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National Resistance Army Statute, 1992

Art. 108 In this Statute unless the context otherwise requires –

“war materials” includes arms, ammunition, parts of arms, explosives and other materials ordinarily reserved for the Army and shall include such other materials that are so declared by the Army Council.

Strengthening small arms controls:

**An audit of small arms control legislation in the Great Lakes region
and the Horn of Africa**

UGANDA

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Foreword

THE PROLIFERATION OF SMALL ARMS AND LIGHT WEAPONS is one of the greatest humanitarian challenges. To address it a united and holistic approach is required from governments and civil society. Such an approach is embodied in the 'Nairobi Declaration on the Problem of the Proliferation of Illicit Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa' which was signed in March 2000. Since then progress towards implementing the Declaration has been made and while slower than desired a degree of momentum is now building.

The Nairobi Secretariat, the regional co-ordination body for small arms in the Great Lakes region and the Horn of Africa has been significantly enhanced in 2003. Most signatories to the Nairobi Declaration have established national co-ordination agencies, known as National Focal Points, and other significant progress has been made at the national level in Kenya, Tanzania and Uganda towards the establishment and implementation of National Action Plans for Arms Management and Disarmament.

Many studies of trafficking of small arms for crime or to support conflict show a variety of ways in which legal small arms can be diverted for illegal purposes if there are inadequate legislative controls. International co-operation, the establishment of effective tracing systems and the enforcement of arms embargoes are essential to reduce and combat the illicit trafficking and misuse of small arms.

Strengthening and harmonising legislation on these issues and others is one of the key tasks that states in the sub-region have committed to address in the Nairobi Declaration and other international small arms agreements. A 'Protocol for the Prevention, Control and Reduction of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa' has been developed by the Eastern Africa Police Chiefs Co-operation Committee and was signed by Chiefs of Police in Tanzania in December 2003. It is important that this is now effectively implemented. This will necessitate national and regional reviews of legislation in order to ensure that there are effective common standards of control on small arms in operation across the region.

This comprehensive and accessible study by Saferworld and SaferAfrica will significantly aid states as they address the issue of legislative controls. At the national level the detailed country tables will assist national governments in identifying areas of weakness that must be addressed and existing best practice. While at the regional level, the regional overview and comparative analysis will aid governments to regionally harmonise their national legislation and to develop rigorous and effective minimum standards of control.

Some states have already begun to examine where and how their small arms legislation must be amended while for others this challenge still remains to be tackled. For all countries, however, this report will provide a valuable point of reference for fine-tuning proposed amendments or as a starting point from which to embark on a process of review.

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Co-ordinator

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Introduction

THIS COUNTRY STUDY ON UGANDA forms one chapter of a comprehensive study on small arms legislation in the Great Lakes region (GLR) and Horn of Africa (HoA), conducted by Saferworld and SaferAfrica. The report builds on the methodology developed in a similar study conducted on small arms legislation in Southern Africa by Saferworld and SaferAfrica entitled *The Law of the Gun: An Audit of Firearms Control Legislation in the SADC Region*, published in June 2003. This study is intended as a reference document to assist law-makers and others involved in reviewing national small arms legislation.

The full study contains an introductory chapter providing a regional overview of the small arms legislation in nine countries of the GLR and HoA. Each of the following chapters covers one of these nine countries – Burundi, Djibouti, Eritrea, Kenya, Rwanda, Seychelles, Sudan, Tanzania and Uganda.¹ These country chapters should be read alongside the regional, introductory chapter which identifies examples of best practice in the region and certain issues which states should consider when reviewing their national legislation. Each of these country chapters contains two sections – a national overview of existing legislation and a table containing a break down of the legislation. The analysis is broken down into analytical categories and indicates how far the national legislation meets, or falls short of (the level of conformity to), the commitments contained in key regional and international small arms agreements for the states of the GLR and HoA.

The analytical categories are:

- Definitions
- Controls on civilian possession and use
- Record keeping and marking
- Import, export and transit
- Brokering
- Manufacture
- Trade
- Seizure, disposal and enforcement
- Arms embargoes
- State-owned small arms
- Penalties (treated as a separate category in the national overview only)

¹ To date it has not been possible to complete research in the Democratic Republic of Congo (DRC), Ethiopia and Somalia.

The key regional and international small arms agreements are:

- ‘Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organised Crime’ (‘UN Firearms Protocol’);
- ‘United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects’ (‘UN Programme of Action’);
- ‘Bamako Declaration on an African Position on the Illicit Proliferation, Circulation and Trafficking of Small Arms and Light Weapons’ (‘Bamako Declaration’);
- ‘Nairobi Declaration on the Problem of the Proliferation of Illicit Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa’ (‘Nairobi Declaration’);
- ‘Co-ordinated Agenda for Action on the Problem of the Proliferation of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa’ (‘Co-ordinated Agenda for Action’);
- ‘Implementation Plan of the Co-ordinated Agenda for Action on the Problem of the Proliferation of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa’ (‘Implementation Plan’);
- ‘Protocol for the Prevention, Control and Reduction of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa’ (‘Protocol for the GLR and HoA’).

Comment on conformity

Throughout this report, where we talk of ‘conformity’, ‘commitments’, ‘requirements’ or similar terms, we do so with regard to the importance of fully implementing the provisions of these agreements and the need to ratify them and hasten their entry into force. By noting the ‘conformity’ or otherwise of existing national legislation we are not indicating a legal commitment to the UN Firearms Protocol or Protocol for the GLR and HoA, before these are ratified and have entered into force. Full conformity with the provisions of these regional and international agreements is, nonetheless, important in laying the foundations for the effective control of small arms across the GLR and HoA.

The reader should also note, however, that while the regional and international agreements are very important guides to the action that states must take with regard to the review of legislation, in many areas they require a great deal of detailed elaboration to ensure the implementation of a truly effective legal control regime. Where we provide an overview of each country’s small arms legislation and note some of the key absences, these absences refer solely to those instances where the legislation falls short of the requirements of the regional and international agreements. Indeed, where we talk of full conformity to certain provisions, this does not necessarily indicate that the provisions are adequate to ensure that a strong legal control regime, free of any loopholes, exists.²

² The comment that we make on conformity also refers solely to the acts that we have been able to obtain and have included in the tabular analysis. The reader should be aware that other pieces of legislation may exist which contain provisions meeting the requirements of the regional and international agreements.

Scope of the study

The scope of this study is limited to the legal controls that are laid out in the primary piece of national legislation on small arms control, usually the firearms or arms and ammunition act. Provisions relating to the control of small arms are also likely to be contained in some other pieces of legislation. For instance, controls relating to the use of small arms by police officers may be contained in a police act or statute. In some cases, where information has been readily available, this study has included some of these other laws. However, this study has focused on the primary act relating to small arms control in each country. The primary reason for this is that those people responsible for small arms control in the governments of the region, whom we contacted for assistance in collecting the relevant legislation, were in most cases able to provide only the primary piece of small arms legislation. This in itself illustrates the importance of undertaking legislative review in order to draw all the national legislation pertaining to small arms together in one Act, of which all relevant actors are aware.

This study has also been limited to the legislation itself and does not touch on the *de facto* practice of small arms control; how the laws are actually implemented or issues concerning the capacity to enforce legal controls. The existence of legislative controls does not necessarily mean that an effective control system is being enforced. Conversely, the absence of sufficient legal controls does not necessarily preclude the operation of an effective control regime on the ground. Neither of these two scenarios is, however, desirable. Effective small arms legislation *and* effective controls on the ground should be the objective of all states.

Uganda

Overview of existing legislation and conformity to regional and international agreements

Definitions

THE PRIMARY PIECE OF NATIONAL LEGISLATION ON SMALL ARMS CONTROL IN UGANDA is the Firearm Act 1970. Controls on small arms are also contained in the National Resistance Army Statute 1992, the Police Statute 1994, the Control of Private Security Organisations Regulations 1997 and the Amnesty Act 2000, which are also considered here.

The definitions contained in the Firearms Act 1970, the Control of Private Security Organisations Regulations 1997, the Police Act 1994 and the National Resistance Army Statute 1992, categorising arms and consequently determining the controls that are applicable to different classes of arms, are very limited. The primary piece of legislation, the Firearms Act 1970, appears to contain no definitions, seriously undermining the enacting of the regional and international agreements. Whilst a definition of 'war materials' is included in the National Resistance Army Statute, this is not sufficient to provide for the prohibition of the civilian possession and use of light weapons, as called for the Protocol for the GLR and HoA. Any review of the national small arms control legislation should give careful consideration to this lack of definitions and take into account those definitions contained in the regional and international agreements.

Controls on civilian possession and use

The national legislation conforms to most of the provisions of the regional and international agreements:

- Licences are required for the purchase and possession of small arms and ammunition.
- Private security organisations must obtain authorisation for the possession of small arms and ammunition.
- The possession of certain categories of small arms is prohibited.
- Applicants for small arms licences must meet a number of set criteria, including competence to use small arms and being of 'sound mind and temperate habits'.
- It is an offence to act in a drunk or disorderly manner while carrying small arms and to use a small arm to resist arrest, threaten another person or cause public alarm. There are also restrictions and controls on the circumstances under which private security organisations may use small arms.
- Small arms must be stored safely and securely.
- There are restrictions on the relinquishing of small arms – small arms can only be sold or transferred to registered small arms dealers or authorised licence holders.
- The pawning and pledging of small arms is prohibited.

However, fundamental absences include:

- No competency testing or age restriction for licence applicants.

