

THE FIREARMS AND AMMUNITION (AMENDMENT) (NAME OF BILL) BILL 1989

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 Objects and Reasons
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~~(Authorisation from Minister of Finance under s.60 of Constitution)~~

27/11/89

FROM: Attorney General's Chambers

TO: Minister of Police & Justice
 (for signing Objects & Reasons, Notice of Presentation and covering letter to Clerk)

TO: Minister of Finance
 (for signing of letter to Clerk signifying Cabinet approval under s.60 of Constitution)

TO: Clerk to National Parliament
 (for certificate by Speaker) *Donnelly 27-11-89*

TO: Attorney General's Chambers
 (for printing)

TO: Clerk to National Parliament
 (for reference during 1st, 2nd and 3rd Readings)
 (Date passed 6/12/89 Act No. 17/89)

TO: Attorney General's Chambers
 (for checking before Assent) *5/2/90*

TO: Governor-General
 (for Assent) *7/2/90*

TO: Clerk to National Parliament
 (for distribution: 1 copy Attorney General's Chambers *8-2-90*
 1 copy Ministry *8-2-90*
 1 copy Parliament Office
 1 copy Registrar of the High Court



**THE FIREARMS
AND AMMUNITION
(AMENDMENT) ACT 1989**

(NO. 17 OF 1989)



THE FIREARMS AND AMMUNITION (AMENDMENT) ACT 1989

(NO.17 OF 1989)

Passed by the National Parliament this sixth day December 1989.

This printed impression has been carefully compared by me with the Bill passed by Parliament and found by me to be a true and correct copy of the said Bill.

J.M. Tuhaika
Clerk to the National Parliament

Assented to in Her Majesty's name and on Her Majesty's behalf this seventh day of February 1990.

G.G.D. Lepping
Governor-General

Date of Commencement: See section 1.

AN ACT to amend the Firearms and Ammunition Act, Cap. 107.

ENACTED by the National Parliament of Solomon Islands.

THE FIREARMS AND AMMUNITION (AMENDMENT)
ACT 1989

ARRANGEMENT OF SECTIONS

Section:

1. Short title and commencement.
2. Amendment of section 2 of Cap. 107.
3. Amendment of certain sections.
4. Repeal and replacement of section 3.
5. Amendment of section 7.
6. Insertion of new section 28A.
7. Insertion of new sections 40A, 40B and 40C.
8. Amendment of several provisions relating to penalties.
9. Amendment of section 169 of Cap. 5.

SCHEDULE

1. This Act may be cited as the Firearms and Ammunition (Amendment) Act 1989, and shall come into operation on such date as the Minister may appoint by notice published in the Gazette.

Short title and commencement.

2. Subsection (1) of section 2 of the Firearms and Ammunition Act (hereinafter referred to as the "principal Act") is hereby amended by inserting therein next after the definition of "licensed firearms dealer" the following new definition -

Amendment of section 2 of Cap. 107.

“ “Minister” means the Minister for the time being charged with responsibility for firearms and ammunition.”

3. The principal Act is hereby amended by deleting therefrom the words "Prime Minister" wherever those words appear in the Act and substituting therefor in each case the word "Minister".

Amendment of certain sections.

4. Section 3 of the principal Act is hereby repealed and the following new section substituted therefor -

Repeal and replacement of section 3.

“Designation 3. (1) The Minister may from time to time designate a public officer to be the Licensing Principal Licensing Officer for the purpose of Officer and this Act.

other (2) The Principal Licensing Officer may licensing for the purpose of carrying out the provisions officers. of this Act, from time to time designate other public officers as licensing officers.

(3) Subject to the provisions of this Act, licensing officers shall exercise their powers and discharge their duties subject to such directions as may be issued by the Principal Licensing Officer.

(4) The Principal Licensing Officer may exercise any of the powers and perform any of the duties of a licensing officer under this Act.”

5. Section 7 of the principal Act is hereby amended by inserting therein next after paragraph (a) the following new paragraph as paragraph (aa) -

Amendment of section 7.

