Commencement: 27 June 1988

FIREARMS REGULATIONS

Order 27 of 1988

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To provide for the forms, fees and others matters connected therewith for the purposes of the Firearms Act, Cap. 198.

1. Interpretation

In these regulations unless the context otherwise requires –

"Act" means the Firearms Act, Cap. 198.

"licensing officer" means a licensing officer appointed under section 2 of the Act.

2. Form of application for firearm licence

(1) An application for the grant of a firearm licence under section 9(1) of the Act shall be made to the licensing officer of the area in which the applicant resides in Form 1 in Schedule 1.

(2) An application for the renewal of a firearm licence under the Act shall be made to the licensing officer in Form 1 in Schedule 1.

3. Form and conditions of firearm licence

(1) Every firearm licence granted under section 9(4) of the Act –

(a) shall be in Form 2 set out in Schedule 1;

(b) shall contain the certificate in Form 3 set out in Schedule 1; and

(c) shall be subject to the following conditions –

(i) the firearm and ammunition in respect of which the licence is granted shall at all times when not in actual use be kept in a secure place with a view to prevent use or access to them by any person not lawfully entitled to use them;

(ii) the loss or theft of any firearm to which the licence relates shall be at once reported to the nearest police station or licensing officer;

(iii) except as the licensing officer otherwise permits, the firearm and ammunition shall be kept at the permanent address of the holder of the firearm licence and the licensing officer shall be notified in writing within 14 days of any

change of such address and of any change in the address at which the holder of the licence is otherwise permitted to keep the firearm and ammunition;

(iv) the holder of the licence shall obey all lawful orders of any police officer or licensing officer relating to –

(a) the licence;

(b) any firearm or ammunition possessed or acquired under the licence,

and shall produce such licence, firearm or ammunition to such officer on demand;

(vi) the firearm or ammunition in respect of which the firearm licence is granted shall not be used for any unlawful purpose.

(2) Every certificate given to the holder of a firearm licence shall be retained by him for production to the licensed dealer or, if required, to a police or licensing officer.

4. Form of application for a firearm dealer's licence

An application for the grant of a firearm dealer's licence under section 11(2) of the Act shall be made to the licensing officer in Form 4 in Schedule 1.

5. Form of firearm dealer's licence

Every firearm dealer's licence granted under section 11 of the Act shall be in Form 5 in Schedule 1 and shall be subject to the following conditions –

(a) that the holder of a firearm dealer's licence or his servants employed in the ordinary course of business of such holder as a licensed firearms and ammunition dealer, shall observe the provisions of the Act and of any regulations made hereunder;

(b) that the holder of a firearm dealer's licence or his servants employed as aforesaid shall not part with possession of any firearm or ammunition except to a person lawfully entitled to possess the same;

(c) that the holder of a firearm dealer's licence or his servants employed as aforesaid shall obey all lawful orders of any police or licensing officer relating to any firearm or ammunition in their possession;

(d) that any firearm and ammunition in the possession of the holder of a firearm dealer's licence shall not be used for any unlawful purpose;

(e) that the holder of such licence shall ensure that the proper records required under the Act and the regulations are maintained by him in the prescribed form.

6. Particulars to be entered in the register of the licensed firearms dealer

(1) Every licensed firearms dealer shall enter or cause to be entered in the register of transactions required to be kept under section 11(6) of the Act, the following particulars –

(a) the quantities and description of firearms and ammunition purchased or acquired with the names and addresses of the sellers or transferors and the dates of the several transactions;

(b) the quantities and description of firearms and ammunition sold or transferred with the names and addresses of the purchasers and transferees (except in cases where the purchasers are transferees), the areas in which firearms were sold or transferred and the dates of the several transactions;

(c) the quantities and description of firearms and ammunition accepted for sale, repair, test, proof, cleaning, storage, or other purpose, with the names and addresses of the transferors and the dates of the several transactions;

(d) the quantities and description of firearms and ammunition in possession for sale or transfer at the date of the last stock-taking or such other date in each year as may be specified in the register.

(2) The register shall be kept in 3 books and shall be in Form 6 in Schedule 1.

(3) Every licensed firearms dealer shall, between the 1st and 7th of each month furnish particulars under section 11(8) of the Act, to the licensing officer in Form 7 in Schedule 1.