- No restriction on the number of small arms that may be licensed to any one civilian.
 - No total prohibition on the civilian possession and use of all light weapons and automatic and semi-automatic rifles and machine guns.
 - No specific provisions detailing what safe storage of small arms should entail.
- Record keeping and marking**
- The national legislation conforms to some of the provisions of the regional and international agreements:
- Small arms licences will not be issued for unmarked small arms.
 - Registers of small arms certificates holders and of small arms dealers and gunsmiths are required and small arms dealers must also maintain a record of all transactions.
 - Private security organisations must submit quarterly reports on their operations, maintain a small arms register and submit accounts to the Inspector General of Police.
- However, fundamental absences include:
- No requirement for the centralised registration of all civilian owned small arms.
 - No requirement for the keeping of records on the import, export and transit of small arms.
 - No requirement that records be maintained for not less than ten years.
 - No system or requirements for the marking of small arms at the time of manufacture, import or export.
 - No specification of the information that markings should contain or of where on the small arms markings should be placed.
 - No provisions making it an offence to alter, falsify or remove markings.
- Import, export and transit**
- The national legislation conforms to some of the provisions of the regional and international agreements:
- Import, export and transit permits are required for the international transfer of small arms.
 - The import or export of prohibited small arms is forbidden.
- However, fundamental absences include:
- No details on the specific information to be included on import and export licences.
 - No requirement for the use of end-user certificates.
 - No system or requirement for the standardised marking of small arms at the time of import.
 - No requirement for the keeping of records on the import, export and transit of small arms.
- Brokering**
- There are no controls over brokering.
- Manufacture**
- The manufacture of small arms and ammunition is prohibited and subject to life imprisonment.
- Trade**
- The national legislation conforms to most of the provisions of the regional and international agreements:
- Small arms dealers must register with the chief licensing officer before trading in small arms and ammunition. They must be deemed competent to carry on the business of a small arms dealer and to respect public peace and safety.
 - Small arms dealers must maintain a record of transactions.
 - The premises used by small arms dealers must also be registered and a suitable enclosed store with one means of entry and two different locks must be provided.
 - Small arms dealers may only sell or transfer small arms to other registered dealers or to persons possessing a valid small arms licence.

- The pawning and pledging of small arms is prohibited.
 - However, fundamental absences include:
 - No requirement that records be maintained for not less than ten years.
- Seizure, disposal and enforcement**
- The national legislation conforms to most of the provisions of the regional and international agreements:
- Small arms possessed without a licence or authorisation must be forfeited to the state.
 - The disposal of forfeited small arms is provided for.
 - Arms surrendered under the Amnesty Act 2000 are to be handed to the Sub-County Chief of the area.
 - Police officers have the power to seize and detain any person, small arm or ammunition if they have reasonable cause to suspect that the provisions of the Firearms Act are being breached.
 - Provisions exist allowing for the verification of small arms licences and their corresponding small arms, as do provisions for the monitoring of import permits and the activities and permits of small arms dealers.
- However, fundamental absences include:
- No controls relating to the re-activation of de-activated small arms.
- Arms embargoes**
- There are no controls relating to the enforcement of arms embargoes.
- State-owned small arms**
- The Firearms Act 1970, the Police Statute 1994 and the National Resistance Army Statute 1992 contain some limited controls over state-owned small arms.
- There are restrictions on the circumstances under which police officers may resort to the use of small arms.
 - Those in possession of arms ordinarily belonging to the Armed Forces are subject to military law and are to be sentenced to death for the misuse of war materials or for failure to protect war materials.
- There are however significant absences in terms of controls over state-owned small arms, which include:
- No requirement for the establishment and maintenance of complete national inventories of small arms owned by the security forces and other state bodies.
 - No requirement for strict national accountability in relation to all small arms owned and distributed by the state.
 - No provisions relating to the management, security and review of state-held stocks.
 - No provision for the marking of small arms which are transferred from government stocks to civilian use.
 - No programmes for the collection, safe-storage, destruction and responsible disposal of weapons rendered surplus, redundant or obsolete.
- Penalties**
- Penalties for the contravention of the Firearms Act 1970 range from imprisonment for a term not exceeding six months or a fine not exceeding twenty thousand shillings for various offences including the purchase of ammunition without a permit and the pawning or pledging of small arms, to life imprisonment for the manufacture of small arms or for the import or export of small arms which are prohibited or for which a permit has not been obtained. Whilst the terms of imprisonment appear reasonably severe, the fines have not been reviewed since 1970 and are therefore in need of revision in line with inflation. Under the National Resistance Army Statute 1992, those persons subject to military law, that is those found in possession of small arms, ammunition, equipment and other prescribed classified stores ordinarily being the monopoly of the

Army, are liable to a sentence of death for the misuse of war materials or the failure to protect war materials.

How to use the tables

Each table provides a detailed overview of the legislative controls contained in the primary piece of small arms legislation in a country. Where available other regulations, acts and statutes have been referenced.

Column one – analytical category

The first column of the table contains the analytical categories. The table is broken down into ten main analytical categories which are then divided into sub-categories and where appropriate further levels of sub-category(s).

For instance: main category ‘Controls on civilian possession and use’; first sub-category ‘Restrictions and conditions for civilian possession’; second sub-category ‘Personal suitability to possess arms’; third sub-category ‘Age restrictions’.

When using the table the reader should first reference the analytical category and any sub-categories as this dictates the content of columns two, three and four; ‘Regional and international agreements’, ‘National legislation’ and ‘Conformity’, respectively.

Column two – regional and international agreements

The second column provides information on the requirements of the regional and international agreements. Here the information included is a summary of the requirements from each agreement relating to a specific category and sub-category(s). The name of the agreement and the article or section which contains the requirement(s) is included. The reader should cross-reference this summary with the full text of the article or section which appears in the ‘Regional and international agreements’ table in the regional and national overview section of this report. For each article or section referenced the summary includes only information from that article that is directly relevant to the analytical category under consideration. Where the requirements of two or more agreements are similar or identical a summary may be included that refers to more than one agreement. Where no summary is provided for a particular category or sub-category(s) this indicates that there are no relevant requirements in any of the regional and international agreements.

Column three – national legislation

The third column reproduces the exact wording of the national legislation that contains controls relevant to the category and sub-category(s) under consideration. The act and article are referenced. In some cases only part of an article may be reproduced where other parts of the article are not directly relevant to the analytical category under consideration. Where no text is reproduced no relevant controls are contained within the legislation being analysed.

The reader should be aware that any grammatical and typographical errors that may appear in the text of the national legislation are those present in the copies of the legislation obtained by the researchers. In some cases the difficulty in deciphering the legislation caused by such errors is in itself a factor that demands the review and amendment of the legislation.

The text of the Burundi, Djibouti and Rwanda legislation has had to be translated from the original French. There is therefore a risk that mistakes and misinterpretations

may have inadvertently occurred. However, our analysis of the legislation has been checked with government experts from each country, so any misinterpretations should not be substantive.

Column four – conformity

The fourth and final column provides a comment on the level of conformity³ of the national legislation (in column three) to the requirements of the regional and international agreements (in column two) for the specific analytical category in question (in column one). A brief outline of how the legislation conforms and does not conform follows this comment on conformity. Comments have only been made for the analytical categories for which there are requirements under the regional and international agreements.

Four levels of conformity have been identified and standard language developed:

- **Level one – language used** ‘The national legislation fully conforms to the regional and international agreements’. The requirements of the regional and international agreements for this category and sub-category(s) are met in full.
- **Level two – language used** ‘The national legislation broadly conforms to the regional and international agreements but falls short in a few key areas’. Here the majority of the requirements of the regional and international agreements are met by the national legislation but a small number are absent (possibly only one).
- **Level three – language used** ‘The national legislation conforms in part to the regional and international agreements. Provisions exist in some areas but a number of gaps are evident’. A few (possibly only one) of the requirements of the regional and international agreements will be present but most are not. The existing legislation falls considerably short of full conformity.
- **Level four – language used** ‘The national legislation does not conform to the regional and international agreements’. No provisions relevant to the requirements of the regional and international agreements are present. The reader should note that for a particular analytical category the requirements of the regional and international agreements may only cover some part of that category. Consequently, provisions within the national legislation for the analytical category under consideration may exist, and are thus reproduced in column three, yet these provisions may in no way meet the specific requirements of the regional and international agreement in this area. Hence a comment indicating no conformity will be used despite some provisions within the particular analytical category being present in the national legislation.

³ Please refer to the explanation contained under ‘Use of terms’ in the regional and national overview section of this report.

Definitions in Uganda's small arms legislation⁴

Analytical category	Nairobi Declaration	Protocol for the GLR and HoA	UN Firearms Protocol	National Legislation
Firearms		<p>Article 1</p> <p>"firearms", means</p> <p>(a) any portable barreled weapon that expels, is designed to expel or may be readily converted to expel a shot, bullet or projectile by the action of an explosive, excluding antique firearms or their replicas. Antique firearms and their replicas shall be defined in accordance with domestic law. In no case, however, shall antique firearms include firearms manufactured after 1899;</p> <p>(b) any other weapon or destructive device such as an explosive bomb, incendiary bomb or gas bomb, grenade, rocket launcher, missile, missile system or mine</p>	<p>Article 3</p> <p>(a) "Firearm" shall mean any portable barrelled weapon that expels, is designed to expel or may be readily converted to expel a shot, bullet or projectile by the action of an explosive, excluding antique firearms or their replicas. Antique firearms and their replicas shall be defined in accordance with domestic law. In no case, however, shall antique firearms include firearms manufactured after 1899;</p>	<p>The Control of Private Security Organisations Regulations, 1997</p> <p>Art. 2</p> <p>"authorised firearms" means firearms which are set out in Schedule III of these regulations for use by private security organisations or which may be approved by the Inspector General in writing;</p>
Ammunition		<p>Article 1</p> <p>"ammunition" means the complete round or its components, including cartridge cases, primers, propellant powder, bullets or projectiles, that are used in a small arm or light weapon, provided that those components are themselves subject to authorisation in the respective State Party;</p>	<p>Article 3</p> <p>(c) "Ammunition" shall mean the complete round or its components, including cartridge cases, primers, propellant powder, bullets or projectiles, that are used in a firearm, provided that those components are themselves subject to authorization in the respective State Party;</p>	
Light Weapons/Arms of War		<p>Article 1</p> <p>"light weapons" shall include the following portable weapons designed for use by several persons as a crew: heavy machine guns, automatic canons, howitzers, mortars of less than 100 mm calibre, grenade launchers, anti-tank weapons and launchers, recoilless guns, shoulder-fired rockets, anti-tank weapons and launchers, and air defense weapons.</p>		<p>National Resistance Army Statute, 1992</p> <p>Art. 108 In this Statute unless the context otherwise requires –</p> <p>"war materials" includes arms, ammunition, parts of arms, explosives and other materials ordinarily reserved for the Army and shall include such other materials that are so declared by the Army Council.</p>
Small Arms		<p>Article 1</p> <p>"small arms" are weapons designed for personal use and shall include: light machine guns, sub-machine guns, including machine pistols, fully automatic rifles and assault rifles, and semi-automatic rifles.</p>		

⁴ Please refer to the explanation contained under 'Use of terms' in the regional and national overview section of this report.

