

BILL

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dated 8th July, 2021

THE ARMS AND AMMUNITION ACT, 2021

ARRANGEMENT OF SECTIONS

PART I—PRELIMINARY

Section

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MEMORANDUM OF OBJECTS AND REASONS

The purpose of this Bill is to provide for the continuation of the Arms and ammunition Act, to provide for safe and effective management, storage and security of all stocks of arms, ammunitions and other related materials; and to provide for other related matters.

Part I - makes provision for the interpretation and definition of words used throughout the Bill.

Part II -provides that the Commissioner of the National Commission on Arms appointed under section 3 of the National Commission on Arms Act, 2021 shall be responsible for the regulation and implementation of this Act and provides that the Minister may by statutory instrument prescribe rules and procedures for the storage and destruction of arms.

Part III - Miscellaneous provisions contains provisions dealing with enforcement and penalties, regulations, repeal and savings.

MADE this *1st day of June*, 2021.

DAVID PANDA–NOAH
Minister of Internal Affairs.

FREETOWN,
SIERRA LEONE

No.



2021

A BILL ENTITLED

Short title.

The Arms and Ammunition Act, 2021

Being an Act to repeal and replace the Arms and Ammunition Act, 2012 (Act No. 9 of 2012); to provide for the safe and effective management, storage and security of arms stockpiles, ammunitions and other related materials 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;

"arms" include conventional arms such as battle tanks, armoured combat vehicles, large calibre artillery systems, combat aircraft, attack helicopters, warships, missiles and missile launchers, their ammunition and other related materials;

"Economic Community of West African States" means the regional political and economic union of West Africa, established on 28 May 1975, to promote economic integration across the region;

"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;

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

"National Arms Register" means the National Arms Register referred to in section 16 of the National Commission on Arms Act, 2021;

"other related materials" means all components, parts or spare parts for arms 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 Arms referred to in section 17 of the National Commission on Arms Act, 2021;

"transfer" includes import, export, transit, transshipment and transport or any other movement whatsoever of arms, ammunition and other related materials from, to or through Sierra Leone.

2 This Act shall not apply to arms intended for use by the Government of Sierra Leone or which are required for any purpose which may be specified by order of the President. Non application

PART II – REGULATION AND MANAGEMENT OF ARMS

3. (1) The Commissioner, Sierra Leone National Commission on Arms appointed under section 3 of the National Commission on Arms Act, 2021 shall be responsible for - Commissioner responsible for regulating and managing arms.

(a) regulating the transfer, manufacture, sale, possession and use of arms from, to or through Sierra Leone;

(b) providing safe and effective management, storage and security of arms stockpiles, ammunitions and other related materials.

(2) Notwithstanding the generality of subsection (1), the Commissioner shall be responsible for -

- (a) inventory management and registration of all stocks of arms, ammunitions and other related materials;
- (b) ensuring physical security measures of storage facilities and stockpiles;
- (c) staff training;
- (d) maintaining security during manufacture and transportation;
- (e) imposing sanctions for theft or loss of arms, ammunitions and other related materials.

(3) The Minister shall, subject to the recommendation of the Commission, by statutory instrument, establish effective standards and procedures for management, storage and security of stockpiles.

Collection and destruction_ of arms.

4. (1) The Registrar shall register, securely store and destroy
- (a) surplus and obsolete arms;
 - (b) seized arms;
 - (c) unmarked arms;
 - (d) illicitly held arms; and
 - (e) arms collected in the implementation of peace accords or programmes for the voluntary handing in of weapons.

(2) The Minister may, by statutory instrument, prescribe rules and procedures for the storage and destruction of arms under subsection (1).

PART III—MISCELLANEOUS

5. (1) The Commissioner shall have such powers as may be necessary to enforce the provisions of this Act, including the power to - Enforcement and penalty.

- (a) inspect premises, vehicle or place in which he believes arms prohibited under this Act may be found;
- (b) seize, confiscate, collect or destroy arms prohibited under this Act.

(2) A person who contravenes this Act commits an offence and shall be liable on conviction to a fine of not less than Le 5,000,000/- or to a term of imprisonment of not less than 12 months.

(3) A person who conspires to or knowing or wilfully attempt, aids, abets, counsels, procures or commands the commission of an offence under this Act, commits an offence and shall be liable on conviction to a fine or term of imprisonment as a principal offender

6. The Minister may by statutory instrument, after consultation with the Commission make regulation as he considers necessary or expedient for giving effect to this Act. Regulations.

7. (1) The Arms and Ammunition Act, 2012 (Act No. 9 of 2012) is hereby repealed. Repeal and saving.

(2) Notwithstanding subsection (1) any rules or other statutory instrument made under the Act repealed, in force immediately before the commencement of this Act, shall continue to be in force until revoked.