7. Requirements for a firearms dealer's licence

Every licensed firearms dealer selling or parting with possession of a firearm or ammunition to the holder of a firearm licence shall –

(a) fill and sign the certificate of transaction in Form 3 in Schedule 1;

(b) within 48 hours from the transaction, send a copy of the certificate of the transaction to the licensing officer;

(c) in any case report in writing within 48 hours to the licensing officer any circumstances attending the transaction which appear to require investigation.

8. Form of application for a firearms import licence

An application for the grant of a firearm import licence under section 14(1) of the Act shall be made to the licensing officer in Form 8 in Schedule 1.

9. Form of firearms import licence

Every firearm import licence granted under section 14 shall be in Form 9 in Schedule 1.

10. Register of firearm importers

A licensing officer shall, under section 14(2) of the Act, keep and maintain a register which shall be in Form 10 in Schedule 1.

11. Lost licences

(1) Any person who having obtained a replacement licence under section 15 of the Act, in place of the licence he has lost, finds such lost licence shall within 10 days of finding the licence, surrender it to the licensing officer or a police officer.

(2) Any person who contravenes this regulation shall be guilty of an offence and liable to a fine not exceeding VT 10,000 or to imprisonment for a period not exceeding 2 months, or to both such fine and imprisonment.

12. Disposal of deposited, detained and forfeited firearm or ammunition

(1) Any firearm or ammunition detained under the provisions of section 20 of the Act shall, at the expiry of the period of detention, unless previously brought before any court, be returned to the persons lawfully entitled to receive the same. If there is no such person, such firearm or ammunition may be sold or disposed of as the Commissioner of Police deems fit.

(2) Any firearm or ammunition deposited at a police station or police armoury in accordance with the provisions of section 37(1) of the Act, if not taken possession of by the lawful owner in accordance with the provisions of section 37(2) and not disposed of in the manner specified by that subsection, shall be disposed of as the Commissioner of Police deems fit.

(3) Where any firearm or ammunition is detained under the provisions of section 36 of the Act and at the expiry of the period of detention, such firearm or ammunition cannot be returned to the person lawfully authorized to receive the same in accordance with section 38 as such person cannot be found, such firearm or ammunition may be sold or disposed of as the Commissioner of Police deems fit.

(4) Firearms and ammunition forfeited in accordance with the provisions of section 39 of the Act may be sold or disposed of as the Commissioner of Police deems fit.

(5) If any police officer in charge of a police armoury considers any firearm or ammunition deposited or detained therein in accordance with the Act or these regulations to be in an unsafe condition, he shall report the unsafe condition of such firearm or ammunition to the Commissioner of Police who may cause such firearm or ammunition to be destroyed in such manner as he deems fit.

(6) The proceeds from the sale of any firearm or ammunition referred to in this regulation, other than the proceeds of sale under section 37 of the Act, shall be paid into the Treasury.

13. Voluntary deposit of firearms and ammunition in police armouries

(1) Any person in lawful possession of a firearm or ammunition may deposit such firearm or ammunition in a police armoury for safe custody.

(2) It shall be the duty of the officer in charge of the armoury to take reasonable care of all firearms and ammunition so deposited, but notwithstanding any breach of duty or the negligence of any police officer or otherwise, no action shall lie against the Government or any police officer in respect of the loss of or damage to any firearm or ammunition so deposited.

14. Fees

(1) The fees payable in respect of any licence referred to in the Act, and in respect of any deposit of firearms in police armoury or of variation of conditions in firearm licences shall be the fees respectively specified in Schedule 2 and shall be paid to the licensing officer.

(2) Any fee payable on the grant of a licence, renewal of a licence, variation of conditions in a licence or deposit of firearms in police armoury shall be paid before the applicant is granted a licence, renewal, variation of conditions or deposit of firearms, as the case may be.

