

THE FIREARMS AND AMMUNITION CONTROL ACT, 2015

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THE UNITED REPUBLIC OF TANZANIA



NO. 2 OF 2015

I ASSENT.

Jauharu Limbule
President
25th April, 2015

An Act to provide for the general control and management of firearms and ammunition and for licensing, possession, importation, exportation, transit, dealing in, brokering and tracing of firearms and ammunition, to repeal and replace the Arms and Ammunitions Act and to provide for other related matters.

ENACTED by Parliament of the United Republic of Tanzania.

PART I
PRELIMINARY PROVISIONS

Short title and
commencement

1. This Act may be cited as the Firearms and Ammunition Control Act, 2015 and shall come into operation on such date as the Minister may, by notice published in the *Gazette*, appoint.

Application

2.-(1) This Act shall apply to Mainland Tanzania and Tanzania Zanzibar to all firearms except armaments.

(2) The Minister may, in consultation with relevant authority in Tanzania Zanzibar, by notice published in the *Gazette*, exempt from the application of this Act of any category of firearms or ammunition.

Interpretation

3. In this Act, unless the context otherwise requires-
“airgun” means any device manufactured to discharge a bullet or any other projectile of a calibre of less than 5.6 mm (22 calibre), by means of compressed gas and not by means of a burning propellant;

“approved firearms warehouse” means storage facility of firearms approved by the Registrar;

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“armaments” has the meaning ascribed to it under the Armaments Control Act;

“ammunition” means a primer or complete cartridge including the cartridge case, unfired primer, propellant, bullets, and projectiles that are used in firearms and anything which the Minister may, by notice published in the *Gazette*, declare to be an ammunition;

“amnesty” means an immunity against prosecution for the unlawful possession of a firearm or ammunition granted pursuant to section 64;

“antique firearm” means a firearm manufactured before the 1st of January 1900;

“authorized officer” means a police officer or any other officer designated as such by the Registrar to assist in the implementation of this Act;

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“Armaments Control Advisory Board” has the meaning ascribed to it under the Armaments Control Act;

“broker” means a person who acts-

- (a) for a commission, advantage or cause, whether pecuniary or otherwise;
- (b) to facilitate the transfer, documentation or payment in respect of any transaction relating to the buying or selling of small arms and light weapons; or
- (c) as an intermediary between any manufacturer or supplier of, or a dealer in small arms and light weapons and any buyer or recipients thereof;

“Central Firearms Registry” means the Registry established under section 9;

“Committee” means the Arms Management and Control Committee established under section 5;

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“Company” means the company established under the Companies Act;

“dealer” means any person authorised under this Act to trade in firearms and ammunition;

“end-user certificate” means a document used in the international sale of firearms and ammunition specifying that the buyer is the final recipient of the firearm;

“explosive” means-

- (a) any substance or a mixture of substances, in a solid or liquid form, which is capable of producing an explosion;
- (b) a pyrotechnic substance in a solid or liquid form, or a mixture of such substances, designed to produce an effect by heat, light, sound, gas or smoke or a combination of these as the result of non-detonative self-sustaining exothermic chemical reaction, including pyrotechnic substances which do not evolve gases;

(c) any particle or device containing one or more substances contemplated in paragraph (a), but does not include thunderstorms;
substances contemplated in paragraph (a), but does not include thunderstorms;

(d) any plastic explosive; or

(e) any other substance or particle which the Minister may from time to time by notice in the *Gazette* declare to be an explosive;

“explosives magazine” means any building or part thereof, or any structure, licenced under this Act for the storage of explosives;

“firearm” includes small arms, light weapons, muzzle loading guns and antique firearms except armaments;

“firearm free zone” means a zone designated as such pursuant to section 65;

“gunsmith” means a person who is authorized in terms of this Act to repair a firearm;

“imitation explosive” means anything that has the appearance of an explosive, but which is not capable of operating as such and cannot by superficial examination be identified as an explosive;

“light weapons” includes portable weapons designed for use by several persons saving as crew, any machine guns, automatic cannons howitzers motors of less than 100 mm caliber, grenade launchers, anti tank weapons, recoilless guns, shoulder fire rockets, aircraft weapons and launchers;

“licence” means a document issued to an applicant to own, import, export, manufacture, deal, or do any act licenced under this Act;

“manufacturer” means a person who engages himself in the making or processing of any firearms, ammunition or any part thereof into components by any process, the conversion of any kind of explosive into another kind and the alteration, testing or repairing of any explosive, and the word “manufacture” shall be construed accordingly;

“Minister” means the Minister for the time being responsible for Home Affairs;

“National Focal Point” means the National Focal Point designated as such under section 4;

“plastic explosive” means any explosive in flexible, malleable, elastic or sheet form which is-

(a) formulated with one or more high explosives which in their pure form have a vapour pressure of less than 10^{-4} Pa at a temperature of 25°C ;

(b) formulated with any binder material; and

(c) as a mixture, flexible or malleable at normal room temperature;

“permit” means a document issued to a person authorizing him to perform a particular function under this Act;

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“police officer” has the meaning ascribed to it by the Police Force and Auxiliary Police Act;

“private collector” means a member of an accredited collector's institution who collects firearms or ammunition, and who is not a public collector;

“protocol” means protocol referred to under section 46;

“public collector” means a person who collects firearms or ammunition for display to the public and is accredited as such;

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“private security company” means a private company registered under the Companies Act to render security services and which has been approved by the Inspector General of

Police;

“private security industry” means private entities or organizations providing security services;

“Registrar” means the Registrar of Firearms referred to in section 8;

“small arms” includes light machine guns, submachine guns, machine pistols, full automatic rifles, assault rifles and semi automatic rifles.

PART II

ADMINISTRATIVE PROVISIONS

(a) National Focal Point

National Focal
Point

4.-(1) For the purpose of administration and implementation of this Act, the Inspector General of Police shall be designated as the National Focal Point.

(2) The National Focal Point shall be the national point of contact and liaison officer between the United Republic and other states on all matters relating to the implementation of the national program of action on the control of firearms and ammunition.

