



Tuvalu

**ARMS AND AMMUNITION
REGULATIONS**

2008 Revised Edition

CAP. 20.04.1



Tuvalu

ARMS AND AMMUNITION REGULATIONS

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Tuvalu

ARMS AND AMMUNITION REGULATIONS

MADE UNDER SECTION 40 OF THE ARMS AND AMMUNITION ACT¹

1 Citation

These Regulations may be cited as the Arms and Ammunition Regulations.

2 Conditions of a licence to possess, use or carry arms and ammunition

Every licence to possess, use or carry an arm and ammunition shall be subject to the following conditions —

- (a) that the holder thereof shall not part with possession of such arm and ammunition except to a person lawfully entitled to possess the same;
- (b) that the holder thereof shall not have in his possession any ammunition in excess of the quantity specified in his licence;
- (c) that the holder thereof shall observe the provisions of the Act;
- (d) that the holder thereof shall obey all lawful orders of any police officer relating to such arm and ammunition and shall produce such arm and ammunition to any police officer on demand;
- (e) that such arm and ammunition shall not be used for any unlawful purpose.

3 Conditions of a licence to possess, use or carry an arm or ammunition in the case of a rifle or shot gun

Where the arm specified in a licence to possess, use and carry an arm and ammunition is a rifle or a shot gun, it shall be a condition of such licence that such rifle or shot gun shall be carried unloaded; and —

- (a) in the case of a rifle, with, if possible, the magazine and bolt removed, or otherwise with the magazine or bolt removed; or
- (b) in the case of a shot gun, either broken or in parts:

Provided that —

- (i) the provisions of this regulation shall not apply when such rifle or shot gun is being carried with the intention of discharging the same;
- (ii) the provisions of paragraph (a) or paragraph (b) shall not apply if compliance with such paragraph is impossible.

4 Disposal of deposited, detained or forfeited arms

(a)

- (i) Any arm or ammunition deposited for safe keeping at any police station in accordance with the provisions of section 28 (3), if not taken possession of by the lawful owner thereof within 12 months from the date of such deposit, shall be disposed of by the Commissioner of Police unless the Commissioner of Police has reason to believe that the lawful owner intends to take possession of such arm or ammunition;
- (ii) Any arm or ammunition detained under sections 22 and 26 which has to be disposed of shall be disposed of as the Commissioner of Police deems fit;
- (iii) In either of the above cases when the arm or ammunition is sold, the proceeds of such sale less expenses shall be paid to the owner of the arm or ammunition:

Provided that if the whereabouts of the owner cannot be ascertained the proceeds of such sale shall be paid into the Consolidated Fund;

- (iv) The Commissioner of Police, at least 1 month prior to such disposal, shall advertise, in such manner as he shall consider reasonable, his intention of disposing of such arm or ammunition, naming the owner thereof in the advertisement.
- (b) Any arm or ammunition forfeited under the provisions of the Act may be disposed of as directed by the Commissioner of Police;
 - (c) Where under this regulation arms and ammunition are directed to be disposed of, they shall, if a suitable purchaser is available, be sold.

5 Fees Schedule 1

The fees set out in Schedule 1 shall be paid in respect of the matters therein set out.

6 Forms Schedule 2

The forms set out in Schedule 2 are hereby prescribed for the purposes of the Act.

SCHEDULE 1

(Regulation 5)

Item	Fee \$
In respect of every application for a licence to possess, use and carry arms and ammunition (provided that if the application is granted, this fee shall be included in the licence fee)	20.00
On first issue of a licence	40.00
On renewal (including application)	40.00
For a licence to purchase or obtain a transfer of arms	20.00
For a licence to purchase or obtain a transfer of ammunition	10.00
For a licence to import or export arms and ammunition	100.00
For a licence to replace one destroyed defaced or lost	20.00
For transporting arms within Tuvalu under s.18	20.00
Provided that the fee to be charged for any annual licence which is issued between the 1st day of July and the 31st day of December of the same year shall be only half of the annual fee.	

SCHEDULE 2

(Regulation 6)

FORM 1

ARMS AND AMMUNITION ACT, CAP. 20.04

(Section 6 (1))

APPLICATION FOR LICENCE TO POSSESS, USE OR CARRY ARMS AND AMMUNITION (OR FOR RENEWAL THEREOF OR TRANSFER)

1. Name in full
2.
 - (a) Address
 - (b) Length of period resident at address
3. Age
4. Nationality
5. Occupation
6. Reason for requiring the arms and ammunition
7. Description of arms and ammunition for which licence required —
 - (i) Maker:
 - (ii) Description of arm:
 - (iii) Maker’s serial number (if known):
 - (iv) Calibre:
 - (v) Breech size or chamber specification:
 - (vi) Capacity and type of magazine (if any):
 - (vii) Description of action (if known):
8.
 - (a) Arms —
 - (i) Possessed at date of application
 - (ii) Desired to be purchased or acquired

(b) Ammunition —

	<i>Quantity</i>	<i>Calibre and Type</i>
(i) Possessed at date of application
(ii) Maximum amount desired to be purchased or acquired at any one time
(iii) Total amount desired to be purchased or acquired in one year
(iv) Maximum amount desired to be possessed at any one time

9.

