

No. 3 of 2018.

*Firearms (Amendment) Act 2018.*

Certified on: 21 MAY 2018.



No. 3 of 2018.

*Firearms (Amendment) Act 2018.*

**ARRANGEMENT OF SECTIONS.**

1. Prohibition or restriction of certain firearms and ammunition (Amendment of Section 5).
2. Firearms not to be owned except by licensed owner (Amendment of Section 6).
3. Usage, carriage and possession of firearms (Amendment of Section 7).
4. Manufacture of firearms (Amendment of Section 7A).
5. Owner's Licence (Amendment of Section 10).
6. Buyer or hirer of firearm must give permit to seller, etc. (Amendment of Section 16).
7. Seller or hirer of firearm must obtain permit from buyer, etc. (Amendment of Section 17).
8. Permit to be returned to Registrar (Amendment of Section 18).
9. Permit to be carried when firearm carried (Amendment of Section 24).
10. Person not to own, etc., pistol or high-powered firearm without licence (Amendment of Section 27).
11. Prohibition of unlicensed pistols and high-powered firearms (Amendment of Section 27A).
12. Approved firing ranges (Amendment of Section 33).
13. Persons not to discharge firearms on approved range in contravention of rules (Amendment of Section 37).
14. Ammunition dealer's licences (Amendment of Section 38).
15. Prohibition or restriction on use of firearms (Amendment of Section 50).
16. Safe custody (Amendment of Section 51).
17. Use of silencers (Amendment of Section 52).
18. Possession of silencers (Amendment of Section 53).
19. Shortening of firearms (Amendment of Section 54).
20. Converting toy gun, etc., into firearm (Amendment of Section 55).
21. Defacing, etc., numbers, etc., on firearms (Amendment of Section 56).
22. Possession of firearms whilst under influence, etc. (Amendment of Section 57).
23. Carrying firearm exposed to view in public place (Amendment of Section 58).
24. Discharge of firearms (Amendment to Section 59).
25. Threat to use firearm (Amendment of Section 60).
26. Possession of certain firearms, etc. (Amendment of Section 61).
27. Machine guns, etc. (Amendment of Section 62).
28. Owner of firearm to give notice where address changed or firearm sold, etc. (Amendment of Section 63).
29. Holder of licence to notify of change of address (Amendment of Section 64).
30. Transfer, etc., of firearms (Amendment of Section 65).
31. Unauthorised possession of ammunition (Amendment of Section 65A).

32. Threat to use a firearm, etc. (Amendment of Section 65B).
33. Information to be supplied (Amendment of Section 78).
34. Former gun dealer to keep records of sale and disposal (Amendment of Section 87).



No. 3 of 2018.

AN ACT

entitled

*Firearms (Amendment) Act 2018,*

Being an Act to amend the *Firearms Act* (Chapter 310) and for related purposes,

MADE by the National Parliament.

**1. PROHIBITION OR RESTRICTION OF CERTAIN FIREARMS AND AMMUNITION (AMENDMENT OF SECTION 5).**

Section 5 of the Principal Act is amended by repealing the penalty provision and replacing it with the following:

“Penalty: A fine not exceeding K10,000.00 or imprisonment for a term not exceeding five years.”.

**2. FIREARMS NOT TO BE OWNED EXCEPT BY LICENSED OWNER (AMENDMENT OF SECTION 6).**

Section 6 of the Principal Act is amended by repealing the penalty provision and replacing it with the following:

“Penalty: A fine not exceeding K10,000.00 or imprisonment for a term not exceeding five years.”.

**3. USAGE, CARRIAGE AND POSSESSION OF FIREARMS (AMENDMENT OF SECTION 7).**

Section 7 of the Principal Act is amended by repealing the penalty provision and replacing it with the following:

“Penalty: A fine not exceeding K10,000.00 or imprisonment for a term not exceeding five years.”.

**4. MANUFACTURE OF FIREARMS (AMENDMENT OF SECTION 7A).**

Section 7A of the Principal Act is amended by repealing the penalty provisions in Subsections (1) and (2) and replacing them with the following:

*Firearms (Amendment)*

“Penalty: Imprisonment for a term not exceeding ten years and no fines allowed. Tools, premises, etc. used for the manufacture of firearm are forfeited to the State.”.

**5. OWNER’S LICENCE (AMENDMENT OF SECTION 10).**

Section 10 of the Principal Act is amended by repealing the penalty provision and replacing it with the following:

“Penalty: A fine not exceeding K10,000.00 or imprisonment for a term not exceeding five years.”.

**6. BUYER OR HIRER OF FIREARM MUST GIVE PERMIT TO SELLER, ETC. (AMENDMENT OF SECTION 16).**

Section 16 of the Principal Act is amended by repealing the penalty provision and replacing it with the following:

“Penalty: A fine not exceeding K10,000.00 or imprisonment for a term not exceeding five years.”.

**7. SELLER OR HIRER OF FIREARM MUST OBTAIN PERMIT FROM BUYER, ETC. (AMENDMENT OF SECTION 17).**

Section 17 of the Principal Act is amended by repealing the penalty provision and replacing it with the following:

“Penalty: A fine not exceeding K10,000.00 or imprisonment for a term not exceeding five years.”.