(b) Arms Management and Disarmament Committee

Establishment of
the Committee

5. There is established a Committee to be known as the Arms Management and Control Committee.

Composition of
the Committee

6.-(1) The Committee shall compose of seventeen members to be appointed as follows-

- (a) the Inspector General of Police who shall be the Chairman of the Committee;
- (b) the Commissioner of Police Zanzibar;
- (c) a representative from Ministry responsible for Home Affairs;
- (d) a representative from Office of President of the United Republic of Tanzania;
- (e) a representative from the Ministry responsible for defence;
- (f) a representative from Tanzania Peoples Defence Forces;
- (g) a representative from the private security industry;
- (h) a representative from dealers' association;
- (i) a representative from hunters' association;
- (j) two representatives from Ministry of Regional Administration and Special Units of the Revolutionary Government of Zanzibar. ;
- (k) a representative from Prison Service;
- (l) a state attorney from the Attorney General's Chambers;
- (m) a representative from Ministry responsible for wildlife conservation;
- (n) a representative from Ministry responsible for trade and industry; and
- (o) a representative from civil societies.
- (p) a representative from civil societies dealing with firearms and ammunition control.

(2) The Inspector General of Police shall, in consultation with the relevant authority in Zanzibar, appoint a senior police officer to be the Secretary to the Committee.

(3) All members except the Chairman of the Committee shall be appointed by the Minister after consultation with the relevant authority in Zanzibar.

(4) All members appointed under this section shall be Tanzania citizens of at least senior rank."

(5) Notwithstanding subsection (1), the Committee may co-opt any person to its meetings in order to assist the Committee in arriving at a decision.

Functions of the
Committee

7.-(1) The Committee shall perform advisory functions in respect of all matters regarding management and control of firearms and ammunition.

(2) Without prejudice to the generality of subsection (1), the Committee shall advise the Minister on the -

- (a) coordination of all activities relating to small arms and light weapons at national level;
- (b) coordination of the implementation of international and regional agreement on the prevention, combating and eradication of illicit and proliferation of small arms and light weapons;
- (c) harmonization of legislation in conformity with international and regional instruments related to the control and management of firearms and ammunition;
- (d) mechanism for control of firearms and ammunition;
- (e) coordination and implement the National Policy on Control of Firearms and Ammunition;
- (f) accreditation of institutions designated to provide training on the use of firearms;
- (g) coordination and support of the activities of non-governmental organizations, associations and dealers engaged in the control of firearms;

- (h) coordination of research on illicit small arms and light weapons; and
- (i) awareness raising and information management and communication.

(3) The tenure, quorum, termination of membership, proceedings and other matters in relation to the Committee shall be as set out in the First Schedule to this Act.

(4) The Committee may, upon prescribed terms and conditions establish such number of sub committees to perform specific functions as may be determined by the Committee.

(c) Registrar of Firearms

Registrar of
firearms,
powers and
functions

8.-(1) There shall be a Registrar of firearms who shall be appointed by the Inspector General of Police after consultation with the Commissioner of Police in Tanzania Zanzibar.

(2) The powers and functions of the Registrar shall be to-

- (a) grant licence, permit and certificates under this Act.
- (b) renew, suspend or cancel any licence or permit issued under this Act;
- (c) establish and maintain the Central Firearms Database; and
- (d) conduct any investigation or enquiry which he deems necessary in order to exercise his powers or carry out his duties in terms of this Act.

(3) The Registrar may, except for the powers to withdraw firearms and ammunition deposited in the warehouses, police stations or any other place which may be prescribed under this Act, issuance of certificates, end user certificate, permits or licence for

importing, exporting or on transit firearms and ammunitions, delegate in writing, to any authorized officer any of the powers or functions conferred under this Act.

(4) The delegation made under subsection (3) shall not exclude or bar the Registrar from exercising or performing the same powers or functions.

(5) The Registrar shall, in the performance of functions relating to issuance of manufacturing or assemble permit, gunsmith permit or broker permit consult the Armament Control Advisory Body.

Establishment
of the Central
Firearms
Registry

9.-(1) There is hereby established a Central Firearms Registry in which there shall be kept registers in the manner and form to be prescribed in the regulations.

(2) The registers shall contain the following-

- (a) the names, address and other particulars of the owner;
- (b) the details particulars and purposes of the firearms ; and
- (c) details and particulars of the:
 - (i) dealer;
 - (ii) gunsmith;
 - (iii) broker;
 - (iv) transporter;
 - (v) importer;
 - (vi) exporter; and
 - (vii) manufacturer.
- (d) and such other information as may be required for that purpose.

PART III
POSSESSION OF FIREARMS AND AMMUNITION
(a) *Licence or Permit to Possess Firearms*

Application for
a licence or
permit

10.-(1) A person shall not possess a firearm unless he has obtained a licence or permit under this Act.

(2) An application for the possession of a firearm under this Part shall be made to the Registrar through relevant defence and security committees established under the National Security Council Act and shall be in the form set out in the regulations.

(3) The Registrar shall issue a licence or permit for shotgun, pistols or rifles and any other type of firearm as the Armament Control Advisory Board may specify.

(4) Without prejudice to subsection (3), the Registrar defence and security committees established under the National Security Council Act"; not issue a licence or permit for the possession or use any firearm which is an automatic silencer.

(5) Where an applicant for a licence to possess a firearm is a company, the application shall be made by the chief executive officer in the manner to be prescribed in the regulations.

(6) A firearm in respect to which a permit has been issued shall be used on an accredited shooting range in accordance with the rules of that shooting range and in accordance with such conditions as the Registrar may impose.

(7) A person shall not use, for security or any other purposes, a firearms licence issued in the name of another person.

(8) The regulations made under subsection (5) shall prescribe-

(a) the manner in which the chief executive officer shall transfer a firearm to his employees;

- (b) the manner and form in which a licence under this Part shall be issued, suspended, cancelled or renewed;
- (c) the types and number of firearms a person can possess;
- (d) the carrying, handling and custody of firearms; and
- (e) any fees to be paid.

Qualifications

11.-(1) A person shall not be issued with a licence to possess a firearm unless he-

- (a) is not less than 25 years old;
- (b) has obtained a certificate of competency;
- (c) is a Tanzanian citizen or a holder of a Tanzanian residence permit;
- (d) is mentally stable and not inclined to violence;
- (e) is not dependent on any substance which has an intoxicating or narcotic effect;
- (f) has not been convicted, whether in or outside the United Republic of Tanzania, of any of the offences set out in the Second Schedule to this Act; and
- (g) has not been declared unfit to possess a firearm due to old age, recklessness or any other disability;

(2) Without prejudice to subsection (1)(c), a permit to possess firearms may be issued to the following:

- (a) a guard of a Head of State on official visit in the United Republic;
- (b) international tourists on hunting activities in the United Republic;
- (c) escort of prisoners ; and
- (d) any other person to whom the Minister may, by regulations, prescribe.

Certificate of competency

12.-(1) An applicant for a firearms' licence or permit shall undergo-

- (a) a competency training on the use and safe handling of

firearms at an approved government or private institution; and

- (b) shooting range classes at an approved government or private institution.

