



ST HELENA

REVISED EDITION OF THE LAWS, 2017

CRIME AND CRIMINAL PROCEDURE

FIREARMS ORDINANCE, 1997¹

*Ordinance 14 of 1997
In force 22 December 1997*

Amended by Ordinances 6 of 2016, 14 of 2017 and 17 of 2020

Subsidiary legislation:

FIREARMS (FEES) REGULATIONS, 1998

Legal Notice 17 of 1998

Amended by L.N. 15/2007; L.N. 7/2008; L.N. 23/2011); L.N. 19/2013

FIREARMS (FORMS) REGULATIONS, 2017

Legal Notice 7 of 2017

FIREARMS ORDINANCE, 1997

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AN ORDINANCE to regulate the importation into, exportation from, and the possession and use of firearms and other weapons in St Helena, and for connected or incidental matters.

PART 1
PRELIMINARY

Short title

1. This Ordinance may be cited as the Firearms Ordinance, 1997.

Interpretation

2. (1) In this Ordinance—
- “**acquire**” means to hire, accept as a gift, purchase or borrow, and “**acquisition**” is to be construed accordingly;
- “**air weapon**” includes an air rifle, air gun or air pistol;
- “**ammunition**” means any missile capable of being used in any firearm, and includes a bomb, grenade or other missile whether capable of use with a firearm or not;
- “**certificate**” (except in the context of registration of firearms dealers) means a firearm certificate or a shot gun certificate; and—
- (a) “**firearm certificate**” means a certificate granted by the Director of Police pursuant to section 23; and
- (b) “**shot gun certificate**” means a certificate granted by the Director of Police pursuant to section 25 authorising a person to possess a shot gun or guns;
- “**firearm**” means any lethal barrelled weapon of any description from which any shot, bullet or other missile can be discharged, and includes ammunition for use with any such weapon, and also includes an air weapon;
- “**firearms dealer**” means any person who, by way of trade or business, imports, makes, sells, transfers, repairs or tests firearms;
- “**imitation firearm**” means any article which has the appearance of being a firearm, whether or not it is capable of discharging any shot, bullet or other missile, but does not include a water pistol or any other article specifically manufactured for use as a toy;
- “**land**” includes land covered with water;
- “**premises**” includes land with or without a building or buildings erected on such land and, subject to any applicable law or international Convention relating to aviation, includes an aircraft;
- “**prescribed**” means prescribed by regulations made under section 45;
- “**prohibited weapon**” means any weapon of a kind specified in section 8;
- “**public place**” includes any highway and any other premises or place to which at the material time the public have or are permitted to have access, whether on payment or otherwise;
- “**registered**” in relation to a firearms dealer, means registered in accordance with section 28;
- “**shot gun**” means any weapon of a kind referred to in sections 5 and 25;
- “**slaughtering instrument**” means a firearm which is specially designed or adapted for the instantaneous slaughter of animals, or for the instantaneous stunning of animals with a view to slaughtering them;
- “**transfer**” includes letting on hire, giving, lending, or otherwise parting with possession, and “**transferor**” and “**transferee**” are to be construed accordingly.
- (2) For the purposes of this Ordinance—
- (a) the length of the barrel of a firearm is measured from the muzzle to the point at which the charge is exploded on firing; and
- (b) a shot gun or an air weapon is deemed to be loaded if there is ammunition in the chamber or barrel, or in any magazine or other device which is in such a position that the ammunition can be fed into the chamber or barrel by the manual or automatic operation of some part of the gun or weapon.

Application

3.² (1) This Ordinance does not apply to any member of the St Helena Police Service, or to any member of Her Majesty's armed forces, when respectively acting in the lawful discharge of their duties as such.

(2) This Ordinance does not apply to any muzzle loading cannon on St Helena which was manufactured before 1900.

PART 2
POSSESSION, HANDLING AND DISTRIBUTION OF WEAPONS
AND AMMUNITION, AND PUBLIC SAFETY

Requirement of firearm certificate

4. (1) Subject to any exemption under this Ordinance, it is an offence for a person to import, or have in the person's possession, or acquire —

- (a) a firearm to which this section applies without holding a firearm certificate in force at the time, or otherwise than as authorised by such a certificate;
- (b) any ammunition to which this section applies without holding a firearm certificate in force at the time, or otherwise than as authorised by such a certificate, or in quantities in excess of those so authorised.

Penalty: A fine, or imprisonment for 3 years, or both, subject to section 7(3)

(2) It is an offence for a person to fail to comply with a condition subject to which a firearm certificate is held by the person.

Penalty: A fine of £500 or imprisonment for 6 months, or both

(3) This section applies to any ammunition for a firearm, except the following articles, namely:

- (a) cartridges containing 5 or more shot, none of which exceeds .36 inch in diameter;
- (b) ammunition for an air gun, air rifle or air pistol;
- (c) blank cartridges not more than one inch in diameter measured immediately in front of the rim or cannellure of the base of the cartridge.

Requirement of certificate for possession of shot gun

5. (1) Subject to any exemption under this Ordinance, it is an offence for a person to import or have in the person's possession, or to acquire a shot gun, without holding a certificate issued under section 23.

Penalty: A fine, or imprisonment for 3 years, or both.

(2) A person who fails to comply with any condition attached to a shot gun certificate issued to the person commits an offence.

Penalty: A fine of £500 or imprisonment for 6 months, or both

Business and other transactions with firearms and ammunition

6. (1) It is an offence for a person who is not registered as a firearms dealer pursuant to section 28 to—

² Section 3 amended by Ord. 17 of 2020

- (a) manufacture, sell, transfer, repair or test any firearm or ammunition to which section 4 applies, or a shot gun; or
- (b) expose for sale or transfer, or have in the person's possession for sale, transfer, repair or test any such firearm or ammunition, or a shot gun.

Penalty: A fine, or imprisonment for 3 years, or both.

(2) Subject to sections 10(2) and 11(2), it is an offence for a person ('A') to sell, or transfer to any other person in St Helena ('B'), who is not a registered firearms dealer, any firearm or ammunition to which section 4 applies, or a shot gun, unless B produces a firearm certificate authorising B to acquire it or, as the case may be, B's shot gun certificate, or shows that B is by virtue of this Ordinance entitled to acquire it without the necessity to hold such certificate.

Penalty: A fine, or imprisonment for 3 years, or both.

(3) It is an offence for a person to undertake the repair or testing of a firearm or ammunition to which section 4 applies, or of a shot gun, for any other person in St Helena other than a registered firearms dealer as such, unless that other person –

- (a) produces or causes to be produced a firearm certificate authorising him or her to have possession of the firearm or ammunition or, as the case may be, his or her shot gun certificate; or
- (b) shows that he or she is by virtue of this Ordinance entitled to have possession of it without holding a certificate.

Penalty: A fine, or imprisonment for 3 years, or both.

(4) Subsections (1), (2) and (3) have effect subject to any exemption under subsequent provisions of this Part.

(5) It is an offence for a person, with a view to acquiring, or procuring the repair or testing of any firearm or ammunition to which section 4 applies, or a shot gun, to –

- (a) produce a false certificate or a certificate in which any false entry has been made;
- (b) represent himself or herself to be another person to whom a certificate has been granted; or
- (c) make any false statement.

Penalty: A fine, or imprisonment for 3 years, or both.

(6) A pawnbroker who takes in pawn any firearm or ammunition to which section 4 applies, or a shot gun, commits an offence.

Penalty: A fine of £300 or imprisonment for 3 months, or both.

Conversion of weapons

7. (1) Subject to the following subsections, a person who shortens the barrel of a shot gun to a length of less than 24 inches commits an offence.

Penalty: A fine, or imprisonment for 3 years, or both, subject to subsection (3).

(1A) It is not an offence for a registered firearms dealer to shorten the barrel of a shot gun for the sole purpose of replacing a defective part of the barrel so as to produce a barrel not less than 24 inches in length.