Definitions *continued*

Analytical category	Nairobi Declaration	Protocol for the GLR and HoA	UN Firearms Protocol	National Legislation
		"small arms" shall also include: – "firearms", "ammunition" and "other related materials".		
Other Related Materials/Parts and Components		Article 1 "other related materials" means any components, parts or replacement parts of a small arm or light weapon, that are essential to its operation.	Article 3 (b) "Parts and components" shall mean any element or replacement element specifically designed for a firearm and essential to its operation, including a barrel, frame or receiver, slide or cylinder, bolt or breech block, and any device designed or adapted to diminish the sound caused by firing a firearm;	

Breakdown of Uganda's small arms legislation⁵

Controls on civilian possession and use⁶

Licensing

Analytical category	International and regional agreements	Current national legislative controls	Conformity
Description of licensing process – how small arms licence is obtained	<p>Nairobi Declaration Art. iv and Implementation Plan Art. 3.1, 3.2.1, 3.3</p> <p>Require laws, regulations, standards and prohibitions governing the civilian possession of small arms and light weapons, including home made weapons.</p> <p>Protocol for the GLR and HoA Art. 3</p> <p>(a) Requires the establishment as criminal offences the</p> <p>(iii) illicit possession and misuse of small arms and light weapons</p> <p>(c) (i) Requires the prohibition of unrestricted civilian possession of small arms</p> <p>Bamako Declaration Art. 3 A (iii)</p> <p>Recommends establishing as a criminal offence the illegal possession of small arms and light weapons.</p> <p>UN Programme of Action II Art. 3</p> <p>Recommends establishing as a criminal offence the illegal possession of small arms and light weapons.</p>	<p>Firearms Act 1970</p> <p>Part I</p> <p>Art. 1</p> <p>(3) For the purpose of this Act every police commander of a district shall be a licensing officer for that district.</p> <p>Art. 2</p> <p>(1) Subject to the provisions of this Act, no person shall purchase, acquire or have in his possession any firearm or ammunition unless, in respect of each such firearm, holds a valid firearm certificate.</p> <p>(3) Notwithstanding the provisions of sub-section ??? of this section, no person shall purchase or acquire any ammunition unless he is in possession of a permit in the prescribed form issued by a licensing officer.</p> <p>Art. 3</p> <p>(1) A firearm certificate shall entitle the holder purchase, acquire, have in his possession or use the firearm and ammunition therein described.</p> <p>(3) An application for the issue of a firearm certificate shall be made in the prescribed form to the chief licensing officer and shall contain the prescribed particulars.</p> <p>The Control of Private Security Organisations Regulations, 1997</p> <p>Art. 4</p> <p>(1) By virtue of the powers entrusted to the Minister under section 73 of the Police Statute, the Inspector General of Police is hereby delegated powers to licence, supervise and regulate the activities of private security organisations in Uganda.</p>	<p>The national legislation fully conforms to the regional and international agreements.</p> <p>A small arm licence is required to possess a small arm and a permit required to acquire ammunition.</p>

⁵ Please refer to the explanation contained under 'Use of terms' in the regional and national overview section of this report.

⁶ Provisions contained within The Control of Private Security Organisations Regulations, 1997 relating to the registration of private security organisations and their use of firearms have been included under controls on civilian possession and use as they are privately, civilian operated organisations even though, as Article 12 of the Regulations states below, they are deployed as a complementary force to assist the national Police Force. Article 12 states: "The constitutional responsibility for life and property is vested in the Uganda Police Force under the command of the Inspector General and therefore all private security organisations shall be deployed as part of the complementary force to assist the national Police Force in protecting life and property in Uganda".

Controls on civilian possession and use: *Licensing* continued

Analytical category	International and regional agreements	Current national legislative controls	Conformity
		<p>(2) Any licence or authorisation issued by the Inspector General in pursuance of regulation 4 (1) above shall be notified to the Minister.</p> <p>Art. 8</p> <p>(1) a private security organisation may on application, be authorised to use the following categories of security equipment for which the relevant operators licence shall first be obtained –</p> <p>(i) firearms and ammunition set out in Schedule III</p> <p>Art. 16</p> <p>The provisions relating to firearms in these regulations shall apply in conformity with the provisions of the Firearms Act.</p> <p>Art. 25</p> <p>Any application for the purchase of scheduled arms and ammunitions within and outside Uganda shall be subject to the existence an approved operator's licence issued by the Inspector General of Police.</p>	

Controls on civilian possession and use: *Restrictions and conditions*

Analytical category	International and regional agreements	Current national legislative controls	Conformity
Personal suitability to possess arms ■ General conditions		<p>Firearms Act 1970 Part II Art. 3</p> <p>(4) The chief licensing officer may, in his discretion, refuse to issue a firearm certificate without assigning any reason for such refusal and in any case, he shall refuse to issue a firearms certificate unless he is satisfied that the person applying for the firearm certificate,</p> <p>(a) is not prohibited by any provision of this act from purchasing, acquiring or having in his possession a firearm or ammunition;</p> <p>(b) has reasonable cause to purchase, acquire or have in his possession a firearm or ammunition;</p> <p>(c) is competent to use a firearm of the kind in respect of which the application is made;</p> <p>(e) is of sound mind and of temperate habits;</p> <p>(f) will take all proper steps to ensure the safe application is made and will install a minimum safety to the satisfaction of the police officer in charge of the area in which he resides;</p> <p>(g) is in all other respects a fit and proper person to purchase, acquire or have in his possession</p> <p>The Control of Private Security Organisations Regulations, 1997 Art. 6</p> <p>(1) Before any private security organisation is registered and licensed to carry out approved security services, the following requirements shall be submitted to the Inspector General –</p> <p>(ii) where the organisation intends to use firearms, the source of such arms must be disclosed;</p> <p>(iii) a declaration to construct appropriate storage for arms and ammunition where applicable;</p> <p>(iv) acceptance that fingerprinting and vetting of all the operational employees of the organisation shall be carried out by the Inspector General.</p>	
■ Age restrictions		<p>Firearms Act 1970 Part II Art. 3</p> <p>(4) The chief licensing officer may, in his discretion, refuse to issue a firearm certificate without assigning any reason for such refusal and in any case, he shall refuse to issue a firearms certificate unless he is satisfied that the person applying for the firearm certificate,</p> <p>(d) has attained the age of twenty-five years;</p>	

Controls on civilian possession and use: *Restrictions and conditions* continued

Analytical category	International and regional agreements	Current national legislative controls	Conformity
<ul style="list-style-type: none"> ■ Competency test 	<p>Protocol for the GLR and HoA Art. 3 (c) (viii) Requires provisions for the competency testing of prospective small arms owners.</p>	<p>The Control of Private Security Organisations Regulations, 1997 Art. 10 Private security organisations which are licensed to use firearms shall ensure that all their personnel legible to use firearms are properly trained and instructed on the use of the firearms supplied.</p> <p>Art. 30 All employees of a private security organisation who are detailed to use arms shall be adequately trained for the purpose and the Inspector General of Police shall be responsible for the standardisation of the training procedures in the use of arms.</p>	<p>The national legislation does not conform to the Protocol for the GLR and HoA.</p> <p>Employees of private security organisations must be trained in the use of small arms, but the national legislation contains no provisions for the competency testing of prospective small arms owners.</p>
Quantity of weapons	<p>Protocol for the GLR and HoA Art. 3 (c) (ix) Requires a restriction on the number of small arms that may be owned.</p>		<p>The national legislation does not conform to the Protocol for the GLR and HoA.</p>
<ul style="list-style-type: none"> ■ Licensing required for each arm possessed 			
Quantity of ammunition		<p>Firearms Act 1970 Part II Art. 3 (8) A firearm certificate issued under the provisions of this section. (c) shall specify. (iii) if it is in relation to ammunition, the quantity and type authorised to be purchased and to be held at any one time;</p>	
Type of weapon	<p>Protocol for the GLR and HoA Art. 3 (c) (ii) and Art. 5 (b) (iii) Requires the total prohibition of the civilian possession and use of all light weapons and automatic and semi-automatic rifles and machine guns.</p>	<p>Firearms Act 1970 Part II Art. 3 (5) A firearm certificate in respect of a weapon to be used for sporting purposes shall be subject to the holder obtaining, (a) in the case of a shotgun or 22 rifle, a bird licence; and (b) in the case of any other rifle or combined rifle/shotgun, a game licence. (6) the licences referred to in subsection (5) of this section shall be obtained within three months from the date of the issue of the firearm certificate and if no such licences are obtained within that period, the firearm certificate shall cease to have any validity.</p> <p>Part III Art. 24 (1) It shall not be lawful for any person, other than a person in the service of the Government in his capacity as such, or a person authorised on that behalf by the Minister, to sell, transfer, purchase, acquire, or have in his possession, (a) any firearm which is so designed or adapted that, if pressure is applied to the trigger, missiles continue to be discharged until pressure is removed from the trigger or until the magazine containing the missiles is empty; or (b) any firearm possessing a mechanism which ejects the expended cartridge and reloads the firearm by manual action other than the pressing and releasing of the trigger; or (c) any weapon of whatever description designed or adapted for the discharge of any noxious liquid, gas, or similar thing dangerous to human beings; or (d) any ammunition containing, or designed or adapted to contain any such noxious thing; or (e) any firearm or ammunition specified, or any firearm or ammunition of a class or type specified by the Minister by statutory instrument.</p>	<p>The national legislation conforms in part to the Protocol for the GLR and HoA. Provisions exist in some areas but a number of gaps are evident.</p> <p>Only those in the service of the government may possess automatic weapons.</p> <p>However, the national legislation appears to allow the possession of semi-automatic weapons while prohibiting the possession of other arms that reloads the small arm by other manual action.</p>

