ANGUILLA

REVISED REGULATIONS OF ANGUILLA

under

FIREARMS ACT
R.S.A. c. F30

Showing the Law as at 15 December 2002

This Edition was prepared under the authority of the Revised Statutes and Regulations Act, R.S.A. c. R55 by the Attorney General as Law Revision Commissioner.

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Revised Regulations of Anguilla: F30-1

FIREARMS ACT (R.S.A. c. F30)

AIR GUNS PRESCRIPTION REGULATIONS

Note: These Regulations are enabled under section 48 of the Firearms Act, R.S.A. c. F30.

Prescription of types of air guns not to be considered firearms

1. Air guns of the following makes and calibres shall not be considered to be firearms for the purposes of the Firearms Act—

(a) Diana Smooth Bore Air Gun, .177;

(b) Daisy Smooth Bore Air Gun, .177.

Citation

2. These Regulations may be cited as the Air Guns Prescription Regulations, Revised Regulations of Anguilla F30-1.

Revised Regulations of Anguilla: F30-2

FIREARMS ACT (R.S.A. c. F30)

FIREARMS APPEALS REGULATIONS

Note: These Regulations are enabled under section 48 of the Firearms Act, R.S.A. c. F30.

Definitions

1. In these Regulations—

"Act" means the Firearms Act;

"applicant" means the person appealing from a decision of an appropriate authority.

Commencing appeal

2. (1) Every appeal shall be commenced by notice in writing addressed to the Governor and filed within 21 days of the date on which the decision from which the applicant is appealing is communicated to him, or within such longer period as the Governor may in any particular case allow.

(2) The applicant shall state in his notice his grounds of appeal and shall forward a copy of such notice to the appropriate authority.

Reasons to be provided by appropriate authority

3. Within 14 days of the receipt of a notice of appeal, the appropriate authority shall forward to the Governor a statement in writing setting out the reasons for the decision from which the applicant is appealing together with a copy of every other document relating thereto.

Appearance by applicant

4. (1) The Governor may, in his discretion, permit any applicant to appear before him to put forward arguments in support of his appeal.

(2) Any applicant permitted to appear before the Governor as aforesaid may do so in person or may be represented by counsel or a solicitor if he so desires.

(3) Where the Governor permits an applicant to appear before him, he shall invite the appropriate authority to be represented at the hearing if the appropriate authority so desires.

Communication of decision

5. So soon as may be practicable after the filing of all documents or the conclusion of the hearing of the appeal, as the case may be, the Governor shall communicate his decision in writing to the applicant and to the appropriate authority and give to the appropriate authority such directions as may be necessary.

Citation

6. These Regulations may be cited as the Firearms Appeals Regulations, Revised Regulations of Anguilla F30-2.

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Revised Regulations of Anguilla: F30-3

FIREARMS ACT (R.S.A. c. F30)

FIREARMS REGULATIONS

Note: These Regulations are enabled under section 48 of the Firearms Act, R.S.A. c. F30.

Definition

1. In these Regulations, "Act" means the Firearms Act.

Application

2. (1) Every application for any certificate, licence or permit to be granted in accordance with the provisions of the Act shall be in the appropriate form specified in Schedule 1.

(2) Where the application aforesaid is for the grant of a—

(a) Firearm Dealer's Licence;

(b) Firearm Manufacturer's Licence;

(c) Gunsmith's Licence;

(d) Firearm User's Licence;

(e) Firearm User's (Special) Permit; or

(f) Certificate under section 20(2)(j) of the Act;

such application shall, if made by an individual, be accompanied by 3 unmounted photographs of the applicant, made from the same negative, which shall be approximately 2¾"x 2" in dimensions and on the back of one such photograph a certificate in the form set out in Part 1 of Schedule 2 shall be affixed by the Magistrate, a justice of the peace, a minister of religion or a medical practitioner.

Certificates, licences and permits

3. Every certificate, licence or permit granted pursuant to an application made in accordance with the provisions of section 2 shall be in the appropriate form specified in Schedule 1 and shall be subject to such terms and conditions as may be set out thereon.