- (2) A person other than a registered firearms dealer who converts into a firearm

anything which, although appearing to be a firearm, is so constructed as to be incapable of discharging any missile through its barrel, commits an offence.

Penalty: A fine, or imprisonment for 3 years, or both, subject to subsection (3).

(3) A person who commits an offence –

(a) under section 4(1) in relation to a shot gun which has been shortened, contrary to subsection (1) of this subsection, or a firearm which has been converted contrary to subsection (2) of this section;

(b) an offence under subsection (1) or (2) of this section,

without holding a firearm certificate authorising the person to import it, or to have it in the person's possession, or to acquire it, commits that offence in an aggravated form.

Penalty: A fine, or imprisonment for 5 years, or both.

Weapons subject to general prohibition

8. (1) It is an offence for a person, without the permission in writing of the Director of Police, to have in the person's possession, or acquire, manufacture, sell or transfer—

(a) a firearm which is so designed or adapted that 2 or more missiles can be successively discharged without repeated pressure on the trigger;

(b) a self-loading or pump-action rifle other than one which is chambered for .22 rim-fire cartridges;

(c) a self-loading or pump-action smooth-bore gun which is not chambered for .22 rim-fire cartridges and either has a barrel less than 24 inches in length or (excluding any detachable, folding, retractable or other movable butt-stock) is less than 40 inches in length overall;

(d) a smooth-bore revolver gun other than one which is chambered for 9 mm rim-fire cartridges or loaded at the muzzle end of each chamber;

(e) a rocket launcher, or any mortar, for projecting a stabilised missile, other than a launcher or mortar designed for line-throwing or pyrotechnic purposes or as a signalling apparatus;

(f) a weapon of whatever description designed or adapted for the discharge of any noxious liquid, gas or other thing; and

(g) a cartridge with a bullet designed to explode on or immediately before such noxious thing as is mentioned in paragraph (f) and, if capable of being used with a firearm of any description, any grenade, bomb (or other like missile), or rocket or shell designed to explode as aforesaid.

Penalty: A fine, or imprisonment for 5 years, or both.

(2) The weapons and ammunition specified in subsection (1) are referred to in this Ordinance as “**prohibited weapons**” and “**prohibited ammunition**” respectively.

(3) An authority given pursuant to subsection (1) is subject to any conditions the Director of Police specifies in it for the purpose of securing or ensuring that the prohibited weapon or prohibited ammunition to which the authority relates will not endanger the public safety or peace.

(4) A person to whom an authority is given pursuant to subsection (1) who fails to comply with any condition specified in it commits an offence.

Penalty: A fine of £300 or imprisonment for 3 months, or both.

(5) The Director of Police, in his or her discretion, may at any time revoke an authority given to a person pursuant to subsection (1) by notice in writing requiring the person to deliver up the authority by a date specified in the notice.

(6) A person who fails to comply with the requirements of a notice given pursuant to subsection (5) commits an offence.

Penalty: A fine of £100.

Power to prohibit movement of arms and ammunition

9. (1) The Governor, by Order published in the *Gazette*, may prohibit the importation into or the removal of firearms or ammunition from one place to another in St Helena, or their export from St Helena.

(2) An Order made under subsection (1) may apply—

(a) to all removals, or to removals from and to particular localities specified in the Order;

(b) to all firearms and ammunition, or to firearms and ammunition of specified classes and descriptions; and

(c) to all modes of conveyance, or to specified modes of conveyance;

but must not prohibit the holder of a firearm certificate from carrying with him or her any firearm or ammunition authorised by the certificate to be so carried.

(3) A person who contravenes a provision specified in an order made under subsection (1) commits an offence.

Penalty: A fine of £300 or imprisonment for 3 months, or both, for each firearm or parcel of ammunition in respect of which the offence is committed.

Authorised dealing with firearms

10. (1) A person who carries on the business of a firearms dealer and is registered as such under section 28, or an employee of such person, may, without holding a certificate, import, have in the person's possession, or acquire, a firearm or ammunition in the ordinary course of business.

(2) It is not an offence under section 6(2) for a person ('A') to return to another person ('B') a shot gun which A has lawfully undertaken to repair or test for B, if B is entitled by virtue of this Ordinance to possess the shot gun.

Exemption for certain businesses

11. (1) A person carrying on the business of an auctioneer, carrier or warehouseman, or a servant of such a person, may, without holding a certificate, have in possession a firearm or ammunition in the ordinary course of that business.

(2) It is not an offence under section 6(2) for a person who is an auctioneer, carrier or warehouseman, or a servant of any of them, to deliver any firearm or ammunition in the ordinary course of the person's business or employment as such.

Weapons for slaughtering or humanely destroying animals

12. (1) A person may, without holding a certificate, have in possession the following—

- (a) a slaughtering instrument and ammunition for the instrument for the purpose of slaughtering any animal intended to be used for human consumption; or
- (b) a humane killer for the purpose of humanely destroying any animal that is not intended to be used for human consumption.

(2) The burden of proving that a weapon has been specifically manufactured or adapted for use as a slaughtering instrument or a humane killer is upon the person in possession of it.

Weapons used in sporting activities

13. (1) A person carrying a firearm or ammunition belonging to another person holding a certificate under this Ordinance may, without holding such a certificate, have in his or her possession that firearm or ammunition under instructions from, and for the use of, that other person for the purpose of a sporting activity.

(2) A person may, without holding a certificate, have a firearm in his or her possession at an athletic meeting for the purpose of starting races at that meeting.

(3) A member of the St Helena Rifle Association or any other rifle, pistol or shooting club approved in writing by the Director of Police may, without holding a certificate, have in his or her possession a firearm and ammunition when participating as a member in competitions held by such club, or in connection with instruction or target practice.

(4) A person conducting or carrying on a miniature rifle range (whether for a rifle club or otherwise) or shooting gallery at which no firearms are used other than air weapons or miniature rifles not exceeding .23 inch calibre may, without holding a certificate, have in his or her possession, or acquire, such miniature rifles and ammunition suitable for them; and any person may, without holding a certificate, use any such rifle and ammunition at such a range or gallery.

(5) A person may, without holding a shot gun certificate, use a shot gun at a time and place approved by the Director of Police for the purpose of shooting at artificial targets.

Entertainment activities

14. (1) The Director of Police may authorise a person who is not the holder of a certificate to have a firearm, with or without ammunition, in his or her possession for the purpose of the performance, rehearsal or production of any concert, play or other activity of entertainment: but only if the Director of Police is satisfied that no person likely to attend the performance, rehearsal or production will be at risk of physical injury or other harm.

(2) If the Director of Police is satisfied, on the application of a person in charge of a performance, rehearsal or production of any concert, play or other type of entertainment that a prohibited weapon is required for any of those purposes, the Director may, pursuant to section

8(1), additionally authorise some other specified person or persons to have possession of it while participating in such performance, rehearsal or production.

(3) An authority granted pursuant to this section must be in writing, and may be unconditional or subject to any conditions the Director of Police specifies in it.

(4) A person who fails to comply with any condition specified in an authority granted pursuant to this section commits an offence.

Penalty: A fine of £300 or imprisonment for 3 months, or both.

Museum firearms and ammunition

14A.³ (1) This section applies to museums or other institutions that hold weapons or ammunition of historical interest for purposes of preservation or display to members of the public.

(2) The Director of Police must not grant a firearms certificate to a museum or institution referred to in subsection (1), unless the Director is satisfied that the arrangements for exhibiting and securing the safe custody of the firearms and ammunition in question are such as not to endanger the public safety or the peace.