- (a) Whether a licence or permit has previously been held, or applied for by applicant. If so, give dates of all previous applications
-
- (b) Date and place of issue of any licence or permit to possess arms or ammunition held during previous 12 months

DECLARATION

10. I hereby apply for a licence or renewal of any existing licence in respect of the arms and ammunition prescribed above, and I declare that the statements made above are true and complete in all respects.

Date Signature

NOTE

The fee must accompany this application if the application is for a licence to possess, use or carry arms and ammunition.

FOR USE BY POLICE

This application was lodged at Police Station on (date)
, and Revenue Receipt No

for was issued.

.....
Station Officer

FORM 2

ARMS AND AMMUNITION ACT, CAP. 20.04

(Section 4 (1))

LICENCE TO POSSESS, USE OR CARRY ARMS AND AMMUNITION

This licence authorises A B, of..... in Tuvalu to possess, use and carry the arms and ammunition specified and described more particularly in the Schedule on the reverse of this Licence until the 31st day of December next following the day on which this licence is issued and is subject to the conditions hereinafter set out. Any breach of the conditions may result in this licence being cancelled or suspended or in the holder being prosecuted.

CONDITIONS

- (a) that the holder thereof shall not part with possession of such arm and ammunition except to a person lawfully entitled to possess the same;
- (b) that the holder thereof shall not have in his possession any ammunition in excess of the quantity specified in his licence;
- (c) that the holder thereof shall observe the provisions of the Act;
- (d) that the holder thereof shall obey all lawful orders of any police officer relating to such arm and ammunition and shall produce such arm and ammunition to any such officer on demand;
- (e) that such arms and ammunition shall not be used for any unlawful purpose;
- (f) if the arm or arms specified above include a rifle or shot gun such rifle or shot gun shall be carried unloaded; and
 - (i) in the case of a rifle, with, if possible, the magazine and bolt removed, or otherwise with the magazine or bolt removed, or
 - (ii) in the case of a shot gun, either broken or in parts:

Provided that —

- (A) this condition shall not apply when such rifle or shot gun is being carried with the intention of discharging the same;
- (B) the provisions of paragraph (i) or paragraph (ii) of this condition shall not apply if compliance with this condition is impossible.

Issued thisday of....., 20....., at.....
and Revenue Receipt No.....dated.....was issued.

.....

(Rank)

NOTICE

Notwithstanding the fact that this licence is in force in relation to the above arms and ammunition it is an offence to carry arms and ammunition in a prohibited area unless exemption has been given. Full details of any prohibited area may be obtained at any police station and all licence holders are advised to discover the boundaries of such areas.

Reverse of Form 2

SCHEDULE

Maker of and maker's serial number (if known)	Calibre and description of arm including size, capacity and type of magazine (if known)	Type of action of arm	Identification No. of arm	Breech size or chamber specification of arm	Calibre and Type of ammunition

FORM 3

ARMS AND AMMUNITION ACT, CAP. 20.04

(Section 11 (5))

LICENCE TO PURCHASE OR OBTAIN ON TRANSFER ARMS AND AMMUNITION

A B. of, is hereby licensed to purchase (obtain on transfer from XY), the arms and ammunition described hereunder within 1 month of the date hereof.

(Here specify the number and description of arms and rounds of ammunition)

Issued thisday of....., 20....., at.....

FEE PAID:

Arms:

Ammunition:

.....

Commissioner of Police

FORM 4

ARMS AND AMMUNITION ACT, CAP. 20.04

(Section 12 (2))

LICENCE TO IMPORT ARMS AND AMMUNITION

A B, ofin Tuvalu is hereby licensed to import the arms and ammunition specified hereunder, within *(here specify the period)* from the date hereof.

(Here specify the number and description of the arms and rounds of ammunition it is intended to import)

Issued thisday of....., 20....., at.....

FEE PAID:

.....

Commissioner of Police

FORM 5

ARMS AND AMMUNITION ACT, CAP. 20.04

(Section 12 (4))

INTERIM LICENCE TO IMPORT ARMS AND AMMUNITION

A B,of in Tuvalu is hereby licensed to import the arms and ammunition specified hereunder.

(Here specify the number and description of the arms and rounds of ammunition it is intended to import)

This licence shall remain in force in the first instance for a period of 14 days from the date of issue. If this licence is held by a theatrical or circus company it remains in force until the arms and ammunition are re-exported but the arms and ammunition and this licence must be produced to the police officer in charge of each of the police districts in which such companies perform for endorsement by this officer.

Issued thisday of....., 20....., at.....

.....

Commissioner of Police

FORM 6

ARMS AND AMMUNITION ACT, CAP. 20.04

(Section 14 (2))

LICENCE TO EXPORT ARMS AND AMMUNITION

A B, ofin Tuvalu is hereby licensed to export from Tuvalu to the arms and ammunition specified hereunder, within *(here specify the period)* from the date hereof.

(Here specify the number and description of the arms and rounds of ammunition it is intended to export)

Issued thisday of....., 20....., at.....

FEE PAID:

.....

Commissioner of Police

ENDNOTES

¹ LN 5/1964, LN 18/1979