(2) The Registrar shall issue a certificate of competency to an applicant who has successfully completed and passed the training.

(3) The applicant shall be tested theoretically and practically in safe handling and use of the specific classes of firearms as may be directed by the Registrar

(4) A certificate of competency holder shall be required to undergo a firearms-testing after every five years or as the Registrar may specify and shall pay such fees as specified in the regulations.

(5) Notwithstanding the requirements of this section, applicants for a firearms licence with military background are exempted from undergoing theoretical and practical training on the safe handling of firearms.

(6) The Minister may, in consultation with the relevant authority in Tanzania Zanzibar, make regulations-

- (a) designating the government institutions that shall be responsible for providing competency training on the use and safe handling of firearms;
- (b) prescribing the guidelines and curriculum that shall govern competency training and testing on firearms;
- (c) prescribing the procedures, qualifications and experience of persons conducting the competency training and testing on firearms; or
- (d) prescribing any other matter relating to institutions; and conducting competency training on the use and safe handling of firearms.

Reciprocal
recognition of
firearms
licences issued
in neighbouring
countries

13.-(1) The Minister may, if he is satisfied that reciprocal provisions have been made by the Governments of the countries specified in the Third Schedule or by any other foreign government for the recognition by or under the law in force in the said countries of firearms licences granted under this Act, by Order declare that firearms licence or firearms certificate corresponding to firearms licence under this Act and issued under such law, shall, on being endorsed by an authorized officer, have the same effect and validity in the United Republic as if it were a firearms licence granted under this Act.

(2) The Minister may, by Notice publish in the *Gazette* amend the Third Schedule by adding such other country with reciprocal recognition

(3) For the purpose of the provision of subsection (1), the countries with reciprocal agreement are as specified in the Third Schedule.

(4) A diplomat who arrives in the United Republic with firearms and ammunition shall apply for endorsement of a firearms licence issued in a foreign state, to the Ministry of Foreign Affairs.

(5) After endorsement under subsection (4), the diplomat shall make application of the firearm in accordance with this Act.

Separate
licence for each
firearm

14. The Registrar shall issue a separate licence for each firearm.

Licence to
possess
firearms in a
private
collection Cap.
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15.-(1) A firearm approved for collection under the Antiquities Act shall, subject to the provisions of this Act, be stored in a private collection.

(2) A person who intends to own a firearm in a private collection shall apply for a licence to the Registrar.

(3) The application in subsection (2) shall be accompanied by the approval of the Director of Antiquities.

(4) The holder of a licence issued under this section shall-

(a) store the firearm at the place specified in the licence; and

(b) display the firearm in accordance with such safety measures as may be prescribed by the Registrar.

Licence to
possess
firearms for
business
purposes

16.-(1) The Registrar may issue a licence to possess a firearm for business purposes which include-

(a) a private company or any other institution;

(b) a person who is licenced as a hunter under the relevant laws; or

(c) any person who is licenced to use firearms for such other business purpose which the Minister may approve.

(2) A person or company in respect of which a licence is issued shall use such licence for the purposes specified in the licence.

(3) Subject to subsection (2), the holder of a licence issued under this section may only provide the firearm for use by another person possessing a certificate of competency, other than to a person possessing a temporary permit.

(4) Subject to this section private company or any other institution which holds a licence to possess a firearm for business use may only provide the firearm to a private security officer in its service who holds a certificate of competency.

(5) The provisions of subsections (3) and (4) shall be implemented in accordance with the procedure to be prescribed in the regulations.

(6) A holder of a licence issued under this section shall-

(a) keep a register of all firearms in his possession containing such information as may be prescribed in the regulations; and

(b) store and transport the firearms and ammunitions in the manner to be prescribed by the regulations.

(7) The holder of a licence issued under this Act shall, at the request of an authorized officer, produce for inspection-

(a) any firearm in his possession or under his control; and

(b) every licence issued in terms of this section.

(8) The Minister may, in consultation with the Minister for Defense specify the types of firearms that may be possessed by a private company or an individual.

Temporary
permit to
possess a
firearm

17.-(1) Subject to sections 10 and 11, the Registrar may issue a permit to possess a firearm-

(a) for such period as the Registrar may determine; and

(b) subject to such conditions as may be prescribed and imposed by the Registrar.

(2) The Registrar may at any time cancel the permit issued in subsection (1) where the terms of the conditions specified in the licence have been violated.

(3) The Registrar shall submit an annual report to the Inspector General of Police containing such information in respect of all permits issued under this section, as may be prescribed in the regulations.

(4) A person to whom a permit has been issued under this section shall dispose of or store the firearm subject to such conditions to be imposed by the Registrar.

Manufacturer's
identification
serial number

18. A firearm licence shall not be issued to any person unless the firearm bears the manufacturer's serial number or any

National
identification
mark

other identification mark by which the firearm can be identified.

19.-(1) Every small arms and light weapons shall be marked with a national identification code to be determined by the Committee.

(2) The Registrar shall engrave the national identification code on firearms.

(3) An owner of a firearm which was licenced before the coming into force of this Act shall submit the firearm to the Registrar for marking.

(4) Subject to subsection (3), the Registrar shall, issue directives specifying the time within which an owner shall present his firearm for marking and may prescribe sanctions for failure to comply with the requirements of the direction.

(5) A person shall not erase, alter or in any other manner tamper with the manufacturer's serial number or any other identification code mark on a firearm with the intention of changing its identity.

(6) An owner of a firearm shall immediately report to the Registrar of any firearm that has been erased, altered or tampered with in any manner as to render it illegible.

(7) The Registrar may, subject to sub section (6), direct in writing that such firearm be marked in accordance with this section.

(8) A person who contravenes subsections (4) and (5) commits an offence and is liable upon conviction, to a fine not exceeding ten million shillings or imprisonment for a term not exceeding five years or to both.

Unlawful
possession of a
firearm

20.-(1) A person shall not possess any firearm or firearm part unless he-

(a) holds a dealer's, manufacturer's or a gunsmith's licence or an import, export, on-transit or transporter's permit issued under this Act; or

(b) is authorised to do so under any other written law.

(2) A person who contravenes this section commits an offence and is liable upon conviction, to imprisonment for a term of five years.

(3) The Minister may, in consultation with the relevant authority in Tanzania Zanzibar and by notice published in the *Gazette*, prohibit or restrict the acquisition, disposal, possession or use of firearm or firearm part where it is-

(a) in the interest of public safety; or

(b) desirable for the maintenance of peace and order.

(4) For purposes of this section, "firearm part" means the slide, bolt or breech-block of a firearm.