(3) While a firearms certificate is in force in respect of a museum or institution referred to in subsection (1), the persons responsible for the management of the museum or institution and its employees—

- (a) may, without holding a firearm certificate or shot gun certificate, have in their possession, purchase or acquire, for the purposes of the museum or institution, firearms and ammunition of historical interest which are or will be normally exhibited or kept on the premises of the museum or institution, as specified in the certificate; and
- (b) if the certificate so provides, may, without the authority of the Director of Police, have in their possession, purchase or acquire, for those purposes, prohibited weapons and ammunition of historical interest which are or will be so normally exhibited or kept.

(4) In this section, “**persons responsible for the management**” with respect to a museum or institution, means the board of trustees, governing body or other person or persons (whether or not incorporated) exercising corresponding functions with respect to the museum or institution.

Equipment for ships and other vessels

15. A person may, without holding a certificate—

- (a) have in the person’s possession a firearm or ammunition on board a ship, boat or other sea vessel, as part of the safety equipment thereof; or
- (b) remove a firearm or ammunition from or to a ship, boat or other sea vessel for the purpose of repair or inspection, or after the completion thereof.

³ Section 14A inserted by Ord. 17 of 2020

Possession of firearm for specific purposes

16. (1) A person (whether or not the holder of a certificate) who has in his or her possession any firearm or ammunition with intent by means thereof to endanger life, or to cause damage to property, or to enable another person to do so, commits an offence triable only on indictment.

Penalty: A fine, or imprisonment for life, or both.

(2) For the purposes of subsection (1) it is immaterial whether or not any life has been endangered or damage caused to any property.

Use of firearm in circumstances of arrest

17. (1) A person who makes or attempts to make any use whatsoever of a firearm or imitation firearm with intent to prevent, obstruct or resist the lawful arrest or detention of himself or herself or another person commits an offence triable only on indictment.

Penalty: A fine, or imprisonment for life, or both.

(2) A person who has with him or her a firearm or imitation firearm with intent to commit any offence punishable by imprisonment, or to resist arrest, or prevent the arrest of another person, in any case while the person has the firearm or imitation firearm in his or her possession, commits an offence triable only on indictment.

Penalty: A fine, or imprisonment for life, or both.

(3) In proceedings for an offence under this section proof that the defendant had a firearm or imitation firearm with him or her and intended to commit an offence, or to resist or prevent arrest, is sufficient evidence that the person intended to have it with him or her while doing so.

Possession of firearm when a trespasser or in a public place

18. (1) A person in possession of a firearm who enters upon or is on premises as a trespasser and without reasonable excuse (which the person must prove) commits an offence.

Penalty: A fine of £300 or imprisonment for 3 months, or both.

(2) A person who, without lawful authority or reasonable excuse (which the person must prove) has with him or her in a public place a loaded shot gun, or loaded air weapon, or any other firearm (whether loaded or not), together with ammunition suitable for use therewith, commits an offence.

Penalty: A fine, or imprisonment for 5 years, or both.

Possession of firearm by convicted person

19. (1) A person who has, on conviction for any offence, been sentenced to imprisonment for a term of 3 years or more must not at any time after the conviction have a firearm or ammunition in his or her possession.

(2) A person who has been sentenced to imprisonment for a term of 3 months or more but less than 3 years must not, within 5 years after his or her release, have any firearm or

ammunition in his or her possession.

(3) A person who is subject to a recognisance to keep the peace or be of good behaviour must not, at any time while subject to the recognisance, use or possess any firearm or ammunition.

(4) A person who contravenes any of the foregoing subsections commits an offence. Penalty: A fine, or imprisonment for 3 years, or both.

(5) A person ('A') who sells or transfers a firearm or ammunition to another person ('B') for the purpose of testing or repairing the same, when A knows or has reasonable grounds to believe that B is prohibited by any of the provisions of this section from lawfully possessing such firearms or ammunition, commits an offence.

Penalty: A fine, or imprisonment for 3 years, or both.

Acquisition and possession of firearms by minors⁴

20. (1) It is an offence for a person under the age of 17 to purchase or hire any firearm or ammunition.

Penalty: A fine of £300 or imprisonment for 3 months, or both.

(2) It is an offence for a person under the age of 14 years to have in his or her possession any firearm or ammunition to which section 4 applies, except in circumstances where under section 13(1), (3) or (4) the person is entitled to have possession of it without holding a firearm certificate.

Penalty: A fine of £300 or imprisonment for 3 months, or both.

(3) It is an offence for a person under the age of 15 years to have with him or her an assembled shot gun, except while -

(a) under the supervision of another person of not less than 21 years; or

(b) the shot gun is so covered with a securely fastened gun cover that it cannot be fired.

Penalty: A fine of £200.

(4) Subject to subsections (5) and (6), it is an offence—

(a) for a person under the age of 14 years to have with him or her an air weapon or ammunition for an air weapon; or

(b) for a person under the age of 17 years to have an air weapon with him or her in a public place, except an air gun or air rifle which is so covered with a securely fastened gun cover that it cannot be fired.

Penalty: A fine of £200.

(5) Subject to subsection (5A), it is not an offence under subsection (4)(a) for a person to have with him or her an air weapon or ammunition while the person is under the supervision of another person of not less than 21 years.

(5A) If a person has with him or her an air weapon on any premises in circumstances where the person would be prohibited from having it with him or her save for the provisions of

⁴ See section 224 of the Criminal Procedure Ordinance, 1985 for imprisonment of persons under 16 years of age

subsection (5), it is an offence for—

- (a) that person to use it for firing any missile beyond those premises; or
- (b) the person under whose supervision he or she is to allow him or her so to use it.

Penalty: A fine of £200.

(6) It is not an offence under subsection (4)(a) or (b) for a person to have with him or her an air weapon or ammunition at a time when—

- (a) being a member of the St Helena Rifle Association or any other rifle, pistol or shooting club approved pursuant to section 13, the person is engaged as such a member in or in connection with target practice; or
- (b) the person is using the weapon or ammunition at a shooting gallery where the only firearms used are either air weapons or miniature rifles not exceeding .23 inch calibre.

Supplying firearms to minors

21. (1) It is an offence to sell or let on hire any firearm or ammunition to any person who is under the age of 17 years.

Penalty: A fine of £500 or imprisonment for 6 months, or both.

(2) It is an offence to—

- (a) transfer any firearm or ammunition to which section 4 applies to any person under the age of 14 years; or
- (b) part with the possession of any such firearm or ammunition to a person under that age, except in circumstances where that person is entitled to have possession thereof, without holding a firearm certificate, pursuant to section 13(1), (3) or (4).

Penalty: A fine of £500 or imprisonment for 6 months, or both.

(3) It is an offence to transfer a shot gun or ammunition for it to any person who is under the age of 15 years.

Penalty: A fine of £200.

(4) It is an offence to—

- (a) transfer an air weapon or ammunition for it to any person who is under the age of 14 years; or
- (b) part with the possession of an air weapon or ammunition for it to any person under that age, except where by virtue of section 20(5) or (6) that person is not prohibited from having it with him or her.

Penalty: A fine of £200.

(5) In proceedings for an offence under any of the foregoing subsections, it is a defence to prove that the person charged with the offence believed the other person to be of or more than the age specified in that provision, and that reasonable grounds existed for such belief.

Supplying firearms to persons drunk or mentally disordered

22. It is an offence for a person to –

- (a) sell or otherwise transfer any firearm or ammunition to a person whom A knows or has reasonable cause to believe is drunk, or mentally disordered; or
- (b) deliver or cause to be delivered to such a person any firearm or ammunition for the

purpose of testing or repair.

Penalty: A fine of £500 or imprisonment for 6 months, or both.

PART 3 FIREARM AND SHOT GUN CERTIFICATES AND REGISTRATION OF FIREARMS DEALERS

Applications for certificates

23. (1) An application for the grant of a firearm or shot gun certificate must be made in the prescribed form to the Director of Police, and contain all particulars required by the form.