SCHEDULE 1

FORMS

FORM 1

(regulation 2)

THE FIREARMS REGULATIONS

FORM OF APPLICATION FOR A FIREARM LICENCE

1. Name in full: _____

2. Full postal address - Village/Town: _____
   Island: _____

3. Age: _____ 4. Nationality: _____

5. Occupation: _____ 6. Employer: _____

7. Business address: _____

8. Description of firearms for which licence required: _____
   _____

9. (a) Details of firearms possessed at date of application: _____
   _____

   (a) Ammunition –

		Quantity	Calibre and type
(i)	Possessed at date of application:	_____	_____
(ii)	Total amount desired to be purchased or acquired in 1 year:	_____	_____
(iii)	Maximum amount desired to be possessed or acquired at any one time:	_____	_____

10. Whether a licence has previously been held, or applied for by applicant. If so, give details of all previous applications: _____

11. Date and place of issue of any licence to possess firearms or ammunition held during previous 3 years: _____

12. Do you suffer from any form of mental disorder or defect?

YES/NO. If YES, give details: _____

13. Have you been convicted of any offence, other than minor, traffic offences. YES/NO. If YES, give details: _____

14. Reasons for requiring each of the firearms and ammunition specified _____
_____

15. Where do you intend to use each of the firearms specified? _____

16. Where, if a firearm licence is granted will each of the firearms and the ammunition specified be kept when not in use? _____

DECLARATION

I hereby apply for a licence in respect of the firearm(s) and ammunition specified above, and I declare that the statements made above are true and complete in all respects.

Date: _____ Signature: _____

For Official Use

This application was lodged at _____ (office) on (date) _____.

RECOMMENDED/NOT RECOMMENDED

Reasons for non-recommendation: _____

LICENCE Approved/Not Approved

AMMUNITION -

(i) maximum amount authorised to be possessed at any one time* - _____

(ii) total amount to be purchased in each year* - _____

*State quantity, type and calibre.

Date: _____ Signature: _____
(Licensing Officer)

FORM 2

(regulation 3)

THE FIREARMS REGULATIONS

FIREARM LICENCE

LICENCE NO. _____

Full Name: _____
(Block Letters)

Village/Town: _____
Island: _____

is hereby authorised to possess the firearm(s) and ammunition specified hereunder -

(a) Firearm -

(i) Type: _____
(ii) Calibre: _____
(iii) Maker's Name: _____
(iv) Maker's Number: _____

(b) Ammunition -

(i) maximum amount authorised to be possessed at any one time _____
total amount authorised to be purchased in each year, commencing _____, 20_____.

*State quantity, type and calibre.

The following conditions shall be observed by the holder of this licence –

(1) the firearm(s) and ammunition to which this licence relates shall at all times when not in actual use be kept in a secure place with a view to preventing use or access to them by persons not entitled to use them;

(2) the loss or theft of any of the firearm(s) or ammunition to which the licence relates shall be reported at once to the nearest police station or licensing officer;

(3) except the licensing officer otherwise permits, the firearm(s) and ammunition shall be kept at the permanent address of the holder of this licence and the licensing officer shall be notified in writing within _____ of any change of such address and of any change in the address at which the holder of this licence is otherwise permitted to keep the firearm(s) or ammunition;

(4) the holder of this licence shall take all necessary steps to secure that regulation 5 of the Firearms Regulations (which relates to instructions concerning the sale or transfer of firearms and ammunition by licensed dealers) is complied with;

(5) the holder of this licence shall obey all lawful orders of any police officer or licensing officer relating to the licence, or any firearm or ammunition possessed or acquired under this licence and shall produce such licence, firearm or ammunition to such officer on demand;

(6) that such firearm or ammunition shall not be used for any unlawful purposes.

The licensing officer may insert any other condition herebelow -

_____
_____

The licence shall remain in force until _____ unless previously revoked or cancelled.

Date: _____ Signature: _____
(Licensing Officer)

T.R. No.: _____

RENEWALS

This licence is hereby renewed and is valid until _____, 20____ unless previously revoked or cancelled.