(b) Licence or Permit to Possess Ammunition

Unlawful
possession of
ammunition

21. A person shall not possess any ammunition unless he-

(a) holds a valid dealer's or gunsmith's licence or an import, export, on transit or transporter's permit; or

(b) is otherwise authorised to do so under any other written law.

Authorisation of
number of
ammunition to be
possessed.

22.-(1) A holder of a firearm licence shall not possess more than the authorised ammunition for which he is licenced to keep.

(2) The limitation under subsection (1) shall not apply to a holder of a licence authorised to possess ammunition bought and discharged at an accredited shooting range.

Prohibition from
using certain
classes of

23. The Minister may, in consultation with the relevant authority in Tanzania Zanzibar and by notice

ammunition

published in the *Gazette*, prohibit or restrict the acquisition, disposal, possession or use of ammunition of a specified class if it is-

- (a) in the interest of public safety; or
- (b) desirable for the maintenance of peace and order.

Permit to possess
ammunition in a
private collection

24.-(1) The Registrar shall approve ammunition to be collected by an accredited collector's institution.

(2) The ammunition collected under subsection (1) may be stored in a private collection.

(3) The Registrar may issue a permit to possess ammunition in a private collection in the manner to be prescribed by the regulations.

(4) A private collector shall not possess more than 200 rounds of ammunition of any caliber or discharge any ammunition unless with the approval of the Registrar.

(5) The holder of a permit issued in terms of this section-

- (a) shall store the ammunition at the place specified in the permit; and
- (b) may display the ammunition in accordance with such safety measures as may be prescribed in the regulations.

Permit to possess
firearms and
ammunition by a
public collector

25.-(1) The Registrar may in consultation with the Director of Antiquities issue a licence or permit to a public collector to possess firearms and ammunition for a public collection.

(2) The holder of a permit issued in subsection (1) shall not possess more than 200 rounds of ammunition of any particular calibre unless the Registrar approves a higher number in writing.

(3) A firearm and ammunition in respect of which a permit has been issued under this section shall be displayed-

- (a) in an accredited museum; and
- (b) in accordance with such safety measures as may be prescribed in the regulations.
- (5) The holder of a permit issued under this section shall not discharge any ammunition in his collection.

(c) Persons Unfit to Possess Firearms

Persons unfit to
possess firearms

26.-(1) The Registrar may, upon conducting an investigation, declare a person, being an applicant for licence or permit, to possess firearms or ammunition or such a holder of a licence or permit, unfit to possess a firearm if-

- (a) the person's mental condition, inclination to violence or dependence on any narcotic intoxicating substance;
 - (b) it is proved that the person is dangerous to himself or other persons;
 - (c) the person has failed to take the prescribed steps for the safekeeping of the firearm;
 - (d) the person has provided false or misleading information regarding that firearm contrary to this Act; or
 - (e) the person is convicted of any of offences set out in the Second Schedule to this Act.
- (2) Where the investigations in subsection (1) have been finalized and the Registrar is satisfied that there are strong reasons to believe that a person is unfit to possess a firearm, he shall-
- (a) issue notice in writing which shall be delivered to the person, requiring the person to appear before him at a time and place set out in the notice to show cause as to why he should not be declared unfit to possess a firearm; and

(b) where the person to whom the notice in subsection 2(a) has been issued fails to appear for no reasonable grounds, within the time and place specified in the notice, declare him unfit to possess a firearms.

(3) The certificate of competency, licence and permit issued to any person who is declared unfit in terms of this section shall cease to be valid from the date of the declaration.

(4) A person who is declared unfit in terms of this section shall, as soon as practicable, surrender to the nearest police station-

(a) the certificate of competency, licence and permits issued to him; and

(b) the firearms and ammunition in his possession.

(5) Where a person has surrendered his firearm or ammunition in terms of subsection (4), it shall be disposed of within such period and in such manner as the Registrar may determine.

(d) Deposit and storage of firearm and ammunition

Deposit and
storage of
firearms and
ammunition

27.-(1) An importer of firearms and ammunition shall, after-

(a) obtaining a permit from an authorized officer; and

(b) conforming to any directions regarding transportation of firearms and ammunition;

immediately deposit the firearms and ammunition in an approved firearms warehouse or police station, at his own expense.

(2) Subsection (1) shall not apply to firearms and ammunition imported by or for use by the Government.

(3) Notwithstanding subsection (1), the Registrar may, in relation to Tanzania Zanzibar, and in consultation with the Commissioner of Police Tanzania Zanzibar,

prescribe any other place where firearms and ammunition may be deposited, and such place may include a police station.

Record keeping
by importer

28.-(1) Every importer of firearms and ammunition shall, as soon as practicable, after the deposit made under section 27, before the withdrawal of any firearm or ammunition or any part thereof and every package of ammunition, keep records of any firearm, ammunition or any part thereof, in the prescribed manner.

(2) An importer depositing a firearm or ammunition shall supply such information for the purposes of enabling the record keeping effected as may be required by the officer in charge of the warehouse, police station or as may be prescribed by the Registrar.

(3) All firearms and ammunition imported for business purposes shall be registered on the date they were first deposited in a public warehouse or police station.

Withdrawal from
approved
firearms
warehouse or
police station, etc.

29.-(1) The firearms or ammunition deposited in approved firearms warehouse or police station or any other place prescribed by the Registrar, shall not be withdrawn except with a permit signed by the Registrar.

- (a) for dispatch to places designated by the Minister where the inhabitants are allowed to carry or possess firearms under the control and responsibility of Local Government Authorities for the purposes of defense against, robbers, dangerous animals or rebels;
- (b) or dispatch to another approved firearm warehouse or police station; or.
- (c) for individuals who can show that they require the firearms and ammunition for their legitimate personal use.

(3) The permit shall specify the place to and time within which the firearms and ammunition are to be dispatched after withdrawal and the place in which they are to be secured in the interval.

(4) The Registrar may limit the quantity of firearms and ammunition permitted to be withdrawn at any one time.

(5) Before permitting the withdrawal of firearms and ammunition, the Registrar may require such security to be given as he thinks fit so as to ensure that the provisions of this Act are complied with.

(6) Every permit for the withdrawal of firearms or ammunition shall specify the mark, number and description of the firearms and ammunition.

Powers of the
Inspector General
of Police on
storage of
firearms

30.-(1) Without prejudice to any provisions of any of law in relation to storage of firearms and ammunition, the Inspector-General of Police may issue directives on how to store firearms or ammunition which come into the hands of the police and may charge fees for such storage.