Controls on civilian possession and use: *Restrictions and conditions* continued

Analytical category	International and regional agreements	Current national legislative controls	Conformity																																
		<p>The Control of Private Security Organisations Regulations, 1997 Art. 8</p> <p>(1) a private security organisation may on application, be authorised to use the following categories of security equipment for which the relevant operators licence shall first be obtained –</p> <p>(i) firearms and ammunition set out in Schedule III;</p> <p>Schedules – Schedule III</p> <p>Categories of Firearms and Ammunition that may be authorised for use by Private Security Organisations.</p> <p>A. Self Housing. Semi-Automatic Family of Rifles</p> <table border="0"> <thead> <tr> <th>TYPE</th> <th>CALIBRE OF AMMUNITIONS</th> </tr> </thead> <tbody> <tr> <td>(a) SAR</td> <td>7.65mm</td> </tr> <tr> <td>(b) SLR</td> <td>7.65mm</td> </tr> <tr> <td>(c) SHE GUN</td> <td>7.65mm</td> </tr> </tbody> </table> <p>B. Shot Gun Family</p> <table border="0"> <thead> <tr> <th>TYPE</th> <th>CALIBRE</th> </tr> </thead> <tbody> <tr> <td>(a) SB/SG</td> <td>12 Bore</td> </tr> <tr> <td>(b) DB/SG</td> <td>12 Bore</td> </tr> <tr> <td>(c) Greener Gun</td> <td>12 Bore</td> </tr> <tr> <td>(d) Pump Action</td> <td>12 Bore</td> </tr> </tbody> </table> <p>The shot-gun family considers both single and double barrel type.</p> <p>C. Revolver Family</p> <table border="0"> <thead> <tr> <th>TYPE</th> <th>CALIBRE</th> </tr> </thead> <tbody> <tr> <td>(a) Revolver</td> <td>.22mm</td> </tr> <tr> <td>(b) Revolver</td> <td>3.2mm</td> </tr> <tr> <td>(c) Revolver</td> <td>.38mm</td> </tr> <tr> <td>(d) Revolver</td> <td>.45mm</td> </tr> </tbody> </table> <p>D. Bolt Action/and Single Short Rifle Family</p> <table border="0"> <thead> <tr> <th>TYPE</th> <th>CALIBRE</th> </tr> </thead> <tbody> <tr> <td>(a) Rifle</td> <td>.303mm</td> </tr> </tbody> </table> <p>Art. 24</p> <p>The Inspector General of Police shall approve the type of arms and ammunitions to be used by a private security organisation in conformity with the Firearms Act.</p>	TYPE	CALIBRE OF AMMUNITIONS	(a) SAR	7.65mm	(b) SLR	7.65mm	(c) SHE GUN	7.65mm	TYPE	CALIBRE	(a) SB/SG	12 Bore	(b) DB/SG	12 Bore	(c) Greener Gun	12 Bore	(d) Pump Action	12 Bore	TYPE	CALIBRE	(a) Revolver	.22mm	(b) Revolver	3.2mm	(c) Revolver	.38mm	(d) Revolver	.45mm	TYPE	CALIBRE	(a) Rifle	.303mm	
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<p>Duration of licence and renewal procedure</p>		<p>Firearms Act 1970 Part II Art. 3</p> <p>(8) A firearm certificate issued under the provisions this section.</p> <p>(d) shall, unless previously revoked or annulled, continue in force until the 31st day of December in the year in which it was issued;</p> <p>(e) shall be renewable for a further period of one year by the licensing officer for the area in which the holder resides; and</p> <p>(f) the provisions of this section shall apply to its renewal as they apply to its issue.</p> <p>Art. 7</p> <p>(1) Notwithstanding anything contained in any of the foregoing sections of this Act, a licensing officer shall not renew a firearm certificate unless is produced to him for his inspection or for marking, if necessary, in accordance with the requirements of subsection (2) of this section or for testing.</p> <p>(2) No firearm certificate shall be issued or, as the case may be, renewed, in respect of a firearm unless such firearm bears a mark or number of identification or is first marked with such a mark or number- by, or under and in accordance with the directions of, the chief licensing officer.</p> <p>(3) A licensing officer may, before renewing a firearm certificate, satisfy himself that the firearm to which such firearm certificate will, if renewed, relate is in such a condition as to be safe to use.</p>																																	

Controls on civilian possession and use: *Restrictions and conditions* continued

Analytical category	International and regional agreements	Current national legislative controls	Conformity
Withholding information or misrepresentation	<p>Protocol for the GLR and HoA Art. 3</p> <p>Prohibits the misrepresentation or withholding of any information given with a view to obtaining any licence or permit.</p>	<p>Firearms Act 1970 Part II Art. 3</p> <p>(10) any person who, for the purpose of procuring, whether for himself or any other person, the issue of a firearm certificate or the renewal of a firearm certificate, makes any statement which he knows to be false or does not believe to be true, commits an offence and shall be liable to imprisonment for a term not exceeding five years or to a fine not exceeding twenty thousand shillings or to both.</p>	<p>The national legislation fully conforms to the Protocol for the GLR and HoA.</p> <p>Giving false information to obtain a small arm licence is an offence.</p>
Exemptions		<p>Firearms Act 1970 Part II Art. 5</p> <p>(2) No fee shall be payable on the issue of a firearm certificate to any responsible officer of a rifle club approved for the purpose by the Minister, or of a cadet unit, or a firearm certificate in respect of any firearm or ammunition intended to be used solely for target practice or drill by the members of the club or unit, or on the variation or renewal of a firearm certificate so issued.</p> <p>Art. 6</p> <p>(1) The following provisions of this section shall have effect notwithstanding anything in section 2 of this Act, that is to say,</p> <p>(a) a person carrying on the business of a firearms dealer or gunsmith, or an approved servant of such a person, may, without holding a firearm certificate, have in his possession a firearm or ammunition in the ordinary course of that business;</p> <p>(b) a person carrying on the business of an approved carrier or an approved warehouseman, or an approved servant of such a person, may, without holding a firearm certificate, have in his possession a firearm or ammunition in the ordinary course of that business;</p> <p>(c) a person, may, without holding a firearm certificate, have in his possession a slaughtering instrument and ammunition therefore in any slaughter-house established under the Public Health Act, if employed in such slaughter-house;</p> <p>(d) any person in charge of any slaughter-house or a person appointed by him to take charge of slaughtering instruments and ammunition therefore for the purpose of storing them in safe custody at that slaughter-house may, without holding a firearm certificate, have in his possession a slaughtering instrument or ammunition thereof for that purpose;</p> <p>(e) any person may, without holding a firearm certificate,</p> <p>(i) have in his possession a firearm or ammunition on board a ship, or a signaling apparatus or ammunition therefore on board an aircraft or at an aerodrome, as part of the equipment of the ship, aircraft or aerodrome;</p> <p>(ii) remove a signaling apparatus or ammunition therefore, being part of the equipment of an aircraft, from one aircraft to another at an aerodrome or airfield, or from a place appointed for the storage thereof in safe custody at that aerodrome or airfield, and keep any such apparatus or ammunition at such a place;</p> <p>(iii) if he has obtained from a licensing officer a permit for the purpose in the prescribed form, remove a firearm from or to a ship, or signaling apparatus from or to an aircraft or aerodrome or airfield, to or from such place and for such purpose as may be specified in the permit;</p> <p>(f) any person, without holding a firearm certificate, who is accompanied by another person holding a firearm certificate, may, if duly authorised by such other person so to do, carry, but not use a firearm or ammunition to which such firearm certificate relates;</p> <p>(g) a member of a rifle club approved by the Minister, or of a cadet unit, may without holding a firearm certificate, have in his possession a firearm licensed in the name of the rifle club or cadet unit and ammunition</p>	

Controls on civilian possession and use: *Restrictions and conditions* continued

Analytical category	International and regional agreements	Current national legislative controls	Conformity
		<p>therefore when engaged as such a member in, or in connection with, drill or target practice;</p> <p>(h) any person may, without holding a firearm certificate, use a miniature rifle not exceeding 0.22 and ammunition suitable thereof, at a miniature rifle range or shooting gallery approved by the Inspector-General of Police;</p> <p>(i) any person may, without holding a firearm certificate, have a firearm in his possession at an athletic or other sporting meeting for the purpose of starting races at that meeting if the firearm is licensed in the name of any of the organisers of such meetings:</p> <p>Provided that nothing in his subsection shall authorise the use in such firearm of any ammunition other than blank ammunition;</p> <p>(j) any person being the servant of a corporation to which a firearm certificate has been issued, and in respect of whom approval in writing of the chief licensing officer has been obtained may, without holding a firearm certificate, have in his possession the firearm and ammunition therefore to which such firearm certificate relates;</p> <p>(k) any person, being the registered owner of a firearm, may deposit or cause to be deposited such firearm and any ammunition thereof in a police station or other place appointed by the Inspector-General of Police without holding a firearm certificate for the period of such deposit; and</p> <p>(l) any person taking part in a theatrical performance or film production or the rehearsal of such performance or production may, without holding a firearm certificate, use a firearm or imitation firearm for the purpose of such performance or production or rehearsal thereof, on such conditions as the chief licensing officer may impose.</p> <p>Part III Art. 24</p> <p>(1) It shall not be lawful for any person, other than a person in the service of the Government in his capacity as such, or a person authorised on that behalf by the Minister, to sell, transfer, purchase, acquire, or have in his possession,</p> <p>(a) any firearm which is so designed or adapted that, if pressure is applied to the trigger, missiles continue to be discharged until pressure is removed from the trigger or until the magazine containing the missiles is empty; or</p> <p>(b) any firearm possessing a mechanism which ejects the expended cartridge and reloads the firearm by manual action other than the pressing and releasing of the trigger; or</p> <p>(c) any weapon of whatever description designed or adapted for the discharge of any noxious liquid, gas, or similar thing dangerous to human beings; or</p> <p>(d) any ammunition containing, or designed or adapted to contain any such noxious thing; or</p> <p>(e) any firearm or ammunition specified, or any firearm or ammunition of a class or type specified by the Minister by statutory instrument.</p> <p>(2) Any person who contravenes subsection (1) of this section commits an offence and shall be liable to imprisonment for a term not exceeding five years or to a fine not exceeding twenty thousand shillings or to both.</p> <p>(3) An authority given to any person under the provisions of this section shall be in writing and shall be subject to such conditions may be specified therein.</p> <p>(4) The Minister at any time revoke any authority given by him to any person under this section by notice in writing requiring that person to deliver up the authority and the firearm weapon or ammunition in respect of which the authority was granted, to such police station as may be specified in the notice within fourteen days from the date of such notice.</p> <p>(5) The foregoing provisions of this section shall be addition to and not in derogation of any other provisions of this Act or any other enactment relating to the sale, transfer purchase, acquisition or possession of firearms ammunition but,</p>	

