

14 OF 1889.

TO PROHIBIT THE POSSESSION AND USE OF FIREARMS IN CERTAIN
CASES.

HENRY BULWER.]

[April 26, 1889.]

1. In this Law "Firearms" includes every gun, revolver or pistol of every description, and any part of any such weapon. Definition.

2. No person shall possess or use firearms:—

Persons
incapacitated
from bearing
firearms.

(1.) Who has been convicted of any of the following offences; that is to say:—

Homicide;

Attempt to commit homicide;

Theft with the aid of arms;

Theft with violence; or

(2.) Who has been prohibited by the Commissioner of the District from possessing and using firearms, as hereinafter mentioned.

3. The Commissioner of any District may prohibit any person residing in the District from using and possessing firearms:— Commissioner
may pro-
hibit use of
firearms.

(1.) On the report in writing of the Mukhtar and Azas of the village or quarter in which the person resides that he is not a fit and proper person to possess and use firearms; or

(2.) If by inquiry made by himself in the village or quarter, he shall ascertain from the testimony in writing of at least three persons, inhabitants of the village or quarter, that such person is not a fit and proper person to possess or use firearms; or

(3.) On the report in writing of the Mejlis Idaré of the District in which the person resides that he is not a fit and proper person to possess or use firearms.

Where any person has been prohibited on the report of a Mejlis Idaré, the prohibition shall continue in force until the Mejlis Idaré shall by resolution revoke their decision.

Prohibition
when valid

4.—(1.) No such prohibition shall be valid until a notice thereof under the hand of the Commissioner shall have been served upon such person or left at his usual place of abode, and no such prohibition shall remain in force for more than one month from such service unless it shall have been confirmed by the High Commissioner.

Proof of
service of
notice of
prohibition.

(2.) A written statement of the manner in which the service was effected, signed by the person by whom it was effected, his signature being attested or purporting to be attested by any Commissioner or Local Commandant of Police, shall be taken as evidence of all that is therein stated until evidence to the contrary is adduced.

Prohibited
arms to be
given up and
compensation
paid.

5. Every person for whom it is unlawful to possess and use firearms under the provisions of this Law shall, within seven days after the receipt by him of a notice in writing from the Commissioner in that behalf, deliver up all firearms in his possession to the Commissioner or any person duly authorized by him to receive them, and the Commissioner shall thereupon pay to him their value at a rate to be assessed by the Principal Officer of Customs within the District. Such value shall be defrayed out of the Island Treasury.

Penalty for
unlawful use
and posses-
sion.

6. Every person who in contravention of the Law possesses or makes use of any firearms shall be liable to imprisonment for any term not exceeding six months or to a fine not exceeding ten pounds, and shall forfeit the firearms.

Proof of
ownership of
firearms.

7. The occupier of any house or premises in which any firearms are found shall for the purposes of this Law be deemed to be the possessor of the firearms, in the absence of proof to the contrary.

Limitation
of prosecu-
tion.

8. No prosecution shall be instituted against any person for any offence against the provisions of this Law, unless it is commenced within two months from the time of the commission of the offence.

Power of
High Com-
missioner to
remove
incapacity

9.—(1.) Whenever it appears to the High Commissioner after such inquiry as he shall think fit to make into the circumstances in which any person became incapacitated, whether by a conviction or by prohibition, from possessing and using firearms, and into his conduct after he has so become incapacitated, that it is no longer necessary in the interest of the public peace that he should be so incapacitated, the High Commissioner may by order remove the incapacity upon such conditions, if any, as may appear expedient.

(2.) Upon any such order the High Commissioner may require the person affected thereby to execute a bond, which may be in the form set out in the Schedule, or in such other form as the High Commissioner may prescribe, for such sum not exceeding ten pounds