Register to be kept by licensed dealer

4. For the purposes of section 17 of the Act, every licensed dealer (as defined in that section) shall keep a register in the appropriate form specified in Schedule 3 and shall forward to the Commissioner of Police a true copy of every transaction effected by him during the six-month period ending on the 30th of June and on the 31st of December each year, within 21 days of the end of the period to which such copy of the register relates.

Form of traveller's declaration

5. The declaration which a traveller shall make for the purposes of section 5 of the Act shall be in the form set out in Part 2 of Schedule 2 and shall contain such particulars as may be specified in such Form.

Traveller's firearms not retrieved

6. Where a traveller has delivered firearms or ammunition to an officer of customs pursuant to section 6 of the Act, and such firearms or ammunition have not been retrieved in accordance with the provisions of section 7 of the Act within 3 months of the date of such delivery, the Comptroller of Customs shall cause such firearm or ammunition to be forwarded to the Commissioner of Police, together with all declarations relating thereto.

Authority to certify under section 44(2) of Act

7. The authority to certify, for the purposes of section 44(2) of the Act, that a rifle is ordinarily used in the training of members of the Defence Force, the Police Force, the Cadet Corps, or any military body established by law in Anguilla shall be the Commissioner of Police.

Storage fees

8. (1) Subject to subsection (2), the storage fees chargeable in respect of all firearms received at a police station pursuant to section 45 of the Act shall be at the following rates—

(a) for every revolver, pistol or other small arm, $100 per year;

(b) for every rifle or shot gun, $200 per year;

(c) for every other class of firearm, $300 per year.

(2) Where any firearm as aforesaid is stored for a period less than 6 months the storage fee above shall be one-half of that above respectively provided.

(3) For the purpose of this section, "small arm" includes air rifle, air pistol and air gun.

(R.A.23/2002 s.1)

Persons to whom section 20(2)(j) of the Act relates

9. Section 20(2)(j) of the Act relates to the persons specified in Schedule 4 and a certificate issued under that provision shall be subject to any conditions specified in that Schedule and in that certificate.

Citation

10. These Regulations may be cited as the Firearms Regulations, Revised Regulations of Anguilla F30-3.

———————

SCHEDULE 1

(Sections 2 and 3)

FORMS

FORM OF APPLICATION FOR FIREARM IMPORT PERMIT

To the Commissioner of Police:

I, (a) ……...…….…….……..…….

of (b) ……...……...…….

(c) ……...……..…….

hereby apply for a permit to import into Anguilla from (d) …… the following firearms and ammunition—

(e) ……...…..……. ……..…..……..

during the period of (f) ……...……..…….

Dated this …….. day of ……, 20……. .

Signed ……

NOTES:

(a) Here insert full name of applicant
(b) Here insert full residential address of applicant
(c) Here insert occupation of applicant
(d) Here insert source of importation
(e) Here insert type, quantity and Identification Nos., if any, of firearms and ammunition
(f) Here insert period during which applicant desires to import

———————

FORM OF FIREARM IMPORT PERMIT

No.

Pursuant to an application dated……..

(a) ……..……...…….……...…..…….……

of (b) ……..……...……..……...…..…..…….

(c) ……..……..... is hereby authorised to import into Anguilla from

(d) …… the following firearms and ammunition—

(e) ……..…….…….…..

during the period of (f)…….…..……..……...…..……....…

Dated this……..day of……., 20……. .

Signed…….……

……..
Specimen Signature of Holder of Permit

NOTES:

(a) Here insert full name of applicant
(b) Here insert full residential address of applicant
(c) Here insert occupation of applicant
(d) Here insert source of importation
(e) Here insert type, quantity and Identification Nos., if any, of firearms and ammunition
(f) Here insert period during which firearms and ammunition may be imported

———————

FORM OF APPLICATION FOR FIREARM EXPORT PERMIT

To the Commissioner of Police:

I, (a) ……..……..……..……..……

of (b) ……..……..……...…

(c) ……..……..……..…… hereby apply for a permit to export from Anguilla to

(d) ……..……..……..……..……

(e) ……..…… the following firearms and ammunition—

(f) ……..…… ……...…….

during the period of (g) ……..……..……

Dated this …… day of ……..., 20…….. .

