which this Part applies shall provide and keep a register of transactions and shall enter or cause to be entered therein the particulars set out in forms B, C and D in the First Schedule.

(2) Every such entry shall be made on the same day that 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, if not known to him, 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 officer or non-commissioned officer of the police to enter and inspect all stock in hand, and shall on request—

- (a) by any such officer or non-

commissioned officer; or

- (b) by any customs officer; or
- (c) by any district commissioner; or
- (d) by any magistrate, produce for inspection the register so required to be kept as aforesaid.

(4) If any person—

- (a) fails to comply with any of the provisions of this section; or
- (b) knowingly makes any false entry in the register required to be kept under this section, he shall be guilty of an offence.

(5) Every such person as aforesaid shall, as soon as reasonably possible after the last day of the months of March, June, September and December respectively, send, or cause to be sent, to the Commissioner of Police a copy of all entries made during the previous quarter in his register of transactions in firearms.

(6) The Minister may, by regulations made under this Act, amend the First Schedule.

First Schedule.

Powers of court
in case of
offences by
registered
firearms
dealers

29. Where a registered firearms dealer is convicted of an offence under this Act or of an offence against the enactments relating to Customs in respect of the import or export of firearms or ammunition to which this Part applies, the court may order—

- (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 part in 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 of his business the dealer convicted of the offence, or any person who was knowingly a party to 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.

30. (1) No pawnbroker shall take in pawn from any person any firearm or ammunition to which this Part applies.

(2) No person shall sell by public auction any firearm or ammunition to which this Part applies.

(3) If any person contravenes this section he shall be guilty of an offence.

Penalty for taking in pawn or selling at public auction firearms or ammunition. [7 of 1966B]

Firearms and
ammunition to
which this Part
applies.

31. (1) This Part applies to all firearms as defined in section except air guns, air rifles or air pistols, not being of a type prescribed to be specially dangerous, and the components parts thereof and accessories thereto.

(2) This Part applies to all ammunition as defined in section 2 except ammunition for an air gun, air rifle or air pistol.

PART IV
MISCELLANEOUS PROVISIONS AS TO FIREARMS AND
AMMUNITION

Prohibited
weapons and
ammunition.
[7 of 1966B
23 of 1991
6 of 1997
17 of 2007]

32. (1) It shall not be lawful for any person without authority of the Minister to 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.

(2) If any person contravenes the subsection (1) he shall be liable—

- (a) on summary conviction, to a fine of

not less than fifty thousand dollars nor more than one hundred thousand dollars together with imprisonment for not less than three years nor more than six years; and

- (b) on conviction indictment, to imprisonment for not less than ten years nor more than fifteen years:

33. (1) The Minister may by order—

Power to control or prohibit removals of firearms and ammunition. [7 of 1966B 23 of 1991]

- (a) prohibit the removal of any firearms or ammunition from any part of Guyana to any other part of Guyana; or
- (b) prescribe conditions subject to which any firearms or ammunition may be removed from one part of Guyana to another part of Guyana.

(2) Any such order may apply—

- (a) either to all firearms and ammunition or to firearms and ammunition of such classes and descriptions as may be specified in the order;
- (b) either to all modes of conveyance or to such modes of conveyance as may be so specified; and
- (c) either to all persons or to such class of persons as may be specified in the order.

(3) Any police constable may without warrant search for and seize any firearms or ammunition which he has reason to believe are being removed or to have been removed in contravention of any order made under this section, and any person having the control or custody of any firearms or ammunition in course of transit shall, on demand by a police constable allow him all reasonable facilities. For the examination and inspection thereof, and shall produce to him any documents in his possession relating thereto.

(4) It shall be a condition incident to the grant of any application which is made under section 24(1) or section 25(2)(b), that the Minister may, if satisfied that it is necessary so to do in the interests of public order or safety, by notice given to the applicant at any time while he is a registered firearms dealer, order the deposit of any firearms or ammunition in his possession in a government gunpowder magazine or other place of safe custody, or the suspension of the carrying on of business as a registered firearms dealer or the sale of firearms by him, or both such deposit and suspension, until such order is revoked by a further notice given as aforesaid.