(2) A certificate granted under this Part, unless earlier revoked or cancelled, continues in force for 3 years, or any shorter period the Director of Police in his or her discretion determines, from the date when it was granted or last renewed.

(3) The Director of Police may renew a certificate for a further period, not exceeding 3 years, as the Director considers appropriate, and may grant as many subsequent renewals as the Director thinks fit. This section applies to all applications for renewal of a certificate and the grant of any renewal.

(4) On the grant of a certificate, or upon the first or any subsequent renewal of it, the Director of Police may, in his or her discretion, attach any conditions which the Director considers appropriate.

(5) A person aggrieved by the refusal of an application for the grant of a certificate, or the renewal of it, or the attachment of any condition, may appeal to the Governor, whose decision is final.

(5A) Subject to any provisions prescribed by regulations made under section 45, an appeal under this subsection must be in writing within 14 days of the date of the decision complained of: but the Governor may, in his or her discretion, extend in any case the time for making such an appeal.

- (6)** The Director of Police must not grant a firearm certificate to any person—
- (a)* that the Director has reason to believe is prohibited by this Ordinance from possessing a firearm to which section 4 applies, or to be of intemperate habits or unsound mind, or who is, in the Director's opinion, not fit to be entrusted with such a firearm; or
 - (b)* that the Director is not satisfied has a good reason for having in his or her possession or acquiring the firearm or ammunition to which the application relates, and can be permitted to possess or acquire the same without risk of danger to the public safety or peace.

(7) A person who makes any statement which the person knows to be false, for the purpose of procuring the grant or renewal of a certificate under this section, whether for himself or herself or for another person, commits an offence.

Penalty: A fine of £500 or imprisonment for 6 months, or both.

Form of firearm certificate

- 24.** (1) A firearm certificate must be in the prescribed form and must specify –
- (a) any conditions subject to which it is held; and
 - (b) the nature and number of the firearms to which it relates, including any specific identification numbers known; and
 - (c) in the case of ammunition - the quantities authorised to be possessed or acquired and to be held at any one time under the certificate.

(2) Subsection (1) applies to both the grant and any renewal or renewals of a firearm certificate.

Special provisions for shot gun certificates

25. (1) Subject to subsection (1A), a shot gun certificate may be granted or, as the case may be, renewed by the Director of Police for a period the Director thinks fit, if the Director is satisfied that the applicant can be permitted to possess a shot gun without danger to the public safety or peace.:

(1A) A shot gun certificate must not be granted or renewed if the Director of Police—

- (a) is not satisfied that the applicant has a good reason for possessing or acquiring a shot gun; or
- (b) has reason to believe that the applicant is prohibited by this Ordinance from possessing a shot gun.

(2) For the purpose of subsection (1A), an applicant is to be regarded as having a good reason if the shot gun is intended to be used for sporting or competition purposes.

Variation of firearms and shot gun certificates

- 26.** (1) The Director of Police may –
- (a) at any time, by notice in writing, amend the conditions subject to which a firearm or shot gun certificate is held, and by such notice require the holder to deliver up the certificate to the Director within 7 days from the date of the notice, for the purpose of amending the conditions specified in it;
 - (b) on the application of the holder, from time to time amend a firearm or shot gun certificate.

(2) A person aggrieved by the amendment of a certificate, or the refusal of an application for amendment, may appeal to the Governor, and section 23(5) and (5A) apply to such an appeal.

(3) A person who makes any statement which the person knows to be false for the purpose of procuring the amendment of a firearm or shot gun certificate under this section, whether for himself or herself or for another person, commits offence.

Penalty: A fine of £500 or imprisonment for 6 months, or both.

Revocation of certificates

- 27. (1)** The Director of Police may revoke a firearm or shot gun certificate if—
- (a) the Director is satisfied that the holder is prohibited by this Ordinance from possessing any firearm or shot gun, or is of intemperate habits, or of unsound mind, or is otherwise not fit to be entrusted with such a firearm or shot gun; or
 - (b) the holder fails to comply with a notice issued under section 26(1) requiring the holder to deliver up the certificate.

(2) A person aggrieved by the revocation of a certificate under subsection (1) may appeal to the Governor, and section 23(5) and (5A) apply to such an appeal.

(3) If a certificate is revoked under subsection (1), the Director of Police must, by notice in writing, require the holder to surrender the certificate within 7 days:

Provided that if an appeal is made pursuant to subsection (2), this subsection does not apply to that revocation, unless the appeal is withdrawn or dismissed, and then applies with the substitution for the reference to the date on which the appeal was withdrawn or dismissed.

(4) A person who fails to comply with a requirement under subsection (3) commits an offence.

Penalty: A fine of £200.

Registration of firearms dealers

28. (1) The Director of Police must compile and maintain a register, in the prescribed form, of all firearms dealers in St Helena duly authorised to carry on business as such.

(2) Subject to section 29, the Director of Police must enter in the register the name of any person who, having or proposing to have a place of business in St Helena, applies to be registered as a firearms dealer.

(3) An applicant for registration must provide all particulars prescribed, and specify every place of business at which the applicant proposes to operate as a firearms dealer.

(4) The Director of Police must cause a certificate to be completed in the prescribed form and delivered to every applicant who successfully applies for registration pursuant to subsection (3). Registration may be granted for any period, not exceeding 3 years, the Director considers appropriate.

(5) A person who is registered as a firearms dealer must surrender the certificate of registration to the Director of Police not later than 14 days before the date of its expiry, and may apply in the prescribed form for a new certificate. This section applies to any such application.

Refusal of registration

29. (1) The Director of Police must refuse to register as a firearms dealer any person who has been prohibited to be so registered by order of a court, whether in St Helena or elsewhere.

(2) The Director of Police, if satisfied that a place of business notified to the Director under section 28(3) by an applicant for registration is a place at which the applicant cannot be permitted to carry on business as a firearms dealer without danger to the public safety or peace, must refuse to enter that place of business in the register.

(3) A person aggrieved by the refusal of the person's application for registration as a firearms dealer, or for a new certificate of registration, or to enter in the register a place of business of the person, may appeal to the Governor and section 23(5) and (5A) apply to such an appeal.

Conditions of registration

30. (1) The Director of Police may at any time impose conditions subject to which the registration of a person as a firearms dealer is to have effect, and may at any time, of his or her own initiative, or on the application of the dealer, vary or revoke any such condition.

(2) Any condition imposed under subsection (1) must be specified in the certificate of registration granted to the firearms dealer, and if any such condition imposed is varied or revoked during the currency of the certificate, the Director of Police must—

- (a) give to the dealer notice in writing containing particulars of the condition or conditions imposed, varied or revoked, as the case requires; and
- (b) by such notice require the dealer to deliver up the certificate of registration within 7 days of the date of the notice, so that it can be amended.

(3) A person aggrieved by the imposition or variation of, or refusal to vary or revoke any condition attached to a firearm dealers registration certificate may appeal to the Governor, and section 23(5) and (5A) apply to such an appeal.

Registration of new place of business

31. (1) A person registered as a firearms dealer and proposing to carry on business as such at a place of business which is not entered in the register, must notify the Director of Police and provide the prescribed particulars; and the Director of Police must, subject to this section, enter that place of business in the register.

(2) The Director of Police, if satisfied that a place of business notified to the Director by a person under subsection (1) is a place at which that person cannot be permitted to carry on business as a firearms dealer without danger to the public safety or to the peace, may refuse to enter it in the register.

(3) A person aggrieved by the refusal of the person's application under subsection (1) may appeal to the Governor, and section 23(5) and (5A) apply to such an appeal.

Removal from register of firearms dealer's name or place of business

32. (1) If the Director of Police, after giving reasonable notice to a person whose name is on the register, is satisfied that the person—

- (a) is no longer carrying on business as a firearms dealer;
- (b) has ceased to have a place of business in St Helena; or
- (c) cannot be permitted to continue to carry on business as a firearms dealer without

danger to the public safety or to the peace,
the Director must (subject to this section) cause the name of that person to be removed from the register.