Signed ……..

NOTES:

(a) Here insert full name of applicant
(b) Here insert full residential address of applicant
(c) Here insert occupation of applicant
(d) Here insert destination
(e) Here insert manner in which it is proposed to export the firearms and ammunition
(f) Here insert type, quantity and Identification Nos., if any, of firearms and ammunition
(g) Here insert period during which applicant desires to export

———————

FORM OF FIREARM EXPORT PERMIT

No.

Pursuant to an application dated …….…….

(a) ……..……..……

of (b) ……..…..……

(c) ……..…… is hereby authorised to export from Anguilla to

(d) ……..……..……

(e) ……..…… the following firearms and ammunition—

(f) ……..……..……..……

during the period of (g) ……..……..…...…

Dated this…..……day of……, 20……. .

Signed …….

……..
Specimen Signature of Holder of Permit

NOTES:

(a) Here insert full name of applicant
(b) Here insert full residential address of applicant
(c) Here insert occupation of applicant
(d) Here insert destination
(e) Here insert manner in which firearms and ammunition shall be exported
(f) Here insert type, quantity and Identification Nos., if any, of firearms and ammunition for which permit is granted
(g) Here insert period during which firearms and ammunition may be exported

———————

FORM OF APPLICATION FOR FIREARM TRANSSHIPMENT PERMIT

To the Comptroller of Customs:

(a) ……..……...…….……..……..……

of (b) ……..……...……..……

(c) …….. hereby apply for a Firearm Transshipment Permit authorising me to transship

from (d) ……..……...……..……

to (e) ……...……..……..……

during (f) ……... the following firearms and ammunition—

(g) ……..……...…..……

Dated this ……. day of ……..……, 20..……..

Signed ….…….

NOTES:

(a) Here insert full name of applicant
(b) Here insert full residential address of applicant
(c) Here insert occupation of applicant
(d) Here insert name of vessel from which applicant desires to transship firearms and ammunition
(e) Here insert name of vessel to which applicant desires to transship firearms and ammunition
(f) Here insert period during which applicant desires the transshipment to be effected
(g) Here insert the amount and type of firearms and ammunition the applicant desires to transship

———————

FIREARM TRANSSHIPMENT PERMIT

No.

Pursuant to an application dated ……..……..

(a) ……..……..……

of (b) ……..……..……

(c) ……...…… is hereby authorised to transship from

(d) ……..……..……

to (e) ……..……..……

(f) ……..……..……..……

the following firearms and ammunition (g) ……..……

Dated this …….. day of ……., 20…..…….. .

Signed……..
Comptroller of Customs

……..……..
Specimen Signature of Holder of Permit

NOTES:

(a) Here insert full name of applicant
(b) Here insert full residential address of applicant
(c) Here insert occupation of applicant
(d) Here insert name of vessel from which applicant may transship firearms and ammunition
(e) Here insert name of vessel to which applicant may transship arms and ammunition
(f) Here insert period during which transshipment may be effected by applicant
(g) Here insert the amount and types of firearms and ammunition the applicant may transship

FORM OF APPLICATION FOR FIREARM MANUFACTURER'S LICENCE, FIREARM DEALER'S LICENCE, GUNSMITH'S LICENCE

To: ……
(appropriate authority)

I …… of ……..…..……...
(name of applicant) *(address and occupation of applicant)*

hereby apply for a licence under the Firearms Act to operate the business of

……..……..
(nature of business)

at ……..……..…….
(business address)

in relations to firearms of the following descriptions ……...
……...
(description of firearms)

I declare that—

(a) I do not carry on or intend to carry on upon the said premises ……...……..
……..……. any business other than that of
(business address)
a ……..…. except ……..……
……..……..