(5) If any person—

- (a) contravenes any of the provisions of any order made under this section; or
- (b) fails to comply with any of the provisions of this section, he shall be guilty of an offence for each firearm or parcel of ammunition in respect of which the offence is committed; and if the offender is the owner of the firearms or the ammunition, the court may order the forfeiture of the firearms or ammunition.

34. (1) Nothing in this Act shall enable any person

Restriction on purchase and possession of firearms by persons under the age of 19 years.
[7 of 1966B]

first time in respect of any firearm or registered as a firearms dealer and, save in any case provided by section 20(6) and (7), no person shall sell, let on hire or give possession of any firearm or ammunition to any other person who, by virtue of the foregoing provisions of this subsection, may be neither a firearm licence holder in respect thereof nor a registered firearms dealer and in no case shall anything in section 20(3), (4), (5) and (8) authorise such other person to have possession thereof.

(2) If any person contravenes any provision of this section, he shall be guilty of an offence.

Prohibition of sale, etc., of firearms to drunk or insane persons

35. (1) No person shall sell or transfer any firearm or ammunition to, or repair, prove or test any firearm or ammunition for, any other person whom he knows or has reasonable ground for believing to be drunk or of unsound mind.

(2) If any person contravenes any provision of this section, he shall be guilty of an offence.

Prohibition on certain persons convicted of crime purchasing or possessing firearms.
[7 of 1966B]
c. 8:01

36. (1) Subject to this section, a person who has been sentenced to imprisonment for three months or upwards for any offence under the Criminal Law (Offences) Act or found guilty of committing any prescribed offence shall not, at any time during a period of five years from the date of his release or conviction, as the case may be, have a firearm or ammunition in his possession.

(2) Subject to this section, a person who —

- (a) is the holder of a licence under the Convicts Licences Ordinance; or
- (b) is subject to the supervision of the police under the Prevention of Crimes Act or is subject to a recognisance to

keep the peace or to be of good behaviour, a condition of which is that he shall not possess, use or carry a firearm, shall not, at any time during which he holds such licence or is so subject, have a firearm or ammunition in his possession.

(3) A person prohibited under the foregoing provisions of this section from having in his possession a firearm or ammunition may in writing petition the President for a removal of the prohibition and if the petition is granted the said provisions of this section shall not apply to that person or shall only apply in such modified manner as the President may direct.

(4) 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 from having a firearm or ammunition in his possession.

(5) If any person contravenes any provisions of this section, he shall be guilty of an offence.

Penalty for possessing firearms with intent to injure. [7 of 1966B]

37. If any person has in his 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 by means thereof to endanger life or cause serious injury to property he shall, whether any injury to person or property has been caused or not, be guilty of felony and on conviction on indictment shall be liable to imprisonment for life and to whipping or flogging.

Penalty for use and possession of firearm or

38. (1) If any person makes or attempts to make any use whatsoever of a firearm with intent to resist or prevent the lawful apprehension or detention of himself or any other

imitation
firearms in
certain cases.
[7 of 1966B
17 of 2007]

person, he shall be liable on conviction on indictment to a fine of not less than fifty thousand dollars nor more than one hundred thousand dollars together with imprisonment for not less than five years nor more than sixteen years.

Where any person commits an offence under this subsection 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 by this subsection in addition to any penalty to which he may be sentenced for that other offence.

Third
Schedule.

(2) If any person, at the time of his committing, or at the time of his apprehension for, any offence specified in the Third Schedule, has in his possession any firearm or imitation firearm, he shall, unless he shows that he had it in his possession for a lawful object, be liable on conviction on indictment to imprisonment for seven years and to whipping or flogging in addition to any penalty to which he may be sentenced for the first-mentioned offence.

(3) If on the trial of any person for an offence under subsection (1) the jury are not satisfied that that person is guilty of that offence but are satisfied that he is guilty of an offence under subsection (2), the jury may find him guilty of the offence under the said subsection (2), and thereupon he shall be liable to be punished accordingly.

c.10:02

(4) Where an adult within the meaning of section 2 of the Summary Jurisdiction (Procedure) Act is charged before a court of summary jurisdiction with an offence specified in the First Schedule to that Act and is also charged before that court with an offence under subsection (1) or subsection (2) of this section, then notwithstanding anything in section 61 of the said Act the court shall not have power to deal summarily with the first-mentioned offence if the defendant is committed for trial in respect of the offence under this section.

c.8:01

(5) 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 purpose of section 222 (c) of the Criminal Law (Offences) Act and section 227(1) (a) of the said Act.