Controls on civilian possession and use: *Restrictions and conditions* continued

Analytical category	International and regional agreements	Current national legislative controls	Conformity
		<p>(a) the chief licensing officer shall not refuse to grant and shall not revoke, and a licensing officer shall not refuse to renew, a firearm certificate in respect of a firearm, weapon or ammunition such as is referred to in subsection (1) of this section if the applicant is for the time being authorised by the Minister to have possession of that firearms, weapon or ammunition; and</p> <p>(b) the chief licensing officer shall not refuse to enter in the register of firearms dealers and gunsmith the name of a person for the time being authorised as aforesaid to sell or transfer a firearm, weapon or ammunition such as aforesaid, or remove the name of such a person from the register, on the ground that he cannot be permitted to carry on or continue to carry on business as a firearms dealer without danger to the public safety or to the peace.</p> <p>(6) Where any authority to purchase acquire or have possession of a firearm, weapon or ammunition is revoked under the provisions of this section, the firearm certificate and any permit relating to that firearm, weapon or ammunition shall be revoked by the chief licensing officer.</p>	

Controls on civilian possession and use: *Possession and use*

Analytical category	International and regional agreements	Current national legislative controls	Conformity
<p>Restrictions on application/use of small arm – when, where, how?</p> <p>Some potential cases include:</p> <ul style="list-style-type: none"> ■ resisting arrest ■ injure/endanger person or property ■ handle small arm under influence of drugs/alcohol ■ negligent discharge/use ■ point small arm without good cause ■ restrictions on carriage of small arm (when, where (public place), how (holster, concealed etc)) 	<p>Nairobi Declaration Art. iv and Implementation Plan Art. 3.1, 3.2.1, 3.3</p> <p>Require laws, regulations, standards and prohibitions governing the civilian possession of small arms and light weapons, including home made weapons.</p> <p>Protocol for the GLR and HoA Art. 3</p> <p>(a) Requires the establishment as criminal offences the</p> <p>(iii) illicit possession and misuse of small arms and light weapons</p> <p>(c) (i) Requires the prohibition of unrestricted civilian possession of small arms</p> <p>Bamako Declaration Art. 3 A (iii)</p> <p>Recommends establishing as a criminal offence the illegal possession and use of small arms and light weapons.</p> <p>UN Programme of Action II Art. 3</p> <p>Recommends establishing as a criminal offence the illegal possession of small arms and light weapons.</p>	<p>Firearms Act 1970 Part II Art. 3</p> <p>(7) the chief licensing officer may in his discretion impose conditions subject to which a firearm certificate issued by him shall be held.</p> <p>(9) the chief licensing officer may, at any time, by notice in writing, vary the conditions, other than prescribed conditions, subject to which a firearm certificate is held and may by such notice require the holder to deliver up to him the firearm certificate, within such time as he may specify in such notice for the purpose of amending the conditions specified therein.</p> <p>Art. 6</p> <p>(1) The following provisions of this section shall have effect notwithstanding anything in section 2 of this Act, that is to say,</p> <p>(f) any person, without holding a firearm certificate, who is accompanied by another person holding a firearm certificate, may, if duly authorised by such other person so to do, carry, but not use a firearm or ammunition to which such firearm certificate relates;</p> <p>Part IV Art. 30</p> <p>Any person who, whether by reason of drink or otherwise, while carrying a firearm, acts in a dangerous or disorderly manner commits an offence and shall be liable to imprisonment for a period not exceeding six months or to a fine not exceeding two thousand shillings, or to both.</p> <p>Art. 31</p> <p>(1) Any person who,</p> <p>(a) makes or attempts to make any use whatsoever of a firearm or imitation firearm with intent to resist or prevent the lawful apprehension or detention of himself or any other person; or</p> <p>(b) while carrying a firearm or imitation firearm, threatens violence to any person, commits an offence and shall be liable to imprisonment for a term not exceeding fourteen years.</p> <p>(2) Any person who displays or attempts to display any firearm or imitation firearm in a public place in such manner as to cause alarm to any member of the public commits an offence and shall be liable to a fine not exceeding six thousand shillings or to imprisonment for a term not exceeding; six months, or to both.</p>	<p>The national legislation fully conforms to the regional and international agreements.</p> <p>Conditions relating to the holding of a small arm certificate may be set by the chief licensing officer.</p> <p>Acting in a dangerous or disorderly fashion, resisting arrest and threatening violence while in possession of a small arm and publicly displaying a small arm to cause alarm or negligently discharging a small arm are all offences.</p>

Controls on civilian possession and use: *Possession and use continued*

Analytical category	International and regional agreements	Current national legislative controls	Conformity
		<p>(3) Any person who discharges any firearm deliberately or negligently in a public place thereby causing alarm to any member of the public commits an offence and shall be liable to a fine not exceeding; twenty thousand shillings or to imprisonment for a term not exceeding two years, or to both.</p> <p>(4) A firearm or imitation firearm shall, notwithstanding that it is not loaded or is otherwise incapable of discharging any short, bullet or other missile, be deemed to be a dangerous weapon or instrument for the purposes of sections 273 and 274 of the Penal Code Act.</p> <p>(5) in this section, "imitation firearm." means anything which has the appearance of a firearm whether it is capable of discharging any shot, bullet or other missile or not.</p> <p>The Control of Private Security Organisations Regulations, 1997 Art. 17</p> <p>An employee of a private security organisation may use authorised firearms in the following circumstances –</p> <p>(i) in self-defence against an armed attack or the defence of any person who may be under pecuniary protection of the employee from the threat of death or grave injury arising from such an armed attack;</p> <p>(ii) when attempting to arrest a person who to his or her knowledge is fleeing from lawful custody after committing or suspected to have committed a serious offence and the fleeing person does not stop voluntarily or by any other lawful means;</p> <p>(iii) to stop any serious threat to life or property if police assistance cannot be called in time to avert the threat by other means.</p> <p>Art. 29</p> <p>(1) The employees of a private security organisation who are detailed to use arms shall not resort to the use of firearms in order to negotiate for any welfare affecting their terms and conditions of service.</p>	
Storage and safekeeping conditions	<p>Protocol for the GLR and HoA Art. 3 (c) (viii)</p> <p>Requires provisions for the effective control of small arms and light weapons including the storage thereof.</p>	<p>Firearms Act 1970 Part II Art. 3</p> <p>(4) The chief licensing officer may, in his discretion, refuse to issue a firearm certificate without assigning any reason for such refusal and in any case, he shall refuse to issue a firearms certificate unless he is satisfied that the person applying for the firearm certificate,</p> <p>(f) will take all proper steps to ensure the safe application is made and will install a minimum safety to the satisfaction of the police officer in charge of the area in which he resides;</p> <p>Art. 29</p> <p>(1) Every person having in his possession any firearm and ammunition.</p> <p>(a) shall keep the same at all times securely and in safe custody; and</p> <p>(b) shall take all reasonable precautions to ensure that such a firearm or ammunition is not lost or stolen and is not at any time available to any person not lawfully entitled to possess the same.</p> <p>The Control of Private Security Organisations Regulations, 1997 Art. 6</p> <p>(1) Before any private security organisation is registered and licensed to carry out approved security services, the following requirements shall be submitted to the Inspector General –</p> <p>(iii) a declaration to construct appropriate storage for arms and ammunition where applicable;</p>	<p>The national legislation fully conforms to the Protocol for the GLR and HoA.</p> <p>Proper steps to ensure the safety of small arms must be taken and a small arm must at all times be kept securely and in safe custody.</p> <p>Specific provisions detailing what safe custody and secure storage should entail are, however, not stated.</p>

Controls on civilian possession and use: *Possession and use continued*

Analytical category	International and regional agreements	Current national legislative controls	Conformity
		<p>Art. 23</p> <p>The Inspector General of Police shall quarterly inspect the armoury, arms and ammunitions in possession of a private security organisation, and shall ensure that all arms being used are licensed in conformity with the Firearms Act.</p>	
<p>Restrictions on/ conditions of relinquishing and regaining possession of small arms</p> <ul style="list-style-type: none"> ■ to whom (authorised person, dealer, licence holder, relations) ■ deposit in and retrieval of arms from warehouses 	<p>Protocol for the GLR and HoA Art. 3 (c) (viii)</p> <p>Requires restrictions on owners' rights to relinquish control, use and possession of small arms.</p>	<p>Firearms Act 1970 Part II Art. 6</p> <p>(1) The following provisions of this section shall have effect notwithstanding anything in section 2 of this Act, that is to say,</p> <p>(f) any person, without holding a firearm certificate, who is accompanied by another person holding a firearm certificate, may, if duly authorised by such other person so to do, carry, but not use a firearm or ammunition to which such firearm certificate relates;</p> <p>Art. 11</p> <p>(2) Nothing in this section shall be deemed to prohibit the sale, repair, test or proof by any person of any firearm or ammunition in respect of which he is the holder of a firearm certificate issued under the provisions of this Act.</p> <p>Art. 20</p> <p>(1) No person shall sell or transfer to any other person other than a registered firearms dealer, any firearm or ammunition unless such other person produces a firearm certificate authorising him to purchase or acquire the same or show that he is entitled, by virtue of the provisions of this Act, to purchase or acquire the same without holding a firearm certificate.</p> <p>(2) Every person who sells or gives a firearm or ammunition to any other person not being a registered dealer shall comply with any of the instructions contained in the firearm certificate produced and in the case of a firearm shall, within forty-eight hours from the transaction,</p> <p>(a) send by registered post to the chief licensing officer notice of the transactions;</p> <p>(b) if he is not a registered firearm dealer, surrender the firearm certificate held by him in respect of such firearm to the chief' licensing officer.</p>	<p>The national legislation fully conforms to the Protocol for the GLR and HoA.</p> <p>The sale and transfer of a small arm is only permitted to a registered small arms dealer or an authorised licence holder.</p> <p>Possession, but not use, of a registered small arm by a person not holding a small arm certificate is allowed.</p>
<ul style="list-style-type: none"> ■ leasing/lending 			
<ul style="list-style-type: none"> ■ pawning/pledging 	<p>Protocol for the GLR and HoA Art. 3 (c) (x)</p> <p>Requires provisions prohibiting the pawning and pledging of small arms and light weapons.</p>	<p>Firearms Act 1970 Part II Art. 19</p> <p>(1) No person shall take or accept any firearm or ammunition from any other person as a security for any money lent to that person or for any performance of an action done.</p>	<p>The national legislation fully conforms to the Protocol for the GLR and HoA.</p> <p>Taking in pawn or pledging any small arm is prohibited.</p>
<ul style="list-style-type: none"> ■ inheritance/death 			
<ul style="list-style-type: none"> ■ other conditions restrictions on/ conditions of relinquishing and regaining possession of small arms 			
<p>Notifying authorities of altered circumstances (death, loss, theft, change of address, weapon to gunsmith, disposal, destruction etc)</p>		<p>Firearms Act 1970 Part IV Art. 29</p> <p>(2) Any person having possession of a firearm or ammunition whether or not he holds a firearm certificate therefore or is entitled to have possession thereof without holding a firearm certificate shall, if such firearm or ammunition is lost stolen or destroyed, report such loss, theft or destruction as soon as possible after its occurrence to the police officer in charge of the nearest police station.</p>	