**8. PERMIT TO BE RETURNED TO REGISTRAR (AMENDMENT OF SECTION 18).**

Section 18 of the Principal Act is amended by repealing the penalty provision and replacing it with the following:

“Penalty: A fine not exceeding K10,000.00.”.

**9. PERMIT TO BE CARRIED WHEN FIREARM CARRIED (AMENDMENT OF SECTION 24).**

Section 24 of the Principal Act is amended by repealing the penalty provision and replacing it with the following:

“Penalty: A fine not exceeding K10,000.00 or imprisonment for a term not exceeding five years.”.

*Firearms (Amendment)*

**10. PERSON NOT TO OWN, ETC., PISTOL OR HIGH-POWERED FIREARM WITHOUT LICENCE (AMENDMENT OF SECTION 27).**

Section 27 of the Principal Act is amended -

- (a) in Subsection (1), by repealing the penalty provision and replacing it with the following:

“Penalty: A fine not exceeding K20,000.00 or imprisonment for a term not exceeding ten years.”; and

- (b) in Subsection (2), by repealing the penalty provision and replacing it with the following:

“Penalty: A fine not exceeding K20,000.00 or imprisonment for a term not exceeding ten years.”; and

- (c) in Subsection (3), by repealing the penalty provision and replacing it with the following:

“Penalty: A fine not exceeding K5,000.00 or imprisonment for a term not exceeding five years.”.

**11. PROHIBITION OF UNLICENSED PISTOLS AND HIGH-POWERED FIREARMS (AMENDMENT OF SECTION 27A).**

Section 27A of the Principal Act is amended by repealing Subsection (3).

**12. APPROVED FIRING RANGES (AMENDMENT OF SECTION 33).**

Section 33 of the Principal Act is amended in Subsection (9) by repealing the penalty provision and replacing it with the following:

“Penalty: A fine not exceeding K10,000.00.”.

**13. PERSONS NOT TO DISCHARGE FIREARMS ON APPROVED RANGE IN CONTRAVENTION OF RULES (AMENDMENT OF SECTION 37).**

Section 37 of the Principal Act is amended by repealing the penalty provision and replacing it with the following:

“Penalty: A fine not exceeding K10,000.00 or imprisonment for a term not exceeding five years.”.

**14. AMMUNITION DEALER'S LICENCES (AMENDMENT OF SECTION 38).**

Section 38 of the Principal Act is amended by repealing the penalty provision and replacing it with the following:

*Firearms (Amendment)*

“Penalty: A fine not exceeding K20,000.00 or imprisonment for a term not exceeding 20 years.”.

**15. PROHIBITION OR RESTRICTION ON USE OF FIREARMS (AMENDMENT OF SECTION 50).**

Section 50 of the Principal Act is amended by repealing the penalty provision and replacing it with the following:

“Penalty: A fine not exceeding K10,000.00.”.

**16. SAFE CUSTODY (AMENDMENT OF SECTION 51).**

Section 51 of the Principal Act is amended -

(a) in Subsection (1), by repealing the penalty provision and replacing it with the following:

“Penalty: A fine not exceeding K10,000.00 or imprisonment for a term not exceeding five years.”; and

(b) in Subsection (2), by repealing the penalty provision and replacing it with the following:

“Penalty: A fine not exceeding K10,000.00 or imprisonment for a term not exceeding five years.”.

**17. USE OF SILENCERS (AMENDMENT OF SECTION 52).**

Section 52 of the Principal Act is amended by repealing the penalty provision and replacing it with the following:

“Penalty: A fine not exceeding K20,000.00 or imprisonment for a term not exceeding ten years.”.

**18. POSSESSION OF SILENCERS (AMENDMENT OF SECTION 53).**

Section 53 of the Principal Act is amended by repealing the penalty provision and replacing it with the following:

“Penalty: A fine not exceeding K20,000.00 or imprisonment for a term not exceeding ten years.”.

**19. SHORTENING OF FIREARMS (AMENDMENT OF SECTION 54).**

Section 54 of the Principal Act is amended by repealing the penalty provision and replacing it with the following:

*Firearms (Amendment)*

“Penalty: A fine not exceeding K10,000.00 or imprisonment for a term not exceeding five years.”.

**20. CONVERTING TOY GUN, ETC., INTO FIREARM (AMENDMENT OF SECTION 55).**

Section 55 of the Principal Act is amended by repealing the penalty provision and replacing it with the following:

“Penalty: A fine not exceeding K10,000.00 or imprisonment for a term not exceeding five years.”.

**21. DEFACING, ETC., NUMBERS, ETC., ON FIREARMS (AMENDMENT OF SECTION 56).**

Section 56 of the Principal Act is amended by repealing the penalty provision and replacing it with the following:

“Penalty: A fine not exceeding K10,000.00 or imprisonment for a term not exceeding five years.”.

**22. POSSESSION OF FIREARMS WHILST UNDER INFLUENCE, ETC. (AMENDMENT OF SECTION 57).**

Section 57 of the Principal Act is amended by repealing the penalty provision and replacing it with the following:

“Penalty: A fine not exceeding K10,000.00 or imprisonment for a term not exceeding five years.”.