(6) In this section –

- (a) the expression “firearm”, means any lethal barrelled weapon of any description from which any shot, bullet or other missile can be discharged, and includes any prohibited weapon whether it is such a lethal weapon as aforesaid or not; and
- (b) the expression “imitation firearm” means anything which has the appearance of being a firearm within the meaning of this section (other than such a prohibited weapon as is mentioned in section 32(1) (b) of this Act) whether it is capable of discharging any shot, bullet or other missile or not.

39. (1) No person shall –

Smooth-bore guns with barrels less than 20 inches long, conversion of imitation firearms and defacing of distinguishing mark or

- (a) shorten the barrel of a smooth-bore gun to a length less than twenty inches; or
- (b) have in his possession, custody or control a smooth-bore gun with a barrel shorter than twenty inches.

number
prohibited.
[7 of 1966B
17 of 2007]

(2) No person 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.

(3) No person shall remove or in any way deface, or cause to be removed or defaced, any distinguishing mark or number or any part of any distinguishing mark or number, engraved or marked upon a firearm.

(4) If any person contravenes any of the foregoing provisions of this section, he shall for each offence be liable—

- (a) on summary conviction, to a fine of not less than fifty thousand dollars nor more than one hundred thousand dollars together with imprisonment for not less than three years nor more than five years; and
- (b) on conviction on indictment, to a fine of not less than one hundred and fifty thousand dollars nor more than five hundred thousand dollars together with imprisonment for not less than five years nor more than fifteen years.

**PART V
GENERAL**

40. (1) Where any person—

Provisions as to
forfeiture of
firearms and
cancellation of
licences.
[7 of 1966B]

- (a) is convicted of an offence under this Act or is convicted of any offence for which he is sentenced to imprisonment

or is found guilty of committing any offence prescribed pursuant to section 36(1); or

- (b) has been ordered to be subject to police supervision or to enter into a recognisance 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, the court before whom he is convicted or by whom the order is made may make such order as to the forfeiture or disposal of any firearm or ammunition found in his possession as the court thinks fit, and may cancel any firearm licence held by the person convicted.

(2) In any case in which the court shall cancel a firearm licence under this section—

- (a) the court shall cause notice to be sent to the prescribed officer by whom the licence was granted; and
- (b) the prescribed officer shall by notice in writing require the holder of the licence to surrender it; and
- (c) if the holder delays, without reasonable excuse (the proof whereof shall lie upon him), in so doing or in any case fails to surrender the licence within twenty-one days from the date of the last-mentioned notice, he shall be guilty of an offence.

Power to search
for and dispose

41. (1) If any magistrate or justice of the peace is satisfied by information on oath that there is reasonable

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Firearms

of firearms and
ammunition.

ground for suspecting that an offence under this Act has been, is being, or is about to be committed, he may grant a search warrant authorising any police constable 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 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 grounds 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) The police constable making the search may arrest without warrant any person found on the premises whom he has reason to believe to be guilty of an offence under this Act.

(3) A court of summary jurisdiction may, on the application of a police officer, order any firearm or ammunition seized and detained by any police constable under this Act to be destroyed or otherwise disposed of.

Power of entry,
seizure and
arrest.
[23 of 1991]

41A. (1) Notwithstanding section 41, a policeman not below the rank of inspector, accompanied by such persons as he thinks fit, may, without warrant—

- (a) enter, examine and search any

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premises or place for the purpose of ascertaining pursuant to the reasonable requirements of public safety or order whether —

- (i) there are in such premises or place any firearms, ammunition or explosives;
 - (ii) any place or premises in which any firearm, ammunition or explosive is kept or stored is or are adequate to ensure its safe custody and whether the conditions under which it is kept or stored are adequate for that purpose;
- (b) seize and detain any firearms, ammunition or explosives found therein in respect of or in connection with which he has reasonable grounds for suspecting an offence prejudicial to public order or safety has been or is about to be committed.