Controls on civilian possession and use: *Possession and use* continued

Analytical category	International and regional agreements	Current national legislative controls	Conformity
		<p>The Control of Private Security Organisations Regulations, 1997 Art. 21</p> <p>Destruction of any damaged firearms or expired ammunitions in respect of a private security organisation shall be notified to the Inspector General after duly obtaining a court order for the destruction of such damaged or expired ammunitions respectively.</p>	
<p>Other restrictions on possession and use of small arms including:</p> <ul style="list-style-type: none"> ■ carry licence while in possession ■ civilian maintenance, repair, loading 		<p>Firearms Act 1970 Part II Art. 8</p> <p>(1) Any police officer or customs officer may demand, from any person in possession of a firearm or ammunition, the production of his firearm certificate.</p> <p>(2) if any person upon whom a demand is so made fails to produce the certificate, or to permit the officer to read the certificate, or to show that he is entitled by virtue of the provisions of this Act to have the firearm or ammunition in his possession without holding a firearm certificate, the officer may seize and detain the firearm and ammunition.</p> <p>Art. 10</p> <p>(2) Nothing in this section shall be deemed to prohibit the assembly,</p> <p>(b) by any person holding a firearm certificate of the firearm to which such certificate relates and which is so constructed by the manufacturer thereof as to be capable of being stripped and reassembled.</p> <p>Art. 11</p> <p>(2) Nothing in this section shall be deemed to prohibit the sale, repair, test or proof by any person of any firearm or ammunition in respect of which he is the holder of a firearm certificate issued under the provisions of this Act.</p> <p>Art. 20</p> <p>(3) No person shall repair, test or any firearm or ammunition for any other person unless such other person produces or causes to be produced a firearm certificate authorising him to have possession of such a firearm or ammunition or shows that he is authorised by the provisions of this Act to have possession thereof without holding a firearm certificate.</p> <p>Part III Art. 23</p> <p>Nothing in this Act shall relieve any person using or carrying a firearm from the obligation to take out a licence to kill game under any law for the time being in force.</p>	

Controls on civilian possession and use: *Offences/penalties*

Analytical category	International and regional agreements	Current national legislative controls	Conformity
	<p>Protocol for the GLR and HoA Art. 5 (b) (i)</p> <p>Requires the introduction of harmonised, heavy minimum sentences for small arms and light weapons crimes and the carrying of unlicensed small arms and light weapons.</p>	<p>Firearms Act 1970 Part II Art. 2</p> <p>(2) Any person who,</p> <p>(a) Purchases, acquires or has in his possession a firearm or ammunition without holding a valid firearm certificate, or otherwise than authorised by such a certificate, or, in the case ammunition, in quantities in excess of those authorised; or</p> <p>(b) fails to comply with any condition; subject to which a firearm certificate, is held by him commits an offence and shall be liable on conviction, to imprisonment for a term not exceeding ten years or to a fine not exceeding twenty thousand shillings, or to both.</p> <p>(4) Any person who contravenes the provisions subsection (3) of this section commits an offence and shall be liable on conviction to imprisonment for a term not exceeding six months or to a fine not exceeding two thousand shillings or to both.</p>	<p>Implementation of Article 5 (b) (i) will require consultation and agreement on what constitute heavy minimum sentences.</p> <p>The national legislation appears to allow for heavy sentencing in some areas while relatively less severe penalties are applicable for other offences.</p>

Controls on civilian possession and use: *Offences/penalties continued*

Analytical category	International and regional agreements	Current national legislative controls	Conformity
		<p>Art. 3</p> <p>(10) any person who, for the purpose of procuring, whether for himself or any other person, the issue of a firearm certificate or the renewal of a firearm certificate, makes any statement which he knows to be false or does not believe to be true, commits an offence and shall be liable to imprisonment for a term not exceeding five years or to a fine not exceeding twenty thousand shillings or to both.</p> <p>Art. 11</p> <p>(3) Any person who contravenes the provisions of subsection (1) of this section commits an offence and shall be liable to imprisonment for a term not exceeding five years or to a fine not exceeding twenty thousand shillings or to both.</p> <p>Art. 19</p> <p>(2) any person who contravenes the provisions of this section commits an offence and shall be liable to imprisonment for a term of not more than six months or to a fine of not more than two thousand shillings or to both.</p> <p>Art. 20</p> <p>(4) any person who, (b) contravenes any of the foregoing provisions of this section: or (c) for any of the purposes of the foregoing provisions of this section, produces a false firearm certificate, or a firearm certificate in which any false entry or alteration has been made or personates any person to whom a firearm has been issued, or makes any false statement, commits, an offence and shall be liable to imprisonment for a term not exceeding five years or to a fine not exceeding twenty thousand shillings or both.</p> <p>Part III</p> <p>Art. 24</p> <p>(2) Any person who contravenes subsection (1) of this section commits an offence and shall be liable to imprisonment for a term not exceeding five years or to a fine not exceeding twenty thousand shillings or to both.</p> <p>(7) any person who fails to comply, (a) with any condition subject to which an authority is given under the provisions of this section; or (b) with the requirements of any notice given under the provisions of subsection (4) of this section, commits an offence and shall be liable to imprisonment for a term not exceeding six months or to a fine not exceeding two thousand shillings or to both.</p> <p>Part IV</p> <p>Art. 29</p> <p>(3) Any person who contravenes any of the provisions of this section commits an offence and shall be liable to imprisonment for a term not exceeding twelve months or to a fine not exceeding five thousand shillings, or to both.</p> <p>Art. 30</p> <p>Any person who, whether by reason of drink or otherwise, while carrying a firearm, acts in a dangerous or disorderly manner commits an offence and shall be liable to imprisonment for a period not exceeding six months or to a fine not exceeding two thousand shillings, or to both.</p> <p>Art. 31</p> <p>(1) Any person who, (a) makes or attempts to make any use whatsoever of a firearm or imitation firearm with intent to resist or prevent the lawful apprehension or detention of himself or any other person; or (b) while carrying a firearm or imitation firearm, threatens violence to any person, commits an offence and shall be liable to imprisonment for a term not exceeding fourteen years.</p>	

Controls on civilian possession and use: *Offences/penalties* continued

Analytical category	International and regional agreements	Current national legislative controls	Conformity
		<p>(2) Any person who displays or attempts to display any firearm or imitation firearm in a public place in such manner as to cause alarm to any member of the public commits an offence and shall be liable to a fine not exceeding six thousand shillings or to imprisonment for a term not exceeding; six months, or to both.</p> <p>(3) Any person who discharges any firearm deliberately or negligently in a public place thereby causing alarm to any member of the public commits an offence and shall be liable to a fine not exceeding; twenty thousand shillings or to imprisonment for a term not exceeding two years, or to both.</p> <p>(4) A firearm or imitation firearm shall, notwithstanding that it is not loaded or is otherwise incapable of discharging any short, bullet or other missile, be deemed to be a dangerous weapon or instrument for the purposes of sections 273 and 274 of the Penal Code Act.</p> <p>(5) in this section, "imitation firearm." means anything which has the appearance of a firearm whether it is capable of discharging any shot, bullet or other missile or not.</p> <p>Art. 32</p> <p>(2) Subject to the provisions of subsection (1) of this section, where any person,</p> <p>(a) is convicted of an offence under the provisions of this Act; or</p> <p>(b) is convicted of an offence for which he is sentenced to enter into recognizances to keep the peace or be of good behaviour a condition of which is that the offender shall not possess, use or carry a firearm, or is subject to a probation order containing a requirement that he shall not possess, use or carry a firearm, the court before which he is convicted, or by which the order is made, may make such order as to the forfeiture or disposal of any firearm or ammunition which was found in his possession or in respect of which the offence of which he is convicted was committed or which was used in the commission of such offence as the court thinks fit, and may cancel any firearm certificate or permit issued under the provisions of this Act and held by the person convicted.</p> <p>(3) Where any person is convicted of an offence under the provisions of this Act relating to the unlawful possession of any firearm or ammunition due to his failure to renew a firearm certificate by 31st of January the court before which he is convicted shall cancel such firearm certificate which may have been issued after that date if the person convicted has previously been convicted of an offence of the kind mentioned in this subsection.</p> <p>National Resistance Army Statute, 1992</p> <p>Art. 14</p> <p>(1) The following persons, shall be subject to military law, that is to say –</p> <p>(i) every person found in possession of arms, ammunition, equipment and other prescribed classified stores ordinarily being the monopoly of the Army.</p>	

Record keeping and marking**Marking**

Analytical category	International and regional agreements	Current national legislative controls	Conformity
When? (import/export/transit/manufacture etc)	Bamako Declaration Art. 3 A (iv) Recommends establishing at the national level the responsible management of licit arms.	Firearms Act 1970 Part II Art. 7 (1) Notwithstanding anything contained in any of the foregoing sections of this Act, a licensing officer shall not renew a firearm certificate unless is produced to him for his inspection or for marking, if necessary, in accordance with the requirements of subsection (2) of this section or for testing.	The national legislation conforms in part to the regional and international agreements. Provisions exist in some areas but a number of gaps are evident.