(2) If the Director of Police is satisfied that a person who is registered as a firearms dealer has failed to comply with any condition imposed under section 30, the Director may remove from the register either that person's name or any place of business of the person to which the condition relates.

(3) If the Director of Police is satisfied that a place entered in the register as a person's place of business is one at which that person cannot be permitted to carry on business as a firearms dealer without danger to the public safety or to the peace, the Director may remove that place from the register.

(4) The Director of Police must cause the name of a person to be removed from the register if that person so desires, and gives such notification in writing to the Director of Police.

(5) If a registered firearms dealer fails to comply with section 28(5), the Director of Police must, by notice in writing, require the dealer to comply. If the dealer fails to comply with the requirements of any such notice, the Director of Police must forthwith cause the dealer's name to be removed from the register.

(6) A person aggrieved by the removal of the person's name or place of business from the register, may appeal to the Governor, and section 23(5) and (5A) apply to such an appeal.

(7) If the Director of Police causes the name of a firearms dealer to be removed from the register, the Director must, by notice in writing, require the dealer to surrender the certificate of registration, and the register of transactions maintained by the dealer in accordance with section 34.

(8) If an appeal is made against removal of a name, subsection (7) does not apply to that removal unless the appeal is withdrawn or dismissed, and then applies with the substitution for the reference to the date on which the appeal was withdrawn or dismissed.

(9) A dealer who fails to surrender a certificate in response to a notice served under subsection (7) within 7 days of the date of service of the notice commits an offence.
Penalty: A fine of £200.

Offences in connection with registration

- 33.** (1) It is an offence for a person to make a false statement for the purpose of—
- (a) procuring the registration of himself or herself or another person as a firearms dealer; or
 - (b) procuring, whether for himself or another person, the entry of any place of business in the register of firearms dealers.

Penalty: A fine of £500 or imprisonment for 6 months, or both.

(2) A person who, being a registered firearms dealer, carries on business as such at a place not entered in the register of firearms dealers, commits an offence.

Penalty: A fine of £500 or imprisonment for 6 months, or both.

(3) Without affecting section 32(2), a person who fails to comply with any condition contained in a firearms dealers registration certificate granted to the person, and imposed pursuant to section 30, commits an offence.

Penalty: A fine of £500 or imprisonment for 6 months, or both.

Compulsory register of transactions in firearms

34. (1) A person who is registered as a firearms dealer must compile and maintain a register of transactions, and enter or cause to be entered in it the following particulars:

- (a) the quantities and description of firearms and ammunition manufactured and the dates of manufacture;
- (b) the quantities and description of firearms and ammunition acquired with the names and addresses of the sellers or transferors and the dates of the several transactions;
- (c) the quantities and descriptions of firearms and ammunition accepted for sale, repair, cleaning, storage, destruction or other purpose, the names and addresses of the transferors, and the dates of the several transactions;
- (d) the quantities and descriptions of firearms and ammunition sold or transferred, the names and addresses of the purchasers or transferees, and the dates of the several transactions;
- (e) the quantities and description of firearms and ammunition in possession for sale or transfer at the date of the last stocktaking or such other date in each year as is specified in the register.

(2) Every person who maintains a register in accordance with this section must (unless required to surrender the register under section 32(7)) keep it for such a period that each entry made will be available for inspection for not less than 3 years from the date on which it was made.

(3) Every person who maintains a register in accordance with this section must on demand allow a police officer to enter and inspect all stock in hand and if so requested must produce the register for inspection.

(4) A person who makes an entry in the register which the person knows to be false, or who otherwise fails to comply with any provision of this section commits an offence.

Penalty: A fine of £500 or imprisonment for 6 months, or both.

(5) This section does not apply to the delivery of firearms and ammunition under section 11(2).

Transactions with persons not registered dealers

35. (1) A person who sells or transfers any firearm or ammunition to which section 4 applies to another person in St Helena who is not a registered firearms dealer must, unless that other person shows that that other person is by virtue of this Ordinance entitled to acquire the firearm or ammunition without holding a certificate –

- (a) comply with any conditions contained in the certificate produced; and
- (b) within 7 days of the transaction cause notice in writing to be given to the Director of Police.

(2) A notice given pursuant to subsection (1)(b) must contain a description of the firearm (with the identification number where appropriate), and state the nature of the transaction and the name and address of the purchaser or transferee.

(3) A person to whom subsection (1) applies who fails to comply with it commits an offence.

Penalty: A fine of £500 or imprisonment for 6 months, or both.

Consequences where registered firearms dealer convicted of offence

36. (1) If a registered firearms dealer is convicted of an offence under this Ordinance, the court may, in addition to imposing any penalty for the offence, may order that—

- (a) the name of the dealer be removed from the register maintained under section 28;
- (b) neither the dealer nor any person who acquires the dealer's business, nor any person who took part in the management of the business and was knowingly a party to the offence, is to be registered as a firearms dealer;
- (c) any person who, after the date of the order, knowingly employs in the management of the person's business the dealer convicted of the offence or any person who was knowingly a party to the offence, must not be registered as a firearms dealer or, if so registered, is be liable to be removed from the register; and
- (d) any stock in hand of the business must be disposed of by sale or otherwise in accordance with directions contained in the order.

(2) A person aggrieved by an order made under subsection (1) may appeal against the order in the same manner as against the conviction, and the court may, if it thinks fit, suspend the operation of the order pending the appeal.

PART 4

LAW ENFORCEMENT AND PUNISHMENT FOR OFFENCES

General powers of search, seizure and examination

37. If there are reasonable grounds for suspecting that an offence under this Ordinance has been, is being, or is about to be committed on any premises, a police officer may—

- (a) enter such premises at any time, if necessary by force, and search the premises and every person found there;
- (b) seize and detain any firearm or ammunition which the police officer finds on the premises, or on any person found there, which the officer has reasonable grounds for suspecting has been, is being, or is about to be used contrary to any provision of this Ordinance; and
- (c) if the premises so entered are those of a registered firearms dealer - examine any books relating to the business.

Powers of stop and search

38. (1) A police officer may require any person whom he or she has reasonable cause to suspect—

- (a) of possessing a firearm, with or without ammunition, in a public place; or
- (b) to be committing or about to commit, elsewhere than in a public place, any offence

under this Ordinance,
to hand over the firearm or any ammunition for examination.

(2) A person who is in possession of a firearm or ammunition, and fails to hand it over when required to do so pursuant to subsection (1) commits an offence.

Penalty: A fine of £300, or imprisonment for 3 months, or both.

(3) For the purposes of the discharge of his or her powers under subsection (1), a police officer may search any person so suspected, and may detain the person for so long as is reasonably necessary for the purpose of so doing:

Provided that no female person is to be searched other than by a female police officer, and no male person is to be searched other than by a male police officer.

(4) If a police officer has reasonable cause to suspect that there is a firearm in any vehicle which is in a public place, or that a vehicle is being or is about to be used in the commission of an offence under this Ordinance, the officer may search the vehicle and for that purpose require the person driving or in control of it to stop it.

(5) For the purpose of exercising any of the powers conferred by this section, a police officer may enter any premises, including any private premises, without giving prior notice to the owner or occupier of them.

(6) A person who fails to comply with any request, instruction or direction lawfully given by a police officer under this section commits an offence.

Penalty: A fine of £300 or imprisonment for 3 months, or both.

Production of certificates

39. (1) A police officer may demand from any person whom the officer believes to be in possession of a firearm or ammunition to which this Ordinance applies the production of the person's certificate for the firearm or ammunition.