(2) Any power exercisable by a policeman not below the rank of inspector in respect of any place or premises under subsection (1) may be exercised by a policeman below that rank if he is in charge of the police station nearest to such place or premises.

Power to stop and search for firearms, ammunition, explosive, etc. in street.
[23 of 1991]

41B. (1) Subject to subsection (3) it shall be lawful for any policeman to stop and search any person whom he finds in any street or other public place and reasonably suspects of having any firearm, ammunition or explosive in his possession contrary to section 16 or of having committed or being about to commit any other offence prejudicial to public safety or order.

(2) A policeman acting under subsection(1) may seize and detain any firearm, ammunition, explosive or other article found in the person's possession, custody or control and in respect of which or in connection with which he has reasonable grounds for suspecting any offence referred to in that subsection has been or is about to be committed.

(3) Whenever a female is searched under the said subsection, the search shall be made by another female.

Forfeiture and disposal by court.
[23 of 1991]

41C. Any firearm, ammunition, explosive or other article seized and detained by a policeman as mentioned in the foregoing provisions of this Part, or any explosive found by him without apparent owner, may be retained for as long as is necessary for the purpose of any examination, investigation, inquiries or legal proceedings; and a judge or magistrate may, upon application made in such proceedings, direct such firearm, ammunition or explosive to be forfeited or otherwise disposed of as he considers just.

Power to order amnesty.
[23 of 1991]

41D. No person who surrenders any firearm, ammunition or explosive during any period prescribed by order of the Minister, and otherwise in accordance with such order, shall be prosecuted under this Act for illegally purchasing, acquiring or possessing such firearm, ammunition or explosive prior to the time of such surrender or at that time.

Time for commencing summary proceedings under this Act.

42. Notwithstanding any provision in any Act prescribing the period within which summary proceedings may be instituted, summary proceedings for an offence under this Act may be instituted at any time within the period of four years after the commission of the offence:

Provided that no such proceeding shall be instituted after the expiration of the period of six months after the commission of the offence, unless they are instituted by, or by the direction of, the Director of Public Prosecutions.

Service of notices.

43. 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 at his last or usual place of abode, or, in the case of a registered firearms dealer, at any place of business in respect of which he is registered.

General penalty.
[7 of 1966 B
23 of 1991
6 of 1997
17 of 2007]

44. Any person guilty of an offence against this Act for which no other penalty is specifically provided shall be liable on summary conviction to a fine of **three hundred** thousand dollars and to imprisonment for **five** years.

Bail not to be granted in certain cases
[17 of 2007]

44A. No person arrested for any offence under section 16, section 37 or section 38 shall be admitted to bail, unless the prosecution has had an opportunity to intervene and unless there are special reasons for admitting the person to bail which shall be recorded in writing and the trial shall be within reasonable time.

Power to Minister to make regulations
(4 of 1945)

45. (1) The Minister may make regulations for any of the following purposes—

- (a) prescribing the form of firearm licence and of all other documents required by this Act;
- (b) appointing a person to be the prescribed authority for any purpose under this Act and prescribing the area within which such person shall exercise authority;
- (c) prescribing any other thing which under this Act is to be prescribed;
- (d) regulating the manner in which any person is to carry out his duties under

this Act;

- (e) prescribing the fees to be charged and paid under this Act;
- (f) prescribing the rents to be charged and paid in respect of firearms and ammunition deposited in any customs warehouse under this Act;
- (g) prescribing distinguishing marks or numbers to be marked on firearms, or on any particular kind of firearms, in any area;
- (h) generally for carrying this Act into effect;
- (i) prescribing the manner and conditions of disposal of any firearm or ammunition which may come into the custody or possession of the police force otherwise than by seizure or by order of a competent court.

(2) Regulations under this section may be of such a nature as to render more strict the operation of any of the provisions of this Act and in such case the said provisions shall have effect as limited by regulations as aforesaid.

SUBSIDIARY LEGISLATION

Reg. 19/1968

FIREARMS REGULATIONS*made under section 31*

Citation.

1. These Regulations may be cited as the Firearms Regulations.

Firearms prescribed as specially dangerous.

2. For the purposes of section 31(1) of the Act, the air gun, air rifles and air pistol mentioned in the Schedule are hereby prescribed to be specially dangerous.