(b) that if pursuant to this application a ……... licence is granted to me I intend only to deal in the following types of firearms—
……..…….
(types of firearms)

(c) that I have not at any time during the five years next preceding the date of this application—

(i) been convicted of any offence in relation to the importation, exportation, purchase, sale, possession or use of any firearm except ……..…..……...….
……..……

(ii) been sentenced to any term of imprisonment in respect of any offence except ……...
……...……

Dated this …… day of ……, 20…… .

Signed ……...
(applicant)

———————

**FORM OF FIREARM MANUFACTURER'S LICENCE,
FIREARM DEALER'S LICENCE, GUNSMITH'S LICENCE**

No.

Pursuant to an application dated ……..…… of ……..……
……..…..
……..…….. having satisfied me that he has paid the appropriate duty in respect of this licence is, in the exercise of the powers conferred upon me by the Firearms Act, hereby licensed to operate the business of……
……..……..

(nature of business)

at …… in relation to firearms of the following descriptions
……..…..

(descriptions of firearms)

This licence is granted subject to the following conditions ……....
……..……..
……..…..
……..……..……..……..……..……..……..……..……..

Photograph

Dated this …… day of ……., 20……..…… .

Signed …….
(appropriate authority)

……...
Specimen Signature of Holder of Licence

———————

FORM OF APPLICATION FOR FIREARM DISPOSAL PERMIT

To:

(a) ……..……...……

I, (b) ……..……..……...……

of (c) ……..……..……...……

(d) ……..……..……...……

being owner of (e) ……..……

hereby apply for a Firearm Disposal Permit authorising me to dispose of the firearm and ammunition described above.

Dated this …… day of ……..……., 20……. .

Signed ……..……

NOTES:

(a) Here insert the authority to whom application is made
(b) Here insert full name of applicant
(c) Here insert full residential address of applicant
(d) Here insert occupation of applicant
(e) Here insert make, type, calibre and Identification No., if any, of the firearm and ammunition to which application relates

FORM OF FIREARM DISPOSAL PERMIT

No.

Pursuant to an application dated ……

(a) ……..……..……..…..……..……

of (b) ……...……..……..……

(c) ……...……..……..……

is hereby authorised to dispose of (d) ……..…….

…….. .

Dated this ……..…….. day of ……., 20..…… .

Signed ……...…….

……..
Specimen Signature of Holder of Permit

NOTES:

(a) Here insert full name of applicant
(b) Here insert full residential address of applicant
(c) Here insert occupation of applicant
(d) Here insert make, type, calibre and Identification No., if any, of the firearm and ammunition to which permit relates

FORM OF APPLICATION FOR FIREARM USER'S LICENCE, FIREARM USER'S(SPECIAL) PERMIT AND ANY CERTIFICATE

To: ……..…….
(appropriate authority)

I …...……..……. of ……..
(name of applicant) *(address and occupation of applicant)*

in …….. do hereby apply for the grant of a ……..…….……

….…….…….……

(type of licence, permit or certificate)

in respect of a ……..……..
(make, type, calibre and identification number of firearm)

I hereby declare—

(a) that I have not previously been refused any licence, permit or certificate to possess or use any firearm, nor has any licence, permit or certificate previously granted me been revoked except ……..……
(particulars of application refused or licence, etc., revoked)

(b) that I have not been convicted during the five years next preceding the date of this application of any offence in respect of the importation, exportation, purchase, sale, possession or use of any firearm except ……..
(previous conviction, if any)

(c) that I have not during the five years next before the date of this application been sentenced to any term of imprisonment except:

……..……..…….
(details of imprisonment)

(d) that I have not during the period of five years next before the date of this application been detained in any Mental Hospital;

(e) that the purposes for which I desire to possess such firearm are as follows—

……....……...

……...…….……

…….……...……...

Dated this …… day of ……..……..…, 20…… .