Record keeping and marking: **Marking** continued

Analytical category	International and regional agreements	Current national legislative controls	Conformity
	<p>Protocol for the GLR and HoA Art. 3 (c) (vi) Requires provisions ensuring the standardised marking and identification of small arms and light weapons at the time of manufacture, import or export.</p> <p>UN Programme of Action Section II Art. 16 Requires the marking and registering of all confiscated, seized or collected small arms prior to their destruction or disposal.</p> <p>UN Firearms Protocol Art. 9 (c) Requires the marking of deactivated firearms with a clearly visible mark attesting to its deactivation.</p>	<p>(2) No firearm certificate shall be issued or, as the case may be, renewed, in respect of a firearm unless such firearm bears a mark or number of identification or is first marked with such a mark or number- by, or under and in accordance with the directions of, the chief licensing officer.</p>	<p>Marking is required before a small arm licence can be issued.</p> <p>However, there are no requirements relating to the marking of a small arm at the time of manufacture, import or export.</p>
How? ■ stamping/engraving?			
■ where on weapon?	<p>Protocol for the GLR and HoA Art. 7 Requires that the marking should be on the barrel, frame and, where applicable, the slide.</p>		The national legislation does not conform to the Protocol for the GLR and HoA.
■ with what? (unique alpha-numeric symbol/identifying country and manufacturer?)	<p>Protocol for the GLR and HoA Art. 7 (a) Requires the marking at the time of manufacture with a unique marking providing the name of the manufacturer, the country or place of manufacture and the serial number. (b) Requires the marking at the time of import with a simple marking identifying the country and year of import and an individual serial number if it does not have one. (c) Requires the marking of small arms and light weapons in possession of the state with a unique mark.</p> <p>UN Firearms Protocol Art. 8 and UN Programme of Action Section II Art. 7 Require specific provisions for a unique number to be marked on the barrel, frame or slide at the time of manufacture or import. Such information must permit identification of country of manufacture and manufacturer.</p>	<p>Firearms Act 1970 Part II Art. 7 (2) No firearm certificate shall be issued or, as the case may be, renewed, in respect of a firearm unless such firearm bears a mark or number of identification or is first marked with such a mark or number- by, or under and in accordance with the directions of, the chief licensing officer.</p>	<p>The national legislation does not conform to the regional and international agreements.</p> <p>Marking with a mark or number of identification is required.</p> <p>However, there is no stipulation for a unique mark identifying the country of import and manufacture and the manufacturer, for the mark to be placed on the barrel, frame or slide nor for weapons in the possession of the state to be marked.</p>

Record keeping and marking: **Record keeping**

Analytical category	International and regional agreements	Current national legislative controls	Conformity
<p>Description of record keeping specifications:</p> <ul style="list-style-type: none"> ■ what records should be kept? ■ where? ■ how? ■ by whom? ■ for how long? ■ when must authorities be provided with information? 	<p>Protocol for the GLR and HoA Art. 7 (d) and UN Firearms Protocol Art. 7 Require the maintenance of records of markings for not less than ten years of firearms, ammunition and components that are necessary to trace illicitly manufactured or trafficked arms.</p> <p>Protocol for the GLR and HoA Art. 3 (c) (iii) Requires the regulation and centralised registration of all civilian-owned small arms.</p>	<p>Firearms Act 1970 Part II Art. 3 (2) The chief licensing officer shall keep cause be kept a register of firearm certificates and shall cause to be entered therein the name of every person to whom a firearm certificate has been issued.</p> <p>Art. 12 (1) The chief licensing officer shall continued or in case to be confined in the prescribed form a register of firearms dealers and gunsmiths and shall, subject as here in after provided, enter or cause to be entered there in the name of any person who applies to be registered as a firearms dealer or gunsmith and</p>	<p>The national legislation conforms in part to the regional and international agreements.</p> <p>Registers of small arm certificates and holders, and of small arms dealers and gunsmiths are established in the national legislation and small arms dealers are required</p>

Record keeping and marking: Record keeping *continued*

Analytical category	International and regional agreements	Current national legislative controls	Conformity
	<p>Art. 7 (d) Requires information held to include appropriate markings and specific details of international transactions of small arms and light weapons.</p> <p>UN Programme of Action Section II Art. 9 Requires ensuring comprehensive and accurate records are kept for as long as possible on the manufacture, holding and transfer of small arms and light weapons. Records should be well maintained and organised to facilitate accurate and prompt information retrieval.</p> <p>Art. 10 Requires provision to ensure responsibility for weapons held and issued by the state and effective measures for tracing such weapons.</p> <p>Art. 17 Requires all bodies authorised to hold small arms to ensure standards and procedures are established regarding: inventory management; and accounting control; and accounting of small arms held or transported by operational units or authorized personnel.</p> <p>Bamako Declaration Art. 3 A (iv) Recommends establishing at the national level the responsible management of licit arms.</p> <p>Co-ordinated Agenda for Action Art. 5.3 Ensure strict accountability and the effective tracing of all weapons owned by the state</p> <p>Art. 5.4 Ensure strict accountability and effective control of all weapons owned by private security companies and dealers.</p>	<p>furnishes the particulars prescribed by section 13 of this Act.</p> <p>Art. 16 (1) Every firearms dealer or gunsmith shall provide and keep at each of his places of business a register of all his transactions in firearms and ammunition, and shall enter or cause to be entered therein such particulars as may be prescribed. (2) In case a registered gunsmith is employed by a registered firearms dealer at the dealer's place of business, the records referred to in subsection (1) of this section shall be kept by the firearms dealer. (3) Every entry shall be made within twenty-four hours after the transaction to which it relates took place, and in the case of a sale or transfer, the firearms dealer shall at the time of transaction require the purchaser or transferee of furnish particulars sufficient for his identification, and shall immediately enter the said particulars in the register.</p> <p>The Control of Private Security Organisations Regulations, 1997 Art. 13 (2) Private security organisations shall submit quarterly reports to the Inspector General regarding their operations.</p> <p>Art. 20 Firearms registers shall be maintained by every armed private security organisation and all movements of firearms shall be recorded and accounted for.</p> <p>Art. 26 Every private security organisation shall submit monthly returns and brief accounts of the arms and ammunitions within its possession to the Inspector General of Police.</p>	<p>to keep a register of transactions. However, there is no provision for the recording of imported or exported small arms, of holdings of small arms nor for records to be kept for as long as possible and not less than ten years.</p>

Record keeping and marking: Offences/penalties

Analytical category	International and regional agreements	Current national legislative controls	Conformity
	<p>UN Firearms Protocol Art. 5 (1) (c) and Protocol for the GLR and HoA Art. 3 (a) (iv) Require provisions that explicitly make it an offence to illegally falsify, obliterate or remove or alter the markings on a firearm.</p> <p>UN Firearms Protocol Art. 5 (2) (a) and (b) Requires provisions relating to interfering with markings for firearms and those acting as accomplices or who organise, direct, aid, abet, facilitate or counsel the commission of such offences.</p>	<p>Firearms Act 1970 Part II Art. 12 (4) Any person who, for the purpose of procuring the registration of himself or of any other person as a firearms dealer or gunsmith, make any statement which he knows to be false, or does not believe to be true commits an offence and shall be liable to imprisonment for a term not exceeding five years or to a fine not exceeding twenty thousand shillings or to both.</p> <p>Part IV Art. 32 (2) Subject to the provisions of subsection (1) of this section, where any person, (a) is convicted of an offence under the provisions of this Act; or (b) is convicted of an offence for which he is sentenced to enter into recognizances to keep the peace or be of good behaviour a condition of which is that the offender shall not possess, use or carry a firearm, or is subject to a probation order containing a requirement that he shall not possess, use or carry a firearm, the court before which he is convicted, or by which the</p>	<p>The national legislation does not conform to the regional and international agreements. There are no provisions relating to the interference with or falsification of markings.</p>

Record keeping and marking: *Offences/penalties continued*

Analytical category	International and regional agreements	Current national legislative controls	Conformity
		order is made, may make such order as to the forfeiture or disposal of any firearm or ammunition which was found in his possession or in respect of which the offence of which he is convicted was committed or which was used in the commission of such offence as the court thinks fit, and may cancel any firearm certificate or permit issued under the provisions of this Act and held by the person convicted.	

Import, export and transit

Licensing

Analytical category	International and regional agreements	Current national legislative controls	Conformity
<p>Description of licensing process:</p> <p>licensing/registration of persons and transactions?</p> <p>competency test of those licensed to import, export or transit arms?</p> <p>duration of licences?</p> <p>offence withhold information?</p> <p>distinction between civilian and commercial transfers?</p> <p>specifications of licence – information to be included on licence?</p> <p>required documentation – end-user certificates etc?)</p>	<p>Nairobi Declaration Art. iv and Co-ordinated Agenda for Action Preamble</p> <p>Urge states to have in place adequate laws, regulations and administrative procedures to exercise effective control over the transfer of small arms and light weapons.</p> <p>Co-ordinated Agenda for Action Art. 3.1, 3.2.2 and Implementation Plan Art. 3.1, 3.2.2</p> <p>Require regulations and standards to govern the import of small arms and light weapons.</p> <p>Protocol for the GLR and HoA Art. 3 (c) (v)</p> <p>Requires standards regarding the import of small arms and light weapons.</p> <p>Art. 10 (a) and (c)</p> <p>Requires an effective system of export and import licensing or authorisation and specifies the specific information that must be included on import and export licences and documentation.</p> <p>UN Firearms Protocol Art. 5 (1) (b) Art. 10 (1), (2) and (3)</p> <p>Requires state parties to adopt legislative measures making the illicit trafficking in firearms illegal.</p> <p>Requires provisions catering for the international transit of firearms.</p> <p>Requires provisions for verifying the issuance of import licences and authority for transit.</p> <p>UN Firearms Protocol Art 5 (1) (b) Art 10 (1), (2) and (3) and Protocol for the GLR and HoA Art. 10 (b)</p> <p>Require provisions outlining the specific detailed information to be included on export and import licences. These should include a minimum of:</p> <ul style="list-style-type: none"> ■ Place and date of issuance ■ Date of expiration ■ Country of export ■ Country of import ■ Final recipient ■ Description and quantity of goods ■ Country of transit, where appropriate. 	<p>Firearms Act 1970 Part II Art. 7</p> <p>(4) In case an import permit has been issued to an importer other than a licensed firearms dealer, the importer shall produce the firearm to the licensing officer of the place where he resides for inspection within fourteen days of the issue of the firearm certificate in respect of that firearm.</p> <p>Part III Art. 25</p> <p>(1) No person shall import or export any firearm or ammunition save at any one or more places designated for the purpose by the Minister by a notice published in the Gazette and under and in accordance with an import permit issued by the chief licensing officer or an export permit issued by a licensing officer.</p> <p>(5) Import and export permits under this section shall be in the prescribed forms and there shall be payable in respect here of such fees as may be prescribed.</p> <p>(6) The chief licensing officer or a licensing officer as the case maybe, may, without assigning any reason therefore, revoke any import or export permit granted under the provisions of this section at any time before the firearms or ammunition to which it relates have been imported or exported.</p> <p>Art. 27</p> <p>(1) A customs officer shall, after consultation with the chief licensing officer shall, after obtaining approval of the Minister, grant with or without conditions, or refuse, suspend or revoke transit permits for transportation across Uganda of firearms or ammunition to any place outside Uganda.</p> <p>The Control of Private Security Organisations Regulations, 1997 Art. 22</p> <p>A private security organisation may be recommended to the Minister for authority to import specified quantities and types of arms and ammunitions by the Inspector General.</p>	<p>The national legislation broadly conforms to the regional and international agreements but falls short in a few key areas.</p> <p>Import, export and transit permits are required for the international transfer of small arms.</p> <p>However, provisions to verify permits and to require end-user certificates are not included and there is no requirement that export applications are assessed in a manner consistent with existing responsibilities under international law.</p>