SCHEDULE

- (1) Gecado Air Rifle Models 27, 35 and 50
 - (2) Diana Air Gun Model 23 .177" calibre
 - (3) Webley Air Pistol Mark I
 - (4) BSA Airsporter rifle .177" calibre
 - (5) BSA Meteor .22 air rifle
 - (6) BSA Meteor .177 air rifle
 - (7) BSA Major .22 air rifle
 - (8) BSA Major .177 air rifle.
-

FIREARMS REGULATIONS*made under section 45*

Reg. 42/1940
 15/1945
 26/1947
 5/1951
 36/1951
 1/1952
 21/1954
 4 of 1972

Citation.

1. These Regulations may be cited as the Firearms Regulations.

Prescribed authority for s.17.
 [Reg. 15/1945
 5/1951]

2. For the purposes of section 17 only of the Act, each non-commissioned officer in charge of any police station and each mines officer appointed by the district commissioner of the Rupununi Administrative District shall be the prescribed authority.

Prescribed authorities.

[4 of 1972]
 c. 16:01

3. For the purposes, of sections 18, 19, 20, 27 and 40 of the Act, the prescribed officer for every police division (within the meaning of the Police Act) shall be the police officer for the time being in command of the police in that division and any police officer under his command not below the rank of assistant superintendent.

Prescribed port under section 12.

4. For the purposes of section 12 of the Act—

- (a) the prescribed port shall be the port of Georgetown; and
- (b) the prescribed aerodrome shall be the Cheddi Jagan International Airport.

Particulars for registration as firearms dealer.

5. The particulars to be furnished by an applicant for registration as a firearms dealer under section 26 of the Act shall be—

- (a) name of applicant, in full;

[Subsidiary]

- (b) nationality of applicant;
- (c) place of residence of applicant;
- (d) address of every place of business in Guyana at which the applicant proposes to carry on business as a firearms dealer;
- (e) name under which business is carried on;
- (f) nature of firearms business to be carried on at each address, i.e., whether manufacture, repair, test or proof; or sale, wholesale or retail; or hire and whether the business will be confined to any particular type of firearm or ammunition; and
- (g) other business (if any) which will be carried on at each of the addresses required by paragraph (d).

Disposal of
certain firearms
and
ammunition.
[Reg. 26/1947]

6. (1) Any firearm or ammunition which comes into the custody or possession of the police force otherwise than by seizure or by order of a competent court shall be destroyed or otherwise disposed of as the Commissioner of Police may direct:

Provided that—

- (a) the destruction or other disposition of a firearm shall not be made until after the 31st March in the year following that in which the firearm came into

custody or possession of the police force; and

- (b) on the production of a valid firearm licence in respect of such a firearm, at any time before its destruction or other disposition, by a person who satisfies the Commissioner of Police that he is entitled to the possession of such firearm, the Commissioner of Police may deliver the firearm to that person.

(2) Any person aggrieved by the refusal of the Commissioner of Police to deliver up a firearm to which this regulation applies may, within fourteen days of the date of such Refusal, appeal to the President whose decision shall be final.

FIREARMS (LICENSING) REGULATIONS

ARRANGEMENTS OF REGULATIONS

REGULATION

PART I PRELIMINARY

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PART II GRANT OF FIREARMS LICENSE

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4. Commissioner to conduct review.

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5. Commissioner to submit report.
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Reg. 1/2010

FIREARMS (LICENSING) REGULATIONS

made under section 45

**PART I
PERLIMINARY**

Citation. **1.** These Regulations may be cited as the Firearm
(Licensing) Regulations.

Interpretation. **2.** In these Regulations—

Cap. 16:01 "Commissioner" has the same meaning assigned to it under
the Police Act.

L.R.O. 1/2012

PART II
GRANT OF FIREARM LICENCE

Application for
firearm license.

3. (1) Where an application is made to the prescribed officer for the grant of a firearm licence by any person, the application shall be accompanied with particulars set out in Form G of the First Schedule to the Act.

(2) The prescribed officer on receipt of the application shall cause an investigation be conducted to ascertain if the application satisfies the conditions set out in section 18 of the Act to warrant the grant of a firearm licence.