Signed …….…...
(applicant)

———————

FORM OF FIREARM USER'S LICENCE

No.

This licence is granted to ……..……...……..…….

of ……and relates to the firearm and ammunition specified hereunder—

1. Firearm

(i) Possessed at date of grant (a) ……..……...……..

……

(ii) Authorised to be purchased or acquired (b) ……...

2. Ammunition

Authority to possess

(i) Possessed at date of grant (c) …….

(ii) Maximum amount authorised to be possessed at any one time (d) ……..…..

……....

Authority to purchase or acquire

(iii) Total amount authorised to be purchased or acquired (d)……..……..

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

(1) The firearm and ammunition to which this licence relates shall at all times when not in actual use be kept in a secure place with a view to preventing access to them by unauthorised persons;

(2) The loss or theft of the firearm or ammunition to which this licence relates shall be reported at once to the Commissioner of Police;

(3) Any change in the permanent address of the holder of this licence shall be notified without undue delay to the Commissioner of Police.

…….

(Here insert any other conditions subject to which the licence is held)

……...…..

…….

The following instructions shall be complied with by every person from whom the holder of this licence purchases or acquires firearms or ammunition—

(1) Every person selling, letting on hire, giving or lending a firearm or ammunition to the holder of this licence must give a certificate of the transaction on one of the forms marked "A" attached to this licence.

(2) If the holder of this licence is unknown to the person from whom he purchases or acquires firearms, such person must obtain a receipt from the holder of the licence for any firearm supplied to the holder of this licence and keep it for production if required.

(3) The person from whom the holder of this licence purchases or acquires any firearms or ammunition must within forty-eight hours of the completion of the transaction in respect of which the certificate on form "A" was given report in writing to the Commissioner of Police any circumstances attending that transaction which appear to require investigation.

……..…….

(Here insert any other instructions which the Commissioner of Police may see fit to insert)

……...……

……...…..……..

This licence will continue in force until the 31st day of December, 20…….. unless sooner revoked or amended.

Dated this …… day of ……..…..., 20……. .

Signed ……...……..……...
Commissioner of Police

……
Specimen Signature of Holder of Licence

NOTES:

(a) Here insert type, calibre, maker's name, identification number or any other distinguishing mark
(b) Here insert type
(c) Here insert quantity, type and calibre
(d) Here state quantity and type

FORM A

I ……..…
(name)

of ……...……
(address)

certify that on the ……..……
(date)

I ……. ……. (a) to ……..…...

of ……..…….....……

Firearms as follows (b) ……. ……...……

and Ammunition as follows (c) ……..... ……...……..…

I have inspected the firearm licence and the records of previous transactions attached thereto and I am satisfied that this transaction will not place him in possession of firearms or ammunition in excess of, or otherwise than as authorised by, the licence.

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

…… .

Dated this …… day of ……., 20..…….. .

Signed ……..

NOTES:

(a) Here insert “sold”, “let on hire”, “gave” or “lent”, as the case may be
(b) Here insert quantity and type of firearms with calibre, maker’s name, identification number or other distinguishing mark
(c) Here insert the quantity, type and calibre of ammunition
(d) Here give date and particulars of Firearm User’s Licence, Firearm Dealer’s Licence or other authority of the seller, etc., to possess firearms or ammunition

———————

FORM OF FIREARM USER'S (SPECIAL) PERMIT

No.

Pursuant to an Application dated ……..……

(a) ……..……..……..……..……..……

of (b) ……..……..……..……..……..……

(c) ……..……. being the holder of a Firearm User's Licence is hereby authorised to be in possession of—

(d) ……..……...……...……...……

(e) ……..……...……..…….

on the following occasions—

(f) ……..……...……...…….

Photograph

Dated this …… day of ……..……., 20…… .

Signed ……

……...