“(aa) bodyguards to visiting Heads of States or to Heads of Governments or to other foreign dignitaries to such extent as may be authorised by the Principal Licensing Officer;”

Insertion of new section 28A.

6. The principal Act is hereby amended by inserting therein next after section 28 the following new section as section 28A -

“Loss of firearm or permitting other person to use firearm. 28A. Any person who, being the owner of a firearm or being in lawful possession of a firearm, loses the firearm through recklessness on his part or permits another person to use the firearm without the written approval of the Principal Licensing Officer shall be guilty of an offence and liable to a fine of five hundred dollars or to imprisonment for six months or to both such fine and imprisonment.”.

Insertion of new sections 40A, 40B and 40C.

7. The principal Act is hereby amended by inserting therein next after section 40 the following new sections as sections 40A, 40B and 40C respectively -

“Threatening violence with firearm. 40A. Any person who, being the owner or having possession of a firearm, with intent to intimidate another person to do or to refrain from doing any act threatens by word of mouth or any other conduct to harm that other person, or any other person whosoever, with the use of the firearm is guilty of an offence and liable to a fine of one thousand dollars or to imprisonment for two years or to both such fine and imprisonment.

Power to detain and forfeit firearms. 40B. (1) Any police officer who has reason to believe that a person has threatened another person in contravention of section 40A may, without warrant, search the premises of the person who made the threat and take possession of any firearms which he may find on the premises.

(2) Any person who obstructs or hinders a police officer from exercising his powers under subsection (1) is guilty of an offence and liable to a fine of one thousand dollars or to imprisonment for two years or to both such fine and imprisonment.

(3) Where a person is convicted of an offence under subsection (1), the court may order that any firearm found on the person's premises and taken possession of under that subsection be forfeited to the Crown.

40C. Any person who, without reasonable excuse, (proof of which lies on him) discharges a firearm in a public place or in any place situated within the boundaries of a town is guilty of an offence and liable to a fine of two hundred dollars or to imprisonment for six months or to both such fine and imprisonment.”.

8. The several provisions of the principal Act specified in the Schedule to this Act are hereby amended in the manner respectively so specified.

Amendment of several provisions relating to penalties. Schedule.

9. Section 169 of the Penal Code is hereby amended by deleting paragraph (1) thereof.

Amendment of section 169 of Cap. 5.

SCHEDULE

(Section 8)

Section	
s. 4(3)	delete "two thousand" insert "five thousand".
s. 5(2)(b)(i)	delete "two thousand" insert "five thousand".
s. 5(2)(b)(ii)	delete "one thousand" insert "three thousand".
s. 6(8)	delete "one hundred" insert "four hundred".
s. 9(2)	delete "four hundred" insert "five hundred".
s. 11(7)	delete "four hundred" insert "one thousand".
s. 11(7)	delete "fifty" insert "two hundred".
s. 12(2)	delete "one hundred" insert "five hundred".
s. 13	delete "one hundred" insert "five hundred".
s. 14(3)	delete "two hundred" insert "five hundred".
s. 20	delete "two hundred" insert "five hundred".
s. 20	delete "one hundred" insert "three hundred".
s. 22	delete "four hundred" insert "one thousand".
s. 23(3)	delete "two hundred" insert "five hundred".
s. 24(1)	delete "two thousand" insert "five thousand".
s. 25(2)	delete "one hundred" insert "three hundred".
s. 26(2)	delete "four hundred" insert "one thousand".
s. 26(3)	delete "forty" insert "two hundred".
s. 26(5)	delete "forty" insert "two hundred".
s. 28(2)	delete "one hundred" insert "three hundred".
s. 29(3)	delete "four hundred" insert "one thousand".
s. 37(4)	delete "one hundred" insert "two hundred".
s. 38(2)	delete "fifty" insert "two hundred".
s. 38(2)	delete "three" insert "six".
s. 39	delete "one hundred" insert "three hundred".
s. 40	delete "one hundred" insert "five hundred".
s. 40	delete "six" insert "twelve".
s. 42	delete "fifty" insert "five hundred".