(2) The Inspector General of Police may make an application to a Resident Magistrate for a forfeiture order of the firearms or ammunition where they have been stored for a period of up to eighteen months or where payment of the fees in subsection (1) has not been effected within a period of two months from the date of storage.

(3) Where in relation to an application made under subsection (2) the Resident Magistrate is satisfied that—

- (a) reasonable steps have been taken to bring the application to the notice of the person who appears to be the owner of the firearms or ammunition; and
- (b) such person has had reasonable opportunity to pay the fees or to lawfully dispose of the

firearms or ammunition, and fails, the Resident Magistrate shall order the firearms or ammunition to be forfeited to the Government.

Provisions in
relation to
Tanzania
Zanzibar

31.-(1) Notwithstanding section 8, the Commissioner of Police for Tanzania Zanzibar shall be the Registrar for Tanzania Zanzibar.

(2) The firearms licence granted in Mainland Tanzania shall not be valid for the same purposes in relation to same or other firearms and ammunition in Tanzania Zanzibar, unless it is endorsed by the Registrar or an authorised officer.

(3) The provision of subsection (2) shall apply *mutatis mutandis* to Mainland Tanzania.

(4) A person may carry, possess or use any firearm or ammunition in Tanzania Zanzibar but he shall keep or store the firearms and ammunition in accordance with the directives of the Registrar after such use.

DEALERS, MANUFACTURERS, GUNSMITHS AND BROKERS LICENCES AND PERMITS

(a) Dealers

Dealer's permit

32.-(1) The Registrar shall not issue a permit to deal in any firearms, other than non-automatic firearms unless he has consulted and obtained approval from the Armament Control Advisory Board.

(2) A person who wishes to deal in any firearms or ammunitions business shall-

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(a) obtain a dealer's permit;

(b) where the applicant is a company, be registered pursuant to the Companies Act.

(3) Any application for a permit to deal in firearm or ammunition business shall be made to the Registrar in a form prescribed out in the regulations.

Conditions
imposed on
dealers

33. The Minister may, in consultation with the relevant authority in Tanzania Zanzibar, make regulations prescribing for the -

- (a) conditions in respect of the issuance of a dealer's permit;
- (b) conditions which the Registrar shall impose on dealers;
- (c) specifications in respect of the business premises of a dealer;
- (d) procedure for renewal of a dealer's permit;
- (e) procedure for suspension and cancellation of dealer's permit.

Change of
premises

34.-(1) A dealer shall carry on firearms or ammunition business on the premises specified in the dealer's permit.

(2) Where a dealer wishes to change his place of business, he shall make an application to obtain a permit for that purpose.

(3) The application for change of place of business shall be lodged with the Registrar in the manner to be prescribed by the regulations.

(4) Where the Registrar is satisfied, with the application for change of place of business, he may endorse the existing licence or issue a new licence setting out the conditions for the change that he deems necessary to impose.

Duties of a dealer

35.-(1) A dealer shall keep such registers at his business premises, as may be prescribed in the regulations, containing the information specified in the dealer's permit. -

(2) A dealer shall ensure that his dealer's permit is placed at a conspicuous place within his place of business at all times.

(3) A dealer shall, upon the request of the Registrar, produce for inspection-

- (a) any firearms or ammunition that the dealer may have in stock;
- (b) his dealer's permit; and
- (c) any other records which the authorized officer may require for the purposes of conducting the inspection under this Act.

(4) An authorised dealer shall submit to the Registrar a return on the business transactions carried out within a prescribed period of time and in the prescribed form.

Firearms disposal
on ceasing to
carry on business

36. Where a person who holds a licence issued in terms of Part III, ceases to carry on business for any reason, he shall keep the firearms and ammunition in his possession in safe custody at a place to be designated by the Registrar.

Application of
other laws

37. A permit issued under this Part shall not exempt the permit holder from complying with the provisions of any other written laws regulating business licensing.

(b) Manufacturers, Gunsmiths and Brokers

Prohibition of
manufacture of
firearms or
ammunition

38.-(1) A person shall not manufacture or assemble firearms or ammunition in the United Republic of Tanzania except in accordance with the terms of the permit issued by the Armament Control Advisory Board.

(2) Notwithstanding the provision of subsection (1), the Board may issue manufacturing permit, provided that the applicant meet the required terms and conditions.

Repair of
firearms

- 39.-(1) A person shall not repair a firearm unless he is a holder of a gunsmith's permit issued under this Act.
- (2) Subject to subsection (1), a person shall not-
- (a) alter the mechanism of a firearm so as to enable the discharging of more than one shot with a single depression of the trigger;
- (b) alter the caliber or the barrel length of a firearm.
- (3) All firearms shall be repaired at Government arsenals or by a licenced gunsmith.

Approval of the
Armament
Control
Advisory
Board

40. Notwithstanding any provision of this Act, the Registrar shall not issue a gunsmith's permit unless the applicant is approved by the Armament Control Advisory Board.

Gunsmith's
permit
conditions

41. The Minister may, in consultation with relevant authority in Tanzania Zanzibar, prescribe-
- (a) the manner in respect of the issuance, suspension, cancellation or renewal of a gunsmith's permit;
- (b) conditions which the Registrar may attach to the gunsmith's permit; and
- (c) specifications in respect of the business premises of a gunsmith.

Broker's permit

42. A person shall not act for others in negotiating or arranging contracts, purchases, sales or the transfer of firearms and ammunition in return for a fee, commission or other consideration unless that person is a holder of a broker's permit issued under this Act.

Issuance of a
brokers permit

43. The Minister may, in consultation with the relevant authority in Tanzania Zanzibar prescribe-

- (a) procedure for issuance, suspension, cancellation or renewal of a broker's permit;
- (b) the conditions to which the Registrar may attach to the broker's permit; and
- (c) specifications in respect of the business premises of a broker.

Approval of the
Armament
Control
Advisory
Board

44. Notwithstanding any provision of this Act, a brokers' permit shall not be issued to operate in the United Republic of Tanzania unless the broker is approved by the Armament Control Advisory Board.

PART V IMPORT, EXPORT, TRANSIT, AND TRANSPORT OF FIREARMS AND AMMUNITION

(a) Import, export, transit and Transport of firearms and ammunition

Import, export
and on transit

45.-(1) A person shall not import into or export from or carry on transit any firearms or ammunition through the United Republic of Tanzania without a permit.

(2) A person shall not import firearms or ammunition unless-

- (a) they are for personal use;
- (b) he has obtained an end-user certificate from the Registrar; and
- (c) he is a licenced dealer under this Act.

(3) A person importing or exporting firearms or ammunition on transit, through the United Republic of Tanzania, whether for trade or personal use, shall obtain a separate permit for each consignment that is imported or exported.

