

OPEN AGENDA

Copy No:

No: 80/2020

Memorandum for Executive Council

SUBJECT

Firearms (Amendment) Bill, 2020

Memorandum by the Chairman, Social and Community
Development Committee

ADVICE SOUGHT

1. Council is asked to advise whether the attached Firearms (Amendment) Bill, 2020 (Annex A) should be printed and published and tabled as Government business at a forthcoming formal meeting of the Legislative Council.

**BACKGROUND &
CONSIDERATIONS**

2. Earlier this year, it was suggested by the Director of Police that the Museum of Saint Helena should seek an amendment to the Firearms Ordinance, 1997, to provide for a licence for the Museum, thus obviating the need for those responsible for the Museum's management to have Firearms or Shot Gun certificates, which would be in line with arrangements in the UK.

3. In the United Kingdom, the Firearms (Amendment) Act 1988 provided for a licence to be granted to Museums which wish to exhibit firearms; as such those employed in the Museum are not required to hold a Firearm Certificate. It follows, therefore, that consideration should be given to those responsible for the management of the Museum of Saint Helena to be exempt also from the requirement to hold a Firearm Certificate for each of the firearms in their collection.

4. The Museum of Saint Helena has a small collection of firearms of historical cultural value. The Island has a long history of being a fortified outpost of the East India Company and the British Empire. Many of the firearms held by the Museum of Saint Helena were in use by those stationed here as well as local militias. In addition, the Island also has a more recent history of excelling in marksmanship, locally and internationally. Museum staff can better promote this history at the Museum with display and information of such firearms in original condition. The Museum does not have any ammunition for these firearms, as most of them are so old that it would not be possible to obtain such.

5. The attached Firearms (Amendment) Bill, 2020 amends the 1997 Ordinance to make provision for the granting of a Firearms Certificate to the Museum of Saint Helena for purposes of holding and exhibiting firearms and ammunition of historical interest.

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Persons responsible for the management of the Museum and its employees may possess, purchase or acquire such firearms, ammunition or prohibited weapons for purposes of the Museum without being required to hold an individual Firearms Certificate. The Bill also excludes from the application of the Ordinance all muzzle loading cannons on St Helena which were manufactured before 1900.

FINANCIAL IMPLICATIONS

6. There are no financial implications associated with the publication of the Bill or its implementation if enacted by Legislative Council in due course.

ECONOMIC IMPLICATIONS

7. There are no economic implications.

CONSISTENCY WITH INVESTMENT POLICY PRINCIPLES

8. Not applicable.

PUBLIC/SOCIAL IMPACT

9. No adverse public impact associated with this Memorandum.

ENVIRONMENTAL IMPACT

10. No environmental impact associated with this Memorandum.

PREVIOUS CONSULTATION/ COMMITTEE INPUT

11. The Social and Community Development Committee gave approval for the amending legislation to be prepared at its meeting held on 13 May 2020 and approved the draft Bill at its meeting held on 14 October 2020.

PUBLIC REACTION

12. No significant public reaction anticipated.

PUBLICITY

13. Council's decision will be covered in the radio briefing following the meeting. The Bill will be printed and published via normal communication channels and presented at a formal meeting of the Legislative Council.

SUPPORT TO STRATEGIC OBJECTIVES

14. This is not a strategic matter but rather a tidying up exercise to regularise the position of the Museum of Saint Helena with regard to its firearms collection.

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LINK TO SUSTAINABLE ECONOMIC DEVELOPMENT PLAN GOALS

15. Not applicable.

IMPLEMENTATION OF POLICY/ LEGISLATION

16. The amended Ordinance will be published once enacted by Legislative Council. It is likely that Regulations will also need to be drafted to include an application form for the Museum to complete; this will need to follow due process via the Council Committee system and Executive Council endorsement.

OPEN/CLOSED AGENDA ITEM

17. For discussion in the Open session.

AAG

Corporate Support
Corporate Services

10th November 2020

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