Date: _____ Signature: _____
(Licensing Officer)

T.R. No.: _____

FORM 3

(regulation 7)

THE FIREARMS REGULATIONS

CERTIFICATE

TABLE 1 (FIREARMS)

A Date of sale or transfer	B Name and address of person selling or transferring firearm	C Quantity, calibre, make and type of firearm, identification number or other mark.	D I certify that the entries in columns A to C are correct and relate to a transaction and I have satisfied myself that the transaction will not place the holder of the licence in possession of firearms in excess of or otherwise than as authorised by the licence. Signature: _____ Date: _____

TABLE 2 (AMMUNITION)

A Date of sale or transfer.	B Name and address of person selling or transferring ammunition.	C Quantity of ammunition.	D. Calibre and description of ammunition.	E Certificate I certify that the entries in columns A to D are correct and relate to a transaction with the holder of this licence, that I have inspected this licence and the record of previous transactions and I have satisfied myself that the transaction will not place the holder of the licence in possession of ammunition in excess of or otherwise than as authorised by the licence. Signature: _____ Date: _____

FORM 4

(regulation 4)

THE FIREARMS REGULATIONS

FORM OF APPLICATION FOR A FIREARMS DEALER'S LICENCE

1. Name in full: _____

2. Address: _____

3. Intended place of business: _____

4. Description of firearms and ammunition for which a licence is required –

   (a) Firearms - state make, type, calibre and maximum quantity to be held at any one time: _____

   (b) Ammunition - state make, type, calibre and maximum quantity to be held at any one time: _____

5. (a) State whether a licence has previously been held or applied for. If so, give dates of all previous applications.
   _____

   (b) Date and place of issue of any licence to deal in firearms and ammunition held during previous 12 months.
   _____

DECLARATION

I hereby apply for a licence to deal in the firearms and ammunition specified above and I declare that the statements made above are true and complete in all respects.

Date: _____ Signature of Applicant: _____

For Official Use

This application was lodged at _____ (office) on (date) _____.

RECOMMENDED/NOT RECOMMENDED

Reasons for non-recommendation: _____

LICENCE: Approved/Not Approved

Date: _____ Signature: _____
(Licensing Officer)

FORM 5

(regulation 5)

THE FIREARMS REGULATIONS

FIREARM DEALER'S LICENCE

LICENCE No.: _____

This licence authorises _____ of _____ in the Republic of Vanuatu or his servants in the ordinary course of his business as a licensed firearms and ammunition dealer –

(a) to assemble or disassemble, clean, repair, test or approve any firearm or ammunition;

(b) to manufacture any component part of a firearm or ammunition;

(c) to sell, transfer or expose for sale any firearm or ammunition;

(d) to keep or have in their possession any firearm or ammunition for any of the aforesaid purposes at the following place(s) – _____

This licence is subject to the following conditions –

(i) that the holder of such licence or his servants employed in the ordinary course of business of such holder as a licensed firearms and ammunition dealer, shall observe the provisions of the Act and of any regulations made hereunder;

(ii) that the holder of such licence or his servants employed as aforesaid shall not part with possession of any firearm or ammunition except to a person lawfully entitled to possess the same;

(iii) that the holder of such licence or his servants employed as aforesaid shall obey all lawful orders of any police or licensing officer relating to any firearm or ammunition in their possession;

(iv) that any firearm and ammunition in the possession of the holder of such licence shall not be used for any unlawful purpose;

(v) that the holder of such licence shall ensure that the proper records required under the Act and the regulations are maintained by him in the prescribed form;

(vi) Additional conditions: _____

This licence shall continue in force until _____, 20_____ unless previously revoked or cancelled.

Date: _____ Signature: _____
(Licensing Officer)

T.R. No.: _____

RENEWALS

This licence is hereby renewed and shall remain in force until _____, 20_____ unless previously revoked or cancelled.

Date: _____ Signature: _____
(Licensing Officer)

T.R. No.: _____

FORM 6

(regulation 6)

THE FIREARMS REGULATIONS

DEALER'S REGISTER OF TRANSACTIONS

TABLE 1 – FIREARMS

(A separate folio to be used for each type of firearms)

Type _____

ACQUISITION				
Date	Source (in case of import, state country), and full name and address of firm or person from whom acquired	Make, calibre and identity no.	No. and date of import licence	Quantity

DISPOSAL			
Date	Name and address of person to whom sold or supplied	Make, calibre and quantity sold or disposed of and identity no.	Balance in stock

TABLE 2 – AMMUNITION

(A separate folio to be used for each calibre of ammunition)

Calibre _____

ACQUISITION			
Date	Source (in case of import state country), and full name and address of firm or person from whom acquired	Make, type and quantity received	Number and date of import licence

DISPOSAL			
Date	Make, type and quantity sold	Name and address of person to whom sold	Balance in stock

TABLE 3 - REPAIRS, ALTERATIONS, STORAGE, TESTING, ETC.