(2) If a person upon whom a demand is made under subsection (1) fails to produce a valid certificate, or to permit the police officer to examine any certificate produced, or to show that the person is entitled by virtue of this Ordinance to have a firearm or ammunition in his or her possession without holding a certificate, the police officer may seize and detain any firearm or ammunition in the possession of that person and may require that person to declare to the officer immediately the person's name and address.

(3) A person required pursuant to subsection (2) to declare his or her name and address who refuses to declare it, or who declares a false name or a false address, commits an offence.

Penalty: A fine of £300 or imprisonment for 3 months, or both.

Firearms about to be exported

40. (1) A police officer or a customs officer may search for and seize any firearm or ammunition which the officer has reason to believe is about to be unlawfully exported from St Helena, and may board any ship, vessel or other conveyance for that purpose.

(2) The master of a ship and any other person who has the control or custody of any firearm or ammunition in course of transit for exportation must, on demand by a police officer or a customs officer must –

- (a) allow the officer all reasonable facilities for the examination and inspection of the firearm or ammunition, and
- (b) produce all documents in his or her possession relating to them.

(3) A person who fails to comply with subsection (2), or who otherwise obstructs a police officer or a customs officer lawfully acting in the execution of his or her duty under this section commits an offence.

Penalty: A fine of £300 or imprisonment for 3 months, or both, for each firearm or parcel of ammunition in respect of which the offence is committed.

Prosecution and punishment of offences

41. (1) Apart from an offence which is declared by this Ordinance to be triable only on indictment –

- (a) an offence under this Ordinance for which the maximum penalty is imprisonment for 3 years or more is triable either on indictment or summarily;
- (b) all other offences are triable summarily only;
- (c) the limits on sentencing in section 19 of the Magistrates' Court Ordinance, 2011 do not apply on a summary conviction under this Ordinance.

(2) If the Magistrates' Court or a judge or a jury is not satisfied that a defendant charged with an offence under this Ordinance is guilty of that offence, but is guilty of another offence under this Ordinance which has not been charged, the defendant may be convicted of that other offence and punished accordingly.

Court's powers to order forfeiture and disposal, and cancellation of certificates

42. (1) If a person—

- (a) is convicted of an offence under this Ordinance; or
- (b) has been ordered to enter into a recognisance to keep the peace or to be of good behaviour, a condition of which is that the person must not possess, use or carry any firearm or ammunition; or
- (c) is subject to a probation order containing a requirement that the person must not possess, use or carry any firearm or ammunition,

the court by or before which the person is convicted, or by which the order is made, may make any order as to the forfeiture or disposal of any firearm or ammunition found in the person's possession that the court thinks fit, and may cancel any firearm certificate or firearm dealer's registration certificate held by the person.

(2) If a court cancels any firearm certificate or firearm dealer's registration certificate under subsection (1)—

- (a) it must cause notice to be sent to the Director of Police; and
- (b) the Director of Police must by notice in writing require the holder of any such certificate to surrender it forthwith.

(3) A person who fails without reasonable cause (which the person must prove) to

comply with any notice given pursuant to subsection (2)(b) within 7 days of the date of the notice commits an offence.

Penalty: A fine of £300 or imprisonment for 3 months, or both.

(4) A police officer may seize and detain any firearm or ammunition which could be the subject of an order under subsection (1).

PART 5 MISCELLANEOUS PROVISIONS

Service of notices

43. Any notice required or authorised by this Ordinance to be given to a person may either be delivered personally or sent by post to the person at the person's last known or usual place of abode or, in the case of a registered firearms dealer, at any place of business in respect of which the dealer is registered.

Power of Director of Police to delegate

44. Without affecting section 7 of the Police Service Ordinance, 1975, or the powers and duties conferred by this Ordinance upon police officers and customs officers, the Director of Police may delegate to one or more police officers any of the Director's powers and duties under this Ordinance, other than those under any of sections 23, 25, 27, 29, 30, 31 and 32, which must be exercised and performed by the Director personally.

Governor's power to make regulations

45. The Governor in Council may make regulations for the further and better execution of this Ordinance, and, without limiting that power, such regulations may provide for—

- (a) anything which by this Ordinance is required or permitted to be prescribed;
- (b) the amount and nature of any security considered necessary, by way of cash deposit or otherwise before a certificate, registration or other permission is given, for the due performance of any conditions attached to it;
- (c) the enforcement of any security given and the forfeiture or repayment of any cash deposit;
- (d) the forms of certificates, registrations and other permissions provided for by this Ordinance, the nature of any conditions which may be attached to them, and the variation of such conditions;
- (e) the information to be supplied and documents to be produced in connection with any application which may be made under this Ordinance for a certificate, registration or other permission, or the variation of it;
- (f) the fees to be charged in respect of anything required or permitted to be done under this Ordinance;
- (g) the documents necessary and the procedure to be followed in the pursuance of any right of appeal provided for by this Ordinance, including the determination of the appeal and notification of it;
- (h) the inspection by police officers or customs officers of the business premises of registered firearms dealers, and the arrangements for storage and security of the firearms and ammunition kept on such premises;

- (i) the marking or other means of identification of firearms and ammunition authorised by this Ordinance to be acquired, possessed or transferred;
- (j) conditions which may be imposed by the Director of Police upon the holding of any sporting or entertainment activity at which a firearm or ammunition will be used, for the purpose of protecting the public safety or peace;
- (k) without affecting section 3, the exemption by a specified authority from all or any of the requirements of this Ordinance for a period and in circumstances considered appropriate.

SCHEDULE

Repealed by Ord. 14 of 2017

FIREARMS ORDINANCE, 1997

FIREARMS (FEES) REGULATIONS, 1998 (Section 45)

Citation

1. These Regulations may be cited as the Firearms (Fees) Regulations, 1998.

Fees

2. The following fees are prescribed for the issue of a certificate or inclusion of a firearm in a certificate—

CATEGORY	FEE
Spear or airgun	
Issue of certificate in respect of spear or airgun	£18.80 for every year (or part thereof) in respect of which the certificate is issued
For every additional spear or airgun included in the certificate	£2.80 for every year (or part thereof) for which the additional spear or airgun is included in the certificate
Any other firearm	
Issue of certificate in respect of any other firearm	£24.20 for every year (or part thereof) in respect of which the certificate is issued
For every additional firearm included on the certificate	£6.00 for every year (or part thereof) for which the additional firearm is included in the certificate

FIREARMS ORDINANCE, 1997
FIREARMS (FORMS) REGULATIONS, 2017
(Section 45)

Citation

1. These Regulations may be cited as the Firearms (Forms) Regulations, 2017 and come into force on the date of publication.

Rehabilitation of Offenders Act 1974

2. The provisions of the Rehabilitation of Offenders Act 1974 (UK) do not apply to any request for information about past convictions, whether spent or otherwise, in connection with an application for a grant or renewal of a firearms licence or certificate.

Forms of applications and certificates

3. The following applications and certificates under the Ordinance must contain the information and be in the form as set out in the Schedule:

- (a) Application for firearm or shotgun certificate (section 23)
- (b) Firearm certificate (section 24)
- (c) Shotgun certificate (section 25)
- (d) Application for registration as firearms dealer (section 28(3))
- (e) Certificate of registration as firearms dealer (section 28(4))

SCHEDULE
(Regulation 3)

FORMS

ST HELENA POLICE DIRECTORATE

FIREARMS ORDINANCE, 1997

FIREARM APPLICATION
(Section 23(1))

Please use black ink and write in BLOCK CAPITALS throughout, except when signing. A continuation form is provided if you wish to provide any further information. Please read the notes that accompany this form carefully before completing this application form.