**23. CARRYING FIREARM EXPOSED TO VIEW IN PUBLIC PLACE (AMENDMENT OF SECTION 58).**

Section 58 of the Principal Act is amended by repealing the penalty provision and replacing it with the following:

“Penalty: A fine not exceeding K10,000.00 or imprisonment for a term not exceeding five years.”.

**24. DISCHARGE OF FIREARMS (AMENDMENT OF SECTION 59).**

Section 59 of the Principal Act is amended -

(a) in Subsection (1), by repealing the penalty provision and replacing it with the following:

“Penalty: A fine not exceeding K10,000.00.”; and



*Firearms (Amendment)*

- (b) in Subsection (2), by repealing the penalty provision and replacing it with the following:

“Penalty: A fine not exceeding K10,000.00.”; and

- (c) in Subsection (3), by repealing the penalty provision and replacing it with the following:

“Penalty: A fine not exceeding K10,000.00 or imprisonment for a term not exceeding five years.”; and

- (d) in Subsection (4), by repealing the penalty provision and replacing it with the following:

“Penalty: A fine not exceeding K10,000.00 or imprisonment for a term not exceeding five years.”.

**25. THREAT TO USE FIREARM (AMENDMENT OF SECTION 60).**

Section 60 of the Principal Act is amended by repealing the penalty provision and replacing it with the following:

“Penalty: Imprisonment for a term not exceeding ten years.”.

**26. POSSESSION OF CERTAIN FIREARMS, ETC. (AMENDMENT OF SECTION 61).**

Section 61 of the Principal Act is amended by repealing the penalty provision and replacing it with the following:

“Penalty: A fine not exceeding K10,000.00 or imprisonment for a term not exceeding five years.”.

**27. MACHINE GUNS, ETC. (AMENDMENT OF SECTION 62).**

Section 62 of the Principal Act is amended by repealing the penalty provision and replacing it with the following:

“Penalty: Imprisonment for a term not exceeding ten years.”.

**28. OWNER OF FIREARM TO GIVE NOTICE WHERE ADDRESS CHANGED OR FIREARM SOLD, ETC. (AMENDMENT OF SECTION 63).**

Section 63 of the Principal Act is amended by repealing the penalty provision and replacing it with the following:

*Firearms (Amendment)*

“Penalty: A fine not exceeding K10,000.00.”.

**29. HOLDER OF LICENCE TO NOTIFY OF CHANGE OF ADDRESS  
(AMENDMENT OF SECTION 64).**

Section 64 of the Principal Act is amended by repealing the penalty provision and replacing it with the following:

“Penalty: A fine not exceeding K10,000.00.”.

**30. TRANSFER, ETC., OF FIREARM (AMENDMENT OF SECTION 65).**

Section 65 of the Principal Act is amended by repealing the penalty provision and replacing it with the following:

“Penalty: A fine not exceeding K10,000.00.”.

**31. UNAUTHORISED POSSESSION OF AMMUNITION (AMENDMENT OF SECTION 65A).**

Section 65A of the Principal Act is amended by repealing the penalty provision and replacing it with the following:

“Penalty: A fine not exceeding K10,000.00 or imprisonment for a term not exceeding five years.”.

**32. THREAT TO USE A FIREARM, ETC. (AMENDMENT OF SECTION 65B).**

Section 65B of the Principal Act is amended by repealing the penalty provision and replacing it with the following:

“Penalty: A fine not exceeding K10,000.00 or imprisonment for a term not exceeding five years.”.

**33. INFORMATION TO BE SUPPLIED (AMENDMENT OF SECTION 78).**

Section 78 of the Principal Act is amended by repealing the penalty provision and replacing it with the following:

“Penalty: A fine not exceeding K10,000.00 or imprisonment for a term not exceeding five years.”.

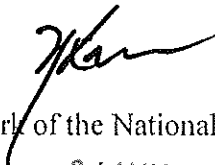
**34. FORMER GUN DEALER TO KEEP RECORDS OF SALE OR DISPOSAL  
(AMENDMENT OF SECTION 87).**

Section 87 of the Principal Act is amended by repealing the penalty provision and replacing it with the following:

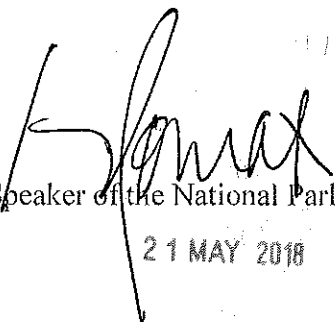
*Firearms (Amendment)*

“Penalty: A fine not exceeding K10,000.00 or imprisonment for a term not exceeding five years.”.

I hereby certify that the above is a fair print of the *Firearms (Amendment) Act 2018* which has been made by the National Parliament.

  
Clerk of the National Parliament.  
21 MAY 2018

I hereby certify that the *Firearms (Amendment) Act 2018* was made by the National Parliament on 10 April, 2018.

  
Speaker of the National Parliament.  
21 MAY 2018