Cap 403

(4) The imported firearms or ammunition shall be landed at the designated points of entry as prescribed in the Customs (Management and Tariff) Act.

Transit licence
for contiguous
states

46. Notwithstanding anything contained in this Act, a transit permit for the importation of arms or ammunition, whether in whole or in parts to contiguous states, may be granted, suspended, refused, renewed or cancelled by the Minister in accordance with the provisions of Article 10 of the Convention referred to in the Fourth Schedule.

Permit
conditions

47. The Minister may, in consultation with the relevant authority of Tanzania Zanzibar, make regulations prescribing for-

- (a) procedure for issuance, suspension, cancellation or renewal of an import, export, or in-transit permits;
- (b) conditions which the Registrar shall impose on the holder of a permit;
- (c) qualifications to be possessed by a permit applicant; and
- (d) identification marks.

Inspection

48.-(1) The holder of a permit issued in terms of this Part, shall at the request of the Registrar, produce for inspection-

- (a) any firearms or ammunition in his possession or under his control;
- (b) his permit; and
- (c) any records that may be kept by him in terms of this Act.

(2) A dealer shall keep and maintain records in relation to the importation or sale of firearms and ammunition in the manner to be prescribed by the Registrar.

(b) Transportation of Firearms and Ammunition

Transporter's
permit

49.-(1) A person shall not transport any firearm or ammunition unless he obtains a transporter's permit.

(2) An application for a transporter's permit shall be made to the Registrar in the prescribed form, as set out in the regulations.

Conditions for
transporting
firearms

50. The Minister may, in consultation with the relevant authority in Tanzania Zanzibar, prescribe-

- (a) procedure for issuance, suspension, cancellation or renewal of a transporter's permit;
- (b) the conditions in a permit; and
- (c) qualifications of a permit holder.

Transporter's
duties

51.-(1) The holder of a transporter's permit shall, at the request of any authorized officer, produce for inspection-

- (a) any firearms or ammunition in his possession or under his control;
- (b) his permit; and
- (c) any register or records that may be kept by him; and
- (d) any other information which may be relevant to the inspection.

(2) A transporter shall keep and maintain records of all firearms or ammunition transported in the manner to be prescribed by the Registrar and shall make available any required information to the authorized officer.

Application of
other laws

52. A permit issued under this Part shall not exempt the person to whom it is issued from complying with any of the provisions of any other written laws regulating business licensing.

PART VI
SEARCH AND SEIZURE

Search and
seizure

53.-(1) Notwithstanding the provision of any written law to the contrary, an authorized officer who reasonably suspects any firearm or ammunition to be illegally held, may, at any time in the course of his official duty-

- (a) stop and search any person, motor vehicle, carriage, vessel or aircraft during taxing out; and
- (b) enter, search and seize any firearm or ammunition in any premises.

(2) Where an authorised officer executing a search warrant has reasonable grounds to believe that any firearms or ammunition found in any premises, ship or vehicle are being kept, conveyed, landed or sold in contravention of this Act, he may seize the firearms or ammunition until such a time when the court has determined whether or not the firearms or ammunition are liable to be forfeited or not.

Cap. 20

(3) The provisions of Part II of the Criminal Procedure Act relating to search and seizure, shall apply *mutatis mutandis* to this Act.

Immunity

54. No suit, prosecution or other legal proceedings shall lie against the Registrar or any other authorised officer exercising any powers or discharging any functions or performing any duties under this Act, for anything done in good faith under this Act.

PART VII
DISPOSAL OF FIREARMS

Firearms
disposal in case
of death

55. Where a firearm licence holder dies or ceases to exist while still in possession of a firearm, the firearm in question shall be disposed by the registrar in the manner to be prescribed in the regulations.

Forfeiture of
firearms
connected with
offence

56. Any firearm or ammunition which is connected with an offence shall, where the court thinks fit, be forfeited to the Government.

Forfeiture of
firearms or
ammunition
without an
apparent owner

57.-(1) Any firearm or ammunition found in any building, vessel, aircraft or place without any apparent owner may, be ordered by the court to be forfeited to the Government.

(2) Where a firearm or ammunition has been forfeited by the Government, by a court order, it shall be disposed of in the manner and within the time specified in the destruction order of the court:

(3) A disposal order shall not be executed by the Government where an appeal is pending against the order or until such time the statutory appeal period elapses without an appeal being instituted against the order.

PART VIII
MISCELLANEOUS PROVISIONS

The Central
Firearms
Registry offices

58.-(1) The Central Firearms Registry shall be at Police Headquarters with its Sub-registry in Zanzibar at a place that is equivalent to the Police Head Quarters of Mainland Tanzania.

(2) The Central Arms Registry shall be under the control of the Inspector-General of Police or such other officers as the Minister may appoint, for recording all permits and licences issued.

(3) The Registrar shall transmit to the Central Arms Registry, at the beginning of every month, a record of permits and licences issued by him during the preceding month.

Safe custody of
firearms and
ammunition

59.-(1) A person having in his possession, control or custody of any firearms or ammunition shall-

- (a) take reasonable precaution to prevent the firearms or ammunition from falling into the possession, control or custody of unauthorized person; and
- (b) comply with such security measures, both with regard to the safe custody of the firearm or ammunition and the conditions in which the firearm or ammunition shall be kept, as the Registrar may prescribe.

(2) In any proceedings under this section or any regulation concerning the duty to take security measures, the burden of proof shall lie on the person charged.

(3) For the purposes of this section "unauthorized person" means any person who is not authorized to possess firearms or ammunition under this Act.

"Offences and
penalties"

60.-(1) A person who contravenes any provision of this Act, commits an offence and is liable, except where a penalty is provided for a similar offence in any other relevant law, to a fine not exceeding fifteen million shillings or to imprisonment for a term not exceeding ten years or to both.

(2) Where a person who is convicted under subsection (1) holds a permit for the possession of a firearm or ammunition, such permit shall be cancelled or suspended and the firearms or ammunition be forfeited for a period which the court deems fit.

Safe keeping of
firearms or
ammunition

61. A person who fails to keep a firearm or ammunition that is in his lawful possession in safe custody commits an offence and is liable, upon conviction, to a

Reporting of
loss of firearms
or ammunition

fine not exceeding two million shillings or to imprisonment for a term not exceeding one year or to both.

62.-(1) Whenever a firearm or ammunition which is in the lawful possession of any person is lost, stolen or destroyed, the person shall, immediately but not later than seven working days after becoming aware of the loss, theft or destruction of the firearm or ammunition, report such loss, theft or destruction in person or through a person authorized by him in writing, stating clearly the particulars of the firearm or ammunition, the time and place and circumstances under which it got lost, stolen or destroyed as the officer may require.