Import, export and transit: *Licensing* *continued*

Analytical category	International and regional agreements	Current national legislative controls	Conformity
	<p>UN Programme of Action Section II Art. 2, Art. 11 and Art. 12</p> <p>Requires provisions catering for the international transit of small arms, including the use of authenticated end-user certificates, and requires that export applications are assessed in a manner consistent with existing responsibilities under international law.</p> <p>Bamako Declaration Art. 3 A (iii) (vii)</p> <p>Recommends establishing as a criminal offence the illegal trafficking of small arms and light weapons.</p> <p>Requires that states take appropriate measures to control arms transfers by manufacturers, suppliers, traders, brokers, shipping and transit agents</p>		

Import, export and transit: *Marking*

Analytical category	International and regional agreements	Current national legislative controls	Conformity
What conditions pertain?	<p>Protocol for the GLR and HoA Art. 3 (c) (vi) and Art. 7 (b)</p> <p>Requires the standardised marking and identification of small arms and light weapons at the time of import, with information that permits the identification of the country and year of import and with an individual serial number if the small arms or light weapon does not bear one at the time of import.</p> <p>Bamako Declaration Art. 3 A (iv)</p> <p>Recommends establishing at the national level the responsible management of licit arms.</p> <p>UN Firearms Protocol Art. 8 and UN Programme of Action Section II Art. 7 and Art. 8</p> <p>Require specific provisions for a unique number to be marked on the barrel, frame or slide at the time of import. Such information must permit identification of country of manufacture and manufacturer.</p> <p>Require provision making it illegal to stockpile, transfer or possess unmarked weapons.</p>		The national legislation does not conform to the regional and international agreements.

Import, export and transit: *Restrictions*

Analytical category	International and regional agreements	Current national legislative controls	Conformity
Where can arms be imported/exported (specified points of entry)? How (conditions of carriage)? What arms can be imported/exported/tranisted?		<p>Firearms Act 1970 Part III Art. 25</p> <p>(1) No person shall import or export any firearm or ammunition save at any one or more places designated for the purpose by the Minister by a notice published in the Gazette and under and in accordance with an import permit issued by the chief licensing officer or an export permit issued by a licensing officer.</p> <p>(2) No person shall import or export any firearm or ammunition or any firearm or ammunition of a class or type, of which the importation or exportation, as the case may be, is for the time being prohibited by the Minister by statutory order.</p> <p>(4) The chief licensing officer or a licensing officer, as the case may be, may, at his discretion, refuse to grant any import or export permit under this section without</p>	

Import, export and transit: Restrictions *continued*

Analytical category	International and regional agreements	Current national legislative controls	Conformity
		<p>assigning any reason for such refusal, and shall refuse to grant any such permit authorising,</p> <p>(a) the importation or exportation of any arms or ammunition of the war unless the Minister has sanctioned such importation or exportation;</p> <p>(b) the importation or exportation of any firearm or ammunition of which the importation or exportation, as the case may be is for the time being prohibited under subsection (2) of this section; and</p> <p>(c) the importation of any firearm or ammunition which has previously been exported without having obtained an export permit under the provisions of this Act.</p> <p>(8) For the purposes of subsection (2), of this section "firearm" include a safety, toy and alarm pistol, and rifle which is capable of being converted into, or has the appearance of, a barrelled weapon or which can be used or adapted for the discharge of any noxious liquid, gas or similar substance.</p> <p>Art. 26</p> <p>(1) All firearms and ammunition imported under this Act shall be detained in police custody pending removal of the same in accordance with the provisions of this section.</p> <p>(2) any person who imports any firearm or ammunition by way of trade or business, or any purpose other than his own personal use, shall not remove that firearm or ammunition or cause it to be removed from police custody, unless he has first obtained from the chief licensing officer a removal permit in the prescribed form authorising him to remove the firearm or ammunition from the place where they are kept.</p> <p>(3) any person who imports a firearm or ammunition for his own personal use shall not remove it or cause it to be removed from police custody unless,</p> <p>(a) he has first obtained a firearm certificate in respect thereof; or</p> <p>(b) he shows that he is entitled by virtue of this Act to have the firearm or ammunition in his possession without holding a firearm certificate.</p>	

Import, export and transit: Record keeping

Analytical category	International and regional agreements	Current national legislative controls	Conformity
<p>What records should be kept?</p> <p>What records must be submitted to authorities, and when?</p>	<p>Protocol for the GLR and HoA Art. 7 (d) and UN Firearms Protocol Art. 7</p> <p>Require the maintenance of records of information on small arms and light weapons for not less than ten years necessary to trace illicitly manufactured or trafficked arms.</p> <p>Protocol for the GLR and HoA Art. 7 (d)</p> <p>Requires information held to include appropriate markings and specific details of international transactions of small arms and light weapons.</p> <p>UN Programme of Action Section II Art. 9</p> <p>Requires ensuring comprehensive and accurate records are kept for as long as possible on the manufacture, holding and transfer of small arms and light weapons. Records should be well maintained and organised to facilitate accurate and prompt information retrieval.</p>		<p>The national legislation does not conform to the regional and international agreements.</p>

Import, export and transit: *Special conditions*

Analytical category	International and regional agreements	Current national legislative controls	Conformity
Temporary import/export conditions? Conditions for dignitaries, diplomats, tourists or other categories of person?	<p>Protocol for the GLR and HoA Art. 10 (f)</p> <p>Allows states to adopt simplified procedures for the temporary import and export and the transit of small arms for verifiable lawful purposes such as hunting, sport shooting, evaluation, exhibitions or repairs.</p>		The national legislation does not contain any such simplified procedures and therefore applies in full in these instances.

Import, export and transit: *Re-export provisions*

Analytical category	International and regional agreements	Current national legislative controls	Conformity

Import, export and transit: *Offences/penalties*

Analytical category	International and regional agreements	Current national legislative controls	Conformity
	<p>Co-ordinated Agenda for Action Art. 3.3 and Implementation Plan Art. 3.3</p> <p>Require the establishment as criminal offences under the national law the illicit trafficking in small arms and light weapons, including home made weapons.</p> <p>UN Firearms Protocol Art. 5 (2) (a) and (b)</p> <p>Requires a provisions relating to the illicit trafficking in firearms and for those acting as accomplices or who organise, direct, aid, abet, facilitate or counsel the commission of such offences.</p> <p>Protocol for the GLR and HoA Art. 3 (a) (i)</p> <p>Requires the establishment as a criminal offence the illicit trafficking of small arms and light weapons.</p>	<p>Firearms Act 1970 Part III Art. 25</p> <p>(3) Any person who contravenes any of the provisions of subsection (1) or (2) of this section commits an offence and shall be liable to imprisonment for life</p> <p>(7) Any person who, for the purpose of procuring whether for himself or for any other person the issue of an import or export permit under the provisions of this section, makes any statement which he knows to be false or does not believe to be true commits an offence and shall be liable to imprisonment for a term not exceeding five years or to a fine not exceeding twenty thousand shillings or to both.</p> <p>Art. 26</p> <p>(4) Any person who contravenes any of the provisions of this section commits an offence and shall be liable to imprisonment for a period not exceeding six months or to a fine not exceeding two thousand shillings, or to both.</p> <p>Art. 27</p> <p>(2) Any person who fails to comply with any condition subject to which a transit permit is issued commits an offence and shall be liable to imprisonment for a term not exceeding six months or to a fine not exceeding two thousand shillings, or to both, and, the court before which the person is convicted may order the forfeiture of the firearm or ammunition to which permit relates.</p> <p>Part IV Art. 32</p> <p>(2) Subject to the provisions of subsection (1) of this section, where any person,</p> <p>(a) is convicted of an offence under the provisions of this Act; or</p> <p>(b) is convicted of an offence for which he is sentenced to enter into recognizances to keep the peace or be of good behaviour a condition of which is that the offender shall not possess, use or carry a firearm, or is subject to a probation order containing a requirement that he shall not possess, use or carry a firearm, the court before which he is convicted, or by which the order is made, may make such order as to the forfeiture or disposal of any firearm or ammunition which was found in his possession or in respect of which the offence of which he is convicted was committed or which was used in the commission of such offence as the court thinks fit, and may cancel any firearm certificate or permit issued under the provisions of this Act and held by the person convicted.</p>	<p>The national legislation broadly conforms to the regional and international agreements but falls short in a few key areas.</p> <p>The illicit import or export of small arms is an offence and subject to life imprisonment.</p> <p>Organising, aiding, abetting, facilitating or counselling the commission of offences are not, however, stipulated as offences.</p>

Brokering

Description of brokering controls

Analytical category	International and regional agreements	Current national legislative controls	Conformity
	<p>Co-ordinated Agenda for Action Art. 3.2.3 and Implementation Plan Art. 3.2.3</p> <p>Require regulations for the effective control of brokers, financiers and transporters of small arms and light weapons.</p> <p>Protocol for the GLR and HoA Art. 1</p> <p><i>Definitions</i></p> <p>"broker" is a person who acts:</p> <p>(a) for a commission, advantage or cause, whether pecuniary or otherwise;</p> <p>(b) to facilitate the transfer, documentation and/or payment in respect of any transaction relating to the buying or selling of small arms and light weapons; or</p> <p>(c) as an intermediary between any manufacturer, or supplier of, or dealer in small arms and light weapons and any buyer or recipient thereof.</p> <p>"brokering" means acting:</p> <p>(a) for a commission, advantage or cause, whether pecuniary or otherwise;</p> <p>(b) to facilitate the transfer, documentation and/or payment in respect of any transaction relating to the buying or selling of small arms and light weapons; or</p> <p>(c) thereby acting as intermediary between any manufacturer, or supplier of, or dealer in small arms and light weapons and any buyer or recipient thereof.</p> <p>Art. 3 (c) (xii)</p> <p>Requires provisions regulating brokering in the individual State Parties.</p> <p>Art. 11</p> <p>Requires a national system for regulating dealers and brokers of small arms and light weapons, which includes:</p> <p>(ii) registering all brokers operating within their territory;</p> <p>(iii) ensuring all registered brokers seek and obtain authorisