

# ACT

*Supplement to the Sierra Leone Gazette Vol. CXLIII, No. 43*  
*dated 30th August, 2012*

## THE ARMS AND AMMUNITION ACT, 2012

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SIGNED this 23rd day of August , 2012.

DR. ERNEST BAI KOROMA,  
*President.*

No. 9



2012



Sierra Leone

**The Arms and Ammunition Act, 2012.**

Short title.

**Being an Act to repeal and replace the Arms and Ammunition Act, 1955, to provide for the control of the transfer of small arms and light weapons, their ammunitions and other related materials from, to or through Sierra Leone; to provide for the regulation of the manufacture of small arms and light weapons, to provide for institutional and operational capacities to regulate possession and use of small arms and light weapons within Sierra Leone and to provide for other related matters.**

[ ] Date of commencement.

ENACTED by the President and Members of Parliament in this present Parliament assembled.

## PART I- PRELIMINARY

## Interpretation

## 1. In this Act, unless the context otherwise requires–

“ammunition” includes any device destined to be shot or projected through the means of firearms, cartridges, projectiles and missiles for light weapons, mobile containers with missiles or projectiles for anti-aircraft or anti-tank single action systems;

“brokering” means any intermediary activity between any manufacturer, supplier or distributor of small arms and light weapons and any buyer or user including the provision of financial support and the transportation of small arms and light weapons;

“ECOWAS” means the Economic Community of West African States comprising Heads of State and Government of the Member States of the ECOWAS Treaty;

“ECOWAS Convention on Small Arms and Light Weapons” means the ECOWAS Convention on Small Arms and Light Weapons, their Ammunition and Other Related Materials, ratified by the Parliament of Sierra Leone in June, 2007;

“ECOWAS Commission” means the secretariat of ECOWAS;

“light weapon” includes any portable arms designed to be used by several persons working together in a team, heavy machine guns, portable grenade launchers; mobile or mounted, portable anti-aircraft cannons, portable anti-tank cannons, non-recoil guns, portable anti-tank missile launchers or rocket launchers, portable anti-aircraft missile launchers, mortars with a calibre of less than 100 millimetres;

“illicit” means anything done in violation of this Act and the ECOWAS Convention on Small Arms and Light Weapons;

“marking” means inscriptions permitting the identification of arms covered by this Act and the ECOWAS Convention on Small Arms and Light Weapons;

“National Small Arms and Light Weapons Register” means the National Small Arms and Light Weapons Register referred to in section 3;

“other related materials” means all components, parts or spare parts for small arms or light weapons or ammunition necessary for its functioning or any chemical substance serving as active material used as propelling or explosive agent;

“Registrar” means the Registrar of Small Arms and Light Weapons referred to in section 3;

“small arm” includes any arm used by one person, firearms and other destructive arms or devices such as an exploding bomb, an incendiary bomb or a gas bomb, a grenade, a rocket launcher, a missile, a missile system or landmine, revolvers and pistols with automatic loading, rifles and carbines, machine guns, assault rifles, light machine guns;

“small arm and light weapon” include ammunition and other related materials;

“tracing” means the systematic monitoring of the movements of small arms and light weapons and their ammunition and other related materials, from the manufacturer until the end user to detect illicit manufacture and trading;

“Minister” means the Minister responsible for internal affairs;

“transfer” includes import, export, transit, trans-shipment and transport or any other movement whatsoever of small arm or light weapon, ammunition and other related materials from, to and or through Sierra Leone.

## PART II – THE REGISTRAR OF SMALL ARMS AND LIGHT WEAPONS

Responsibility to regulate.

**2.** The National Commission on Small Arms and Light Weapons established by the National Commission on Small Arms and Light Weapons Act, 2010 shall be responsible for the regulation and licensing, transfer, manufacture, sale, possession and use of small arms and light weapons throughout Sierra Leone.

Registrar of Small Arms and Light Weapons.

**3.** The Commissioner, National Commission on Small Arms and Light Weapons appointed under section 3 of the National Commission on Small Arms and Light Weapons Act, 2010, shall be the Registrar of Small Arms and Light Weapons.

National Register of Small Arms and Light Weapons.

**4.** (1) The Registrar of Small Arms and Light Weapons referred to in section 3, shall establish and maintain a National Register of Small Arms and Light Weapons.

(2) The Registrar shall, in addition to the establishment of a register, establish corresponding Small Arms and Light Weapons registries in any part of Sierra Leone as he may think fit.

Registration of small arms and light weapons.

**5.** (1) The Registrar shall record or cause to be recorded, in the National Register of Small Arms and Light Weapons, information relating to the transfer, manufacture, sale, possession and use of all small arms and light weapons throughout Sierra Leone.

(2) Information relating to small arms and light weapons to be recorded in the Register of Small Arms and Light Weapons under subsection (1) shall include–

(a) description stating type or model, caliber and quantity (if it concerns a batch);

(b) details relating to marking;

(c) names and addresses of former and current owners and, where applicable, successive owners; and

(d) date of registration.

(3) Information relating to small arms and light weapons to be recorded in the Register of Small Arms and Light Weapons under subsection (1) shall be permanently kept in the Register.

**6.** The Registrar shall be assisted by the Deputy Staff. Commissioner, National Commission on Small Arms and Light Weapons and such other additional technical and administrative staff, as may be required for the efficient performance of his functions under this Act

**7.** Public officers, including officers of the Sierra Leone Police, may, at the instance of the Registrar, be seconded or otherwise render assistance to the Registrar, in the performance of his functions under this Act. Secondment of public officers.

**8.** No officer or employee, acting on the directions of the Registrar, shall be liable in respect of any matter or thing done by him in good faith under this Act. Protection of staff.

## PART III – MANAGEMENT AND SECURITY OF STOCKPILES

**9.** (1) The Registrar shall take all necessary measures to ensure the safe and effective management, storage and security of all stocks of small arms and light weapons throughout Sierra Leone and shall ensure that stockpiles of small arms and light weapons by manufacturers, dealers as well as individuals are securely stored in accordance with prescribed standards and procedures. Management and security of stockpiles.

(2) In furtherance of subsection (1), the Registrar shall establish effective standards and procedures for stockpile management, storage and security, including-

- (a) identifying and securing appropriate sites;
- (b) ensuring physical security measures of storage facilities;
- (c) inventory management and record keeping;
- (d) staff training;
- (e) maintaining security during manufacture and transportation; and
- (f) imposing sanctions in case of theft or loss.

(3) Very essential Public Buildings must be fitted with screening equipments manned by accepted security officials.

Collection and destruction of small arms.

**10.** (1) The Registrar shall regularly review the storage facilities and conditions of small arms and light weapons in order to identify, for disposal-

- (a) surplus and obsolete stocks of small arms and light weapons held by armed and security forces and other authorised bodies;
- (b) seized small arms and light weapons;
- (c) unmarked small arms and light weapons; and
- (d) illicitly held small arms and light weapons;
- (e) small arms and light weapons collected in the implementation of peace accords or programmes for the voluntary handing in of weapons.

(2) All small arms and light weapons so collected under subsection (1), shall be registered and securely stored or destroyed.

#### PART IV – POSSESSION AND USE WITHIN SIERRALEONE

**11.** (1) No person shall have in his possession, custody or control any small arm or light weapon unless that person holds a Small arms licence. licence. issued by the Registrar under this Act.

(2) A person who wishes to possess a small arm or light weapon licence shall make a written application to the Registrar for that purpose.

(3) Subject to this Act, the Registrar may grant a small arm or light weapon licence to an applicant under subsection (2), if he is satisfied that the applicant-

- (a) has good reason for having in his possession, custody or control or for carrying and using the small arm or light weapon in respect of which the application is made; and
- (b) can be issued with a small arm or light weapon licence without being a danger to public safety or public interest.

(4) A small arm or light weapon licence issued by the Registrar under subsection (3), shall be in such form as may be prescribed and shall specify-

- (a) the conditions and restrictions subject to which the licence is held;
- (b) the nature and number or other identification marks on the small arm or light weapon;
- (c) the quantity of ammunition authorised to be held at any one time; and
- (d) such other matters as may be prescribed.