1	2	3	4	5
Date	Full name and address of depositor	Reason for depositing	Make, type, calibre and identity markings of firearms or component part deposited	Quantity and calibre of ammunition deposited

6	7	8	9
Date removed	By whom removed (full name and address)	Firearms licence no. date and station of issue produced by person removing	Remarks

FORM 7

(regulation 6(3))

THE FIREARMS REGULATIONS

RETURN OF FIREARMS AND AMMUNITION PURCHASED, IMPORTED AND SOLD

[To be forwarded by licensed firearm's dealers to the licensing officer between the 1st and 7th of each month]

TABLE 1 - FIREARMS

Month of _____, 20_____.	.22 Rifles	12g Shotguns	.410 Shotguns	Other Shotguns
Stock in hand on _____ Purchased or imported * on _____ imported * on _____ imported * on _____				
Sold on _____ Sold on _____ Sold on _____				
Balance in stock on _____				

**Where imported also include import licence number.*

TABLE 2 - AMMUNITION

Month of _____, 20_____.	.22 Rifles	12g Shotguns	.410 Shotguns	Other Shotguns
Stock in hand on _____ Purchased or imported * on _____ imported * on _____ imported * on _____				
Sold on _____ Sold on _____ Sold on _____				
Balance in stock on _____				

**Where imported also record import licence number.*

FORM 8

(regulation 8)

THE FIREARMS REGULATIONS

FORM OF APPLICATION FOR A FIREARM IMPORT LICENCE

1. Name in full: _____

2. Address: _____

3. Place of business: _____

4. Description of firearms and ammunition desired to be imported –

   (a) Firearms – state make, type, calibre and quantity of firearms to be imported. _____

   (b) Ammunition – state make, type, calibre and quantity to be imported. _____

5. (a) State whether a licence has previously been held or applied for. If so, give dates of all previous applications. _____

   (b) Date and place of issue of any licence to import firearms and ammunition granted during last 12 months. _____

6. Details of firearms and ammunition possessed at date of this application. (State quantity, make, calibre, type, serial no. or other distinguishing mark, and exporter). If none, say NONE. _____ _____

7. Reasons for requiring the firearms and ammunition specified above: _____

DECLARATION

I hereby apply for a licence to import the firearms and ammunition specified above. I am the holder of a Firearm Dealer's Licence No. 1* I declare that the statements made above are true and complete in all respects.

*Delete if inapplicable.

Date: _____ Signature of Applicant: _____

For Official Use

This application was lodged at _____ (office) on (date) _____.

RECOMMENDED/NOT RECOMMENDED

Reasons for non-recommendation: _____

LICENCE - Approved/Not approved

Date: _____ Signature: _____
(Licensing Officer)

FORM 9

(regulation 9)

THE FIREARMS REGULATIONS

FIREARMS IMPORT LICENCE

LICENCE No.: _____

Full Name: _____

Address: _____
is hereby licensed to import into the Republic of Vanuatu firearms and ammunition of the number and description hereunder specified –

Quantity	Description	Calibre	Remarks
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

This licence shall continue in force until _____, 20_____ unless previously revoked or cancelled.

Date: _____ Signature: _____
(Licensing Officer)

T.R. No.: _____

FORM 10

(regulation 10)

THE FIREARMS REGULATIONS

REGISTER OF FIREARMS IMPORTERS

Name and place of business	Date application received	Date application approved/not approved	Date licence issued	Licence No.	T.R. No.	Date renewed

SCHEDULE 2

(regulation 14)

FEES

	Particulars	*Fees*
1.	Grant or renewal of firearm licence under section 9(2) of the Act.	VT3,000
2.	Variation of conditions in firearm licence under section 9(8) of the Act.	VT1,000
3.	Grant or renewal of firearm dealer's licence under section 11(3) of the Act.	VT30,000
4.	Grant or renewal of firearm import licence under section 14(3) of the Act.	VT500 per firearm
5.	Issue of replacement firearm licence under section 15 of the Act.	VT1,000
6.	Deposit of firearm in police armoury under section 37(1) of the Act.	VT1,000 per firearm