(2) A person who contravenes subsection (1) commits an offence and is liable on conviction to a fine not less than five million shillings or to imprisonment for a term not exceeding twelve or to both.

Presumption

63. Subject to section 62, where it is proven that the accused person was at any time lawfully in possession of or is the holder of a licence or is authorized to possess the firearm or ammunition alleged to have been lost, stolen or destroyed, it shall be sufficient evidence that-

- (a) such firearm or ammunition has been lost, stolen or destroyed, if it is proven that he or she failed to produce the firearm or ammunition upon the request to do so by any regulation and fails to show reasonable grounds for such failure;
- (b) he or she has failed to report the loss, theft or destruction of the firearm as required.

Amnesty for
surrender of
firearms

64.-(1) The Minister may, in consultation with the relevant authority in Tanzania Zanzibar, and by notice published in the *Gazette* -

(a) for the purpose of surrendering illegally possessed firearms; and

(b) to maintain law and order,

declare an amnesty to any person found in unlawful possession of a firearm or ammunition.

(2) The notice in subsection (1) shall specify the person to whom amnesty is granted, the period, area and conditions of amnesty.

(3) A person who surrenders a firearm or ammunition under this section shall not be prosecuted.

Firearm-free
zones

65.-(1) The Minister may, in consultation with the relevant authority in Tanzania Zanzibar, declare any area, premises or categories of premises to be a firearm-free zone.

(2) An authorized officer may, where he has reason to believe that a fire arm is kept in a firearm free zone-

(a) search any building or premises;

(b) search any person present in a firearm-free zone; and

(c) seize any firearm or ammunition found in the firearm-free zone; or

(d) arrest any person who contravenes the notice in subsection (1).

Verification of
records of
firearms or
ammunition

66. The Minister may in consultation with the relevant authority in Tanzania Zanzibar; and where it is in the public interest so to do, require any or all licence holders to verify their records of firearms or ammunition.

Joint operations

67. For the purposes of combating illicit proliferation of firearms and ammunition, the Inspector General of Police may, in consultation with the Minister authorize any person to participate in any regional joint operations.

Information
sharing and
mutual
assistance

68. The Inspector General of Police may, for the purposes of combating illicit proliferation of firearms and ammunition-

- (a) upon request made by the appropriate authority of a foreign state, disclose to that authority any information in his possession; and
- (b) receive and act upon any information, obtained in the course of investigations, relating to a firearm or ammunition unlawfully possessed.

Classification of
non-lethal
weapons

69.-(1) The following weapons shall not be regarded as lethal weapons-

- (a) any captive bolt gun manufactured for use in an abattoir in the humane killing of animals;
- (b) a tranquilizer firearm;
- (c) a paintball gun;
- (d) a flare gun;
- (e) fireworks;
- (f) teaser gun;
- (g) a deactivated firearm; and
- (h) any other device which the Minister may, in consultation with the relevant authority in Tanzania Zanzibar and by notice in the *Gazette*, exempt.

(2) Without prejudice to any other relevant law regulating importation of firearms and ammunition, the Minister may, make regulations for the importation of non-lethal firearm.

Imitation
firearms

Cap. 16

70.-(1) An imitation firearm or toy gun 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 section 286 of the Penal Code.

(2) For the purposes of this section, the expression "imitation firearm" or "toy gun" means anything which has the appearance of a firearm of any description.

(3) The Minister may, in consultation with the relevant authorities in Tanzania Zanzibar, make regulations prescribing procedures for importation of imitation firearms or toy gun.

Fees

71. The Registrar shall, in respect of services rendered under this Act, charge such amount of fees as may be prescribed in the regulations.

Power to make
regulations

72.-(1) The Minister may, in consultation with the relevant authority in Tanzania Zanzibar, make regulations-

(a) prescribing-

- (i) the persons to whom any licence or permit shall be issued;
- (ii) the form in which a licence or permit shall be;
- (iii) terms and conditions under which any licence or permit shall be issued;
- (iv) fees to be paid in respect of the licence or permit; and
- (v) the revocation of any licence or permit;

(b) regulating the stamping, marking, numbering, and registering of firearms and ammunition;

(c) prescribing for the establishment and regulation of public and private warehouses for the purposes of this Act;

- (d) regulating and monitoring private security companies;
- (e) prohibiting or regulating the possession, sale, purchase and transfer of gunpowder and caps by or from local authorities and persons acting on behalf of local authorities;
- (f) prescribing the form and manner in which any register or records required by this Act should be or any regulations under it shall be kept and their inspection;
- (g) restricting and regulating the transport of firearms and ammunition;
- (h) prescribing fees, rent, and charges for the use of public warehouses and the manner in which they may be recovered;
- (i) prescribing the security measures, both with regard to the safe custody of firearms and ammunition and the condition in which they shall be kept, be taken by any person having in his possession, control or custody of any firearms or ammunition;
- (j) the determination and payment of fees payable in respect of the issuance or renewal of any certificate of competency, licence or permit or in respect of anything else for which a fee may be charged in terms of this Act;
- (k) prescribing for the safe custody of the firearms and ammunition possessed by security guard companies, institutions and other private companies;
- (l) the security of any premises at which dealers, manufacturers, gunsmiths, importers and exporters of firearms and ammunition, persons who use firearms for business purposes, including precautions and procedures to be taken to prevent the theft or unlawful use of firearms and ammunition in the possession of

- such persons;
- (m) precautions to be taken in respect of the carriage, use, safe custody or destruction of firearms and ammunition;
 - (n) the surrender and disposal of certificate of competency, licences, permits or permits issued under this Act which have been suspended, revoked or cancelled or which have expired;
 - (o) the training, testing and such other measures as may be necessary to ensure the competency of persons who may possess and use firearms; and
 - (p) prescribing the procedures for disposal of firearms and ammunition under this Act;
 - (q) for any other matter which the Minister may deem necessary for better execution of this Act.

(2) The regulations made under this Act may provide for a penalty for contravention of any of the provisions made under it.

(3) In exercising the powers under this section, the Minister may, in consultation with the relevant authority in Tanzania Zanzibar, make regulations specifically relating to Tanzania Zanzibar.

Repeal
Cap. 223

73. The Arms and Ammunition Act is hereby repealed.

Savings and
transitional
provisions

74. Notwithstanding the repeal of the Arms and Ammunition Act-

- (a) all subsidiary legislation made under the Act, which are in operation on the day of coming into force of this Act, shall be deemed to be subsidiary legislation made under this Act, and shall remain in force until revoked by regulations or rules made under this Act.