(3) The investigator shall ascertain whether or not the applicant—

- (a) is involved in any criminal conduct;
- (b) has a criminal record;
- (c) is a threat to the National Security of Guyana; or
- (d) is involved in any other activity that would render him ineligible for grant of a firearm licence.

(4) At the end of the investigation, the prescribed officer shall cause a report on the investigation to be prepared along with a recommendation as to whether or not the applicant should be granted permission to be a licensed firearm holder and submit the report with the recommendation to the Commissioner.

Commissioner
to conduct
review.

4. The Commissioner on receipt of the report with the recommendation from the prescribed officer shall conduct a

[Subsidiary]

Firearms (Licensing) Regulations

review of the report and recommendation.

Commissioner
to submit
report.

5. The Commissioner shall submit the report with the recommendation received from the prescribed officer to the Minister accompanied with any finding of the review conducted by the said Commissioner.

Firearm
licensing
Approval
Board.

6. (1) The Minister shall appoint three persons to form the Firearm Licensing Approval Board shall with clear terms of reference to review all applications received from the Commissioner for the grant of firearms licences and the registration of firearms and the registration of firearm dealers, under section 18 and 24 of the Act, respectively.

(2) On receipt of the application from the Minister, the Firearm Licensing approval board shall examine it together with the recommendations and submit their own recommendation within one month to the Minister as to whether the application shall be granted or refused.

Minister shall
advise
Commissioner.

7. (1) The Minister on receipt of the recommendation from the Firearm Licensing Approval Board shall consider the recommendation made and shall accordingly advise the Commissioner.

(2) The Commissioner on receipt of the advice of the Minister shall inform the prescribed officer and the applicant of the decision in writing within a reasonable time.

(3) The prescribed officer shall as soon as practicable after receipt of the authority to issue a firearm licence, arrange for the firearm licence to be issued to the applicant in accordance with section 19 of the Act.

Minister may
refer
recommenda-

8. Notwithstanding the provision of these Regulations, the Minister shall have the power to refer the recommendations of the Firearm Licensing Approval Board

[Subsidiary]

*Firearms (Licensing) Regulations*tion for further
review.

for further review with such directions he may deem fit.

PART III
REGISTRATION OF FIREARM DEALERS

Application for
certificate of
registration.

9. (1) Where an application is made to the Commissioner by a person to become a licence firearm dealer, the application shall be accompanied by particulars set out in Form J of the First Schedule to the Act.

(2) The Commissioner on receipt of the application shall cause an investigation of the claims of the applicant to be conducted to verify authenticity, in compliance with section 24 of the Act and shall submit a report to the Minister stating whether or not the applicant—

- (a) has any criminal report;
- (b) is engaged in any illegal activity;
- (c) is a threat to the National Security of Guyana; or
- (d) is engaged in any other activity that would render him ineligible to become a licensed firearms dealer.

application shall offer his comments as to whether the

Commissioner
to offer
comment.

10. The Commissioner on receipt of the report on the

application shall be granted or refused and submit the report with him comment to the Minister.

Firearm
Licensing
Approval
Board for
review.

11. (1) The Minister on receipt of the report and recommendation from the Commissioner shall transmit same to the Firearm Licensing Approval Board for review.

[Subsidiary]

Firearms (Licensing) Regulations

(2) The Firearm Licensing Approval Board shall submit its recommendation to the Minister as to whether a licensed firearm dealership shall be granted to the applicant.

Minister's
decision.

12. (1) The Minister on receipt of the recommendation from the Firearm Licensing Approval Board shall make his decision.

(2) The Minister shall inform the Commissioner of his decision to grant or refuse the application in writing.

(3) The Commissioner on receipt of the decision of the Minister shall inform the applicant as soon as practical thereafter, informing him whether or not his application has been successful.

(4) If the application is successful, the commissioner shall cause the firearm dealer's certificate of registration to be issued to the applicant in accordance with sections 25 and 26 of the Act.

Minister may
disregard
recommenda-
tions.

13. Notwithstanding the provisions of these Regulations, the Minister shall have power to disregard the recommendations of the Firearm Licensing Approval Board and arrive at his decision to grant or refuse the certificate of registration in accordance with his own deliberate judgement.