I am applying for:

- Firearm certificate

- Shotgun certificate
 - Firearms Dealer's Registration Certificate
- (tick all applicable boxes)

PART A: Personal details

1. Gender: Male/Female
2. Title:
3. Forenames:
4. Surname:
5. Change of name:
6. Age: Yrs
7. Date of Birth: Day Month Year
8. Place of Birth:
9. Nationality:
10. Marital status: Single/Partnered/Married
11. Address:
12. Tel No:
13. Email:
14. Other persons occupying address
 - Full name:
 - Age:
 - Date of Birth:
 - 1.)
 - 2.)
 - 3.)
 - 4.)
 - 5.)
 - 6.)
15. Previous address(es) in last 5 years: Yes/No Tick as appropriate, if your answer is "yes" then please complete Part C.

PART B: Employment details

16. Occupation:
17. Employer:
18. Work address:
19. Tel No:
20. Email:

PART C: Previous home address(es) from the past 5e years

21. Address 1: From: To:
22. Address 2: From: To:
23. Address 3: From: To:
24. Address 4: From: To:
25. Address 5: From: To:
26. Address 6: From: To:

PART D: Personal health & medical declaration

27. Do you suffer from any medical conditions? Tick as appropriate Yes/No (If yes give details)
28. Do you have any physical conditions / disabilities? Tick as appropriate Yes/No (If yes give

details)

29. Have you ever received treatment for stress, depression or any other kind of mental health condition? Tick as appropriate Yes/ No (If yes give details)

30. Do you have any drug (includes alcohol) addiction or dependence? Tick as appropriate Yes/ No (If yes give details)

Permission:

31. I give the Licensing Officer permission to contact my doctor and/or specialist to obtain his/her opinion as to whether or not there is a health condition that may affect my suitability to hold a Firearm Certificate. This authority is valid for the life of the certificate(s). I understand that, on request, my doctor may share sensitive personal data with the Police concerning my physical & mental health for the purpose of enabling the Police to make a fully informed decision on my application & I hereby consent to this processing of my personal data.

Signature:

Date:

(Applicant to sign here to confirm their consent)

PART E: Offences

32. Have you been convicted of any offence or received a written caution anywhere in the world? (regardless of the length of time since the conviction or caution or if you believe it has become spent or no longer needs to be declared).

Tick as appropriate Yes/No (If yes, give details of all convictions and/or formal cautions, binding orders and spent convictions, including those received outside St Helena).

Date

Court

Offence & Sentence

WARNING: if you are not sure if you have cautions/convictions, ask for a printout of your Police Background (including spent convictions) before you fill out this section.

33. Are you aware of any ongoing investigations involving yourself? Are there any pending criminal matters involving you? Tick as appropriate Yes/No. (If yes give details.)

PART F: Firearm certificate

34. Where was your last firearm certificate issued?

35. What is the expiry date?

36. What previous experience do you have with firearms?

37. Have you been refused or had a firearm certificate revoked in the past? Tick as appropriate Yes/No (If yes, give details)

38. What is your intention for having a firearm?

39. Where do you intend to shoot?

40. Do you have permission to shoot at that location(s)? (Proof required)

41. When was the last time you used your firearm?

42. How often on average within a year, do you use your firearm?

43. Have you familiarised yourself with the Firearms Ordinance, 1997? Yes/No

PART G (a): Details of firearms held (Owner)

44. Type of Firearm

Calibre (Metric/Imperial)

Make e.g. Winchester

Serial No.

Reason for firearm E.g. Target Practice, Sport, Rifle Club

- 1).
- 2).
- 3).
- 4).
- 5).

PART G (b): Details of firearms held (Keeper)

45. Type of Firearm

Calibre (Metric/Imperial)

Make e.g. Winchester Serial No Reason for firearm E.g. Target Practice, Sport. Rifle Club

- 1).
- 2).
- 3).
- 4).
- 5).

46. Reason for being a keeper?

PART G (c): Details of firearms held (User)

47. Type of Firearm

Calibre (Metric/Imperial)

Make e.g. Winchester

Serial No

48. Reason for firearm e.g. Target Practice, Sport. Rifle Club

- 1).
- 2).
- 3).
- 4).
- 5).

Reason for being a user?

PART H: Firearm Security

49. Where will the firearm be stored?

50. How is the firearm secured? Give details below of security

Gun Box

Cabinet

Clamp

Gun room

Other

51. Who lives at these premises?

52. Who has access to your firearm?

53. When transporting firearm, how will it be carried?

54. Where will your ammunition be stored?

55. What is the maximum amount of ammunition you would like to have at any one time?

56. How will you secure your ammunition?

PART I: Additional Information

Please use this space for any additional information relating to parts A-H

PART J: Referee 1

1. Title
2. Surname
3. Forename(s)
4. Date of birth
5. Place of birth
6. Occupation
7. Employer
8. Address
9. Tel No. (H)
10. Tel No. (W)
11. In what capacity do you know the referee?
12. How long has the referee known you?

PART J: Referee 2

1. Title
2. Surname
3. Forename(s)
4. Date of birth
5. Place of birth
6. Occupation
7. Employer
8. Address
9. Tel No. (H)
10. Tel No. (W)
11. In what capacity do you know the referee?
12. How long has the referee known you?

PART K: Declaration

The information I have provided on this form is true. I understand that it is an offence to make any statement, which I know to be false, for the purpose of procuring the grant or renewal of a certificate, whether for myself or for another person. I am aware that the maximum penalty for the offence is a fine of £500 or imprisonment for 6 months, or both.

Print Name:

Signature:

Date:

If the applicant is under 18 years of age the following must be completed

Parent/ Guardian

Print Name:

Signature:

Date:

ST HELENA POLICE DIRECTORATE

FIREARMS ORDINANCE, 1997

FIREARM CERTIFICATE

(Section 24)

This certificate is granted pursuant to section 24 of the Firearms Ordinance, 1997 to the holder

named below and relates to the firearm(s) and ammunition specified.

Name and Address of holder:

Date of birth:

Photograph of holder:

Your Photo here

Stamp/Crest of Police Service:

St Helena Police, Firearms Licensing
Ogborn House, Jamestown STH1 1ZZ
Tel: 22626 Ext: 220

Certificate number:

Valid from:

Valid to:

Usual signature of holder:

Signature of Chief of Police:

Date

Conditions:

This certificate is issued subject to the following conditions. It is an offence to fail to comply with any of the conditions below. Maximum penalty for non-compliance is 3 years' imprisonment and/or a fine.

1. The holder must, on receipt of the certificate, sign it in ink with his/her usual signature.
2. The holder of this certificate must inform the Chief of Police immediately in case of theft, loss or destruction in St Helena of the certificate and/or the theft, loss, deactivation or destruction of any firearm and/or theft or loss of ammunition to which this certificate relates.
3. The holder of this certificate must, without undue delay, inform the Chief of Police about any change of permanent address.

4(a). The firearm **MUST** be secured in a lockable box or cabinet made of at least three quarter inch ($\frac{3}{4}$ ") ply wood, steel or alternatively by a lockable chain which is secured to a wall restricting access to the Firearm by an unauthorised person

4 (b). Ammunition **MUST** be stored securely in a lockable box at least $\frac{3}{4}$ inch wood or steel restricting access to the ammunition by an unauthorised person.

steel restricting access to the ammunition by an unauthorised person.

5. The firearm must only be used on
6. The firearm must only be used during daylight hours
7. The firearm must not be in possession in public unless agreed by police beforehand.
8. The firearm must not be used within 200 meters of any dwelling house or any public road.
9. The holder must keep an audit log of purchase and use of ammunition (audit log template provided by police) log can be checked at any reasonable time.
10. The holder must comply with the Notice for consideration of revoking a shotgun licence.