- (b) all officers appointed under it to perform functions in relation to the control of the manufacture, importation, safe storage, carriage, export or other dealings in the arms and ammunition, shall continue to perform those functions in so far under this Act relates to them unless their tenure of office expires or their appointment is sooner terminated, whichever takes place earlier, or they are re-appointed and shall, for that purpose, be deemed to have been appointed under this Act.

PART IX
CONSEQUENTIAL AMENDMENTS TO THE LOCAL
GOVERNMENT (FINANCE) ACT, CAP 290

Construction

75. This Part shall be read as one with the Local Government (Finance) Act, hereafter referred to as the "principal Act".

Amendment of
section 7

76. The principal Act is amended in section 7 by-
(a) deleting subsection (1)(l); and
(b) renumbering paragraphs (m) to (z) as (l) to (y) respectively.

FIRST SCHEDULE

(Made under section 7(2))

Proceedings and Matters Relating to the Committee

Tenure of
office

1.-(1) Every member of the Committee shall hold office for a Period of four years and shall be eligible for re-appointment for another one term.

- (2) The Minister may amend or vary the list of members of the Committee.
- (3) In appointing members of the Committee, the Minister shall take into consideration, gender balance and the balance in composition of the members from Mainland Tanzania and Tanzania Zanzibar.
- Appointment of a temporary member** 2.-(1) Where a member is by reason of illness, infirmity or absence from the United Republic of Tanzania, unable to attend any meeting of the Committee without reasonable, the appointing authority may appoint a person in his place and such person shall cease to hold office on the assumption of office of the substantive member.
- (2) Where the member fails to resume office within six months, the Minister shall confirm the member appointed in sub paragraph (1) into office.
- Vice-Chairman** 3. The Committee shall elect from amongst its members a Vice-Chairman and to hold office for a term of one year, from the date of his election, and he shall be eligible for re-election for another one term.
- Power of Chairman and Vice-Chairman** 4.-(1) The Chairman shall preside at all meetings of the Committee.
- (2) Where at any meeting of the Committee the Chairman is absent, the Vice-Chairman shall preside.
- (3) In the absence of both the Chairman and the Vice-Chairman at any meeting of the Committee, the members present may appoint, from amongst themselves a temporary Chairman who shall preside at that meeting.
- Meetings and procedure of Committee** 5.-(1) The Committee shall meet not less than four times in every year and at any additional times which may be fixed by the Chairman or, in his absence from the United Republic of Tanzania or unable for any reason to act, the Vice-Chairman.
- (2) The Chairman and, in his absence, the Vice-Chairman, may, and upon application in writing by at least five members, convene a special meeting of the Committee at any time.
- (3) The Executive Secretary of the Committee shall give to each member an adequate notice of the time and place of each meeting.
- Quorum** 6. At any meeting of the Committee not less than one half of the members in office for the time being shall constitute a quorum.
- Decisions of Committee** 7. All questions at a meeting of the Committee shall be determined by a consensus.

Record of
Proceedings
of Committee

8.-(1) The Committee shall cause minutes of all proceedings of meetings of the Committee to be entered into a book kept for that purpose.

(2) Any minutes purporting to be approved and signed by the Chairman of, the next succeeding meeting of the Committee shall be evidence that the meeting was duly convened.

Absence from
three
consecutive
meetings

9. Where any member absents himself from three consecutive meetings of the Committee without reasonable cause, the Committee shall notify the appointing authority of the fact and the appointing authority may terminate the appointment of the member and appoint another member in his place where it deems fit to do so.

Proceedings of
the Committee

10. The Committee may regulate its own proceedings.

SECOND SCHEDULE

CRIMES AND OFFENCES GIVING RISE TO UNFITNESS TO POSSESS FIREARMS

(Made under sections 11(1)(f) and 26(1))

1. Offences under the Prevention of Terrorism Act.
2. Offences under the Drug and Preventions of Illicit Traffic in Drugs Act.
3. Offences under the Penal Code.
4. Offences under the Anti-Money Laundering Act.
5. Offences under the Wildlife Conservation Act.
6. Any conspiracy, incitement or attempt to commit any of offences referred to in this Schedule.

THIRD SCHEDULE**COUNTRIES WITH RECIPROCAL RECOGNITION***(Made under section 13(2))*

-
- (a) Kenya;
 - (b) Uganda;
 - (c) Rwanda;
 - (d) Burundi;
 - (e) Democratic Republic of Congo;
 - (f) Republic of Congo;
 - (g) Zambia;
 - (h) Malawi;
 - (i) Zimbabwe; or
 - (j) Mozambique.

FOURTH SCHEDULE

**CONVENTION
ARTICLE 10 OF THE PROTOCOL ON
ILLICIT TRAFFICKING FIREARMS**

(Made under section 46)

Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime, G.A. res. 255, Nov. 15, 2000, U.N. Doc. A/RES/55/255 (2001), not yet entered into force.

Article 10

General requirements for export, import and transit licensing or authorization systems

1. Each State Party shall establish or maintain an effective system of export and import licensing or authorization, as well as of measures on international transit, for the transfer of firearms, their parts and components and ammunition.
2. Before issuing export licences or authorizations for shipments of firearms, their parts and components and ammunition, each State Party shall verify:
 - (a) That the importing States have issued import licences or authorizations; and
 - (b) That, without prejudice to bilateral or multilateral agreements or arrangements favouring landlocked States, the transit States have, at a minimum, given notice in writing, prior to shipment, that they have no objection to the transit.
3. The export and import licence or authorization and accompanying documentation together shall contain information that, at a minimum, shall include the place and the date of issuance, the date of expiration, the country of export, the country of import, the final recipient, a description and the quantity of the firearms, their parts and components and ammunition and, whenever there is transit, the countries of transit. The information contained in the import licence must be provided in advance to the transit States.
4. The importing State Party shall, upon request, inform the exporting State Party of the receipt of the dispatched shipment of firearms, their parts and components or ammunition.

4. The importing State Party shall, upon request, inform the exporting State Party of the receipt of the dispatched shipment of firearms, their parts and components or ammunition.

5. Each State Party shall, within available means, take such measures as may be necessary to ensure that licensing or authorization procedures are secure and that the authenticity of licensing or authorization documents can be verified or validated.

6. States Parties may adopt simplified procedures for the temporary import and export and the transit of firearms, their parts and components and ammunition for verifiable lawful purposes such as hunting, sport shooting, evaluation, exhibitions or repairs.

Passed in the National Assembly on the 19th March, 2015.



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Clerk of the National Assembly