Specimen Signature of Holder of Permit

NOTES:

(a) Here insert full name of applicant
(b) Here insert full residential address of applicant
(c) Here insert occupation of applicant
(d) Here insert make, type, calibre and Identification No., if any, of firearm and ammunition
(e) Here insert area, town or village in which applicant may be in possession of the firearm and ammunition
(f) Here insert occasions on which applicant may be in possession of firearm and ammunition

———————

FORM OF CERTIFICATE

No.

Pursuant to an application dated ……..……..……

(a) ……..……..…..…….. of

(b) ……..……..……..…..……

(c) ……..……..……..…..……

(d) is hereby authorised to be in possession of
……..……
…...……..……

subject to the following conditions:

(e) ……..……

Photograph

Dated this …… day of ……..……, 20…..…… .

Signed …….

……...
Specimen Signature of Holder of Certificate

NOTES:

(a) Here insert full name of applicant
(b) Here insert full residential address of applicant
(c) Here insert occupation of applicant
(d) Here insert make, type, calibre and Identification No., if any, of firearm and ammunition
(e) Here insert conditions subject to which applicant may be in possession of firearm and ammunition

———————

SCHEDULE 2

(Sections 2 and 5)

FORM OF CERTIFICATION AND TRAVELLER'S DECLARATION

PART 1

I certify this to be a true photograph of—

Mr.
Mrs.
Miss
Ms.

Photograph

……
(Signature and qualification of person certifying photograph)

———————

PART 2

FORM OF DECLARATION TO BE SIGNED BY TRAVELLER

I …… of ……..……...
(name) *(address and occupation)*

hereby declare as follows—

(a) that my address, while in Anguilla will be ……...

(b) that I am in possession of ...……
(make, type, calibre and identification number)

……. together with …….. rounds of ammunition therefor;

(c) that I intend to dispose of the above-mentioned firearm and ammunition in Anguilla by ……..……..……..……...

……

OR

(d) that I do not intend to dispose of the above-mentioned firearm and ammunition while in Anguilla;

(e) that I will inform the Comptroller of Customs within three months of the date of this declaration of the time, place and mode of my departure from Anguilla so that the above-mentioned firearm and ammunition may be returned to me.

Dated this …….. day of ……., 20……. .

Signed …….

———————

SCHEDULE 3

(Section 4)

FIREARMS AND AMMUNITION REGISTERS

FORM OF REGISTERS TO BE KEPT BY HOLDER OF GUNSMITH'S LICENCE OR FIREARM DEALER'S LICENCE

(a) Firearms Register

Firearms received						Firearms sold or delivered		
Date of Receipt	Make	Type	Calibre	Identification Number	Name, Address, Serial Number of Licence, etc., of Person from Whom Received	Purpose	Name and Address of Person to Whom Delivered or Sold	Date of Delivery

and

(b) Ammunition Register

Ammunition received				Ammunition sold or delivered				
Date of Receipt	Calibre	Quantity	Name and Address of Person from Whom Received	Name and Address of Person to Whom Transferred	Serial Number of Licence, etc., of Person to Whom Transferred	Calibre	Quantity	Date of Transfer

FORM OF REGISTERS TO BE KEPT BY HOLDER OF FIREARM MANUFACTURER'S LICENCE

(a) Firearms Register

Firearms Manufactured				Firearms Sold	
Date	Type	Calibre	Identification Number	Date of Sale	Name, address and serial number of licence, etc., of person to whom sold

and

(b) Ammunition Register

Ammunition Manufactured			Ammunition Sold			
Month	Quantity	Calibre	Date of Sale	Quantity	Calibre	Name, address and serial number of licence, etc., of person to whom sold

SCHEDULE 4

(Section 9)

PERSONS TO WHOM SECTION 20(2)(j) OF THE ACT RELATES

The members of any rifle club which is operated by a school and is approved by the Governor, so, however, that any such member—

(a) shall not be entitled to purchase or sell any firearm or ammunition;

(b) shall not acquire or have in his possession any firearm or ammunition other than a firearm or ammunition provided by that club or by some other club approved by the Governor;

(c) shall not use any such firearm or ammunition otherwise than at the rifle range of any such club.

———————