Additional conditions may be added here by the Chief of Police

Certificate Number:

1. Firearm possessed or authorised to be purchased, acquired

Calibre (Metric/Imperial)
Maker's Name
Type
Identification Number
Owner/User/ Keeper
Fee

2. Ammunition

Maximum quantity authorised to be possessed at any one time
Calibre (Metric/Imperial)
Quantity
Calibre (Metric/Imperial)
Quantity

ST HELENA POLICE DIRECTORATE

FIREARMS ORDINANCE, 1997

SHOTGUN CERTIFICATE

(Section 25)

This certificate is granted pursuant to section 23 of the Firearms Ordinance, 1997 to the holder named below and relates to the shotgun(s) and ammunition specified.

Name and Address of holder:

Date of birth:

Photograph of holder:

Your Photo here

Stamp/Crest of Police Service:

St Helena Police, Firearms Licensing
Ogborn House, Jamestown STH1 1ZZ
Tel: 22626 Ext: 220

Certificate number:

Valid from:

Valid to:

Usual signature of holder:

Signature of Chief of Police:

Date

Conditions:

This certificate is issued subject to the following conditions. It is an offence to fail to comply with any of the conditions below. Maximum penalty for non-compliance is 3 years' imprisonment and/or a fine.

1. The holder must, on receipt of the certificate, sign it in ink with his/her usual signature.
2. The holder of this certificate must inform the Chief of Police immediately in case of theft, loss or destruction in St Helena of the certificate and/or the theft, loss, deactivation or destruction of any shotgun and/or theft or loss of ammunition to which this certificate relates.
3. The holder of this certificate must, without undue delay, inform the Chief of Police about any change of permanent address.

- 4(a).The shotgun must be secured in a lockable box or cabinet made of at least ¾ inch ply wood, steel or alternatively by a lockable chain which is secured to a wall restricting access to the Firearm by an unauthorised person.
- 4 (b). Ammunition must be stored securely in a lockable box at least ¾ inch wood or steel restricting access to the ammunition by an unauthorised person.
- 5. The shotgun must only be used on
- 6. The shotgun must only be used during daylight hours
- 7. The shotgun must not be in possession in public unless agreed by police beforehand.
- 8. The shotgun must not be used within 200 meters of any dwelling house or any public road.
- 9. The holder must keep an audit log of purchase and use of ammunition (audit log template provided by police) log can be checked at any reasonable time.
- 10. The holder must comply with the Notice for consideration of revoking a shotgun licence.

Additional conditions may be added here by Chief of Police

Certificate Number:

1. Shotgun possessed or authorised to be purchase, acquired

Calibre (Metric/Imperial)

Maker's Name

Type

Identification Number

Owner/User/ Keeper

Fee

2. Ammunition

Maximum quantity authorised to be possessed at any one time

Calibre (Metric/Imperial)

Quantity

Calibre (Metric/Imperial)

Quantity

ST. HELENA POLICE

FIREARMS ORDINANCE, 1997

**APPLICATION FOR THE GRANT OR RENEWAL OF FIREARMS DEALERS
REGISTRATION CERTIFICATE**

(Section 28)

All details must be written in BLOCK CAPITALS

Part A must be completed where an application is made by a person wishing to be registered as a Firearms Dealer.

Part B must be completed where an application is made on behalf of a Company

PART A – PERSONAL DETAILS

1. Title (Mr, Mrs, Ms, Dr etc)

2. Surname
3. Current Home Address
4. Forename(s)
5. Date of Birth
6. Home telephone number
7. Place of Birth
8. Nationality
9. Occupation
10. Marital Status (state name)
11. Have you lived elsewhere other than your current address in the last 5 years?
No/Yes (if yes, give details)
12. Have you ever had a firearms certificate refused or revoked?
No/Yes (If yes, give details)
13. Have you been convicted of any offence or have been cautioned by police?
No/Yes (If yes, give details)
14. Do you suffer from any medical condition or disability sight (vision) including alcohol?
or drug related conditions? No/Yes (If yes, give details)
15. Have you attended a doctor previously or present for treatment of depression or any other
kind of mental or nervous disorder? No/Yes (If yes, give details)
16. Please list every place of business at which you propose to operate as a firearms dealer.
(Full details of the address and contact details of each location required)

PART B- COMPANY DETAILS

1. Full Name of Company
2. Has the company ever been registered prior to this application?
No/Yes (If yes, give details)

The information I have given to the questions from 1 to 16 is true and I understand that it is an offence under section 23 (1) of the Firearms Ordinance, 1997 to knowingly or recklessly make a false statement for the purpose of procuring the grant of a certificate.

Signature..... Date.....

Referee details. Please write in BLOCK CAPITALS

1. Title.....
2. Surname.....
3. Forename(s).....
4. Date of birth.....
5. Place of birth.....
6. Occupation.....
7. Home address.....
8. Home telephone number..... Work telephone
9. In what capacity do you know the applicant?
.....

I have known the applicant for..... years and know of no reason why she/he should not be granted or renewed a shotgun or firearm certificate as applicable. I also understand it is an offence under the Firearms Ordinance, 1997 to knowingly or recklessly make a false declaration for the purpose of procuring for another the grant or renewal of a certificate.

Signature Date.....

1. Title.....

- 2. Surname.....
- 3. Forename(s).....
- 4. Date of birth.....
- 5. Place of birth.....
- 6. Occupation.....
- 7. Home address.....
- 8. Home telephone number..... Work telephone
- 9. In what capacity do you know the applicant?
.....

I have known the applicant for..... years and know of no reason why she/he should not be granted or renewed a shotgun or firearm certificate as applicable. I also understand it is an offence under the Firearms Ordinance, 1997 to knowingly or recklessly make a false declaration for the purpose of procuring for another the grant or renewal of a certificate.

Signed..... Date

FOR OFFICIAL USE ONLY

NOT TO BE COMPLETED IN BY THE APPLICANT

Comments by officer dealing with the applicant or Inspector

Signed

Comments by Detective Sergeant or CID Staff

Signed

Recommendation of Chief Inspector

Signed

Comments and decision of Chief of Police

Approved Rejected

Signed

ST HELENA POLICE DIRECTORATE

FIREARMS ORDINANCE, 1997

FIREARMS DEALER'S LICENCE 2017

(Section 28)

Name and Address of holder:

Date of Birth:

Photograph of holder:

Your Photo here

Stamp/Crest of Police Service:

St Helena Police, Firearms Licensing

Ogborn House, Jamestown STH1 1ZZ

Tel: 22626 Ext: 220 Mobile 62441

Certificate number:

Valid from:

Valid to:

Usual signature of holder:

Signature of Chief of Police:

Date

Conditions:

This certificate is issued subject to the following conditions. It is an offence to fail to comply with any of the conditions below. Maximum penalty for non-compliance is 3 years imprisonment and/or a fine.

1. The holder of this certificate must, on receipt of the certificate, sign it in ink with his/her usual signature.
2. The holder of this certificate must inform the Chief of Police immediately in case of theft, loss or destruction in St Helena of the certificate and/or the theft, loss, deactivation or destruction of any firearm and/or theft or loss of ammunition to which this certificate relates.
3. The holder of this certificate must, without undue delay, inform the Chief of Police about any change of permanent address
- 4 (a). Weapons must be secured in a lockable box or cabinet made of at least $\frac{3}{4}$ inch ply wood, steel or alternatively by a lockable chain which is secured to a wall restricting access to the firearm by an unauthorised person.
- 4 (b). Ammunition must be stored securely in a lockable box at least $\frac{3}{4}$ inch wood or steel restricting access to the ammunition by an unauthorised person.
5. The Licensee must not part with the possession of any firearms or ammunition except to the holder of a valid firearms certificate issued by the Chief of Police.
6. The holder must maintain a register to record all particulars of all firearms imported under this licence.
7. The holder must allow the Chief of Police or any police officer duly authorised by him/her to enter the premises at any time and afford him/her all necessary facilities for satisfying himself/herself that the conditions of this certificate are being complied with.
8. The holder must comply with the Notice for consideration of revoking a firearms dealer's certificate.

Additional conditions may be added here by the Chief of Police

Certificate Number:
