



ASCENSION

REVISED EDITION OF THE LAWS, 2017

ENVIRONMENT AND NATURAL RESOURCES

**SPEAR GUNS CONTROL ORDINANCE, 2018**

*Ordinance A3 of 2018*  
*In force 5 October 2018*

*Subsidiary legislation:*

**SPEAR GUNS CONTROL ORDER, 2018**

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*Legal Notice A4 of 2018*

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**SPEAR GUNS CONTROL ORDINANCE, 2018**

AN ORDINANCE to control the possession and use of spear guns in the territorial waters of Ascension Island; and for connected and incidental purposes.

**Citation and commencement**

1. This Ordinance may be cited as the Spear Guns Control Ordinance, 2018, and comes into force on 5 October 2018.

**Interpretation**

2. In this Ordinance—  
“**prohibited area**” includes all of the areas determined by the Governor under section 3;  
“**spear gun**” includes a hand held spear or lance and a hand held weapon designed to discharge a spear or lance.

**Prohibited or restricted areas**

3. (1) The Governor, on recommendation of the Island Council, may by order determine prohibited areas for the purpose of this Ordinance.

(2) An order under subsection (1) may specify a period or periods during which the areas will be prohibited areas.

**Control of possession and use of spear guns**

4. (1) No person may at any time have in his or her possession or use a spear gun in a prohibited area.

(2) If a spear gun is found upon any vessel whilst in a prohibited area, every person aboard that vessel is deemed, unless the contrary is proved, to have been in possession at all relevant times of the spear gun.

### **Offence**

5. (1) A person who contravenes section 4 commits an offence.  
Penalty: A fine of £5,000 or imprisonment for a term of 6 months.

(2) If a person is convicted of an offence under section 4, the convicting court may, in addition to imposing a fine in respect of the offence, order that the spear gun involved in the commission of the offence be forfeited to the Crown.

(3) A person does not commit an offence under section 4 if he or she has a spear gun in his or her possession on a vessel solely for the purpose of conveying such spear gun through the prohibited area to an area that is not a prohibited area.

(4) The burden of proving that a spear gun is in a person's possession for the purpose mentioned in subsection (3) is upon the person found in possession of the spear gun.

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## **SPEAR GUNS CONTROL ORDINANCE, 2018**

### **SPEAR GUNS CONTROL (ASCENSION) ORDER, 2018**

(Section 3)

### **Citation**

1. This Order may be cited as the Spear Guns Control (Ascension) Order, 2018.

### **Prohibited areas**

2. The area set out in the Schedule is a prohibited area for the purposes of the Spear Guns Control Ordinance, 2018, for a period of one year with effect from 5 October 2018.

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## **SCHEDULE**

### **PROHIBITED AREAS** AREA DESCRIPTION

(1) English Bay	All that area of coastal water within the bay enclosed by a line reaching from the end of the area marked "A" known as Two Hook (7.8928 degrees South, 14.3858 degrees West) in a north-easterly direction for approximately six hundred and ninety metres to a point on the rocks marked "B" known as North Point (7.8897 degrees South, 14.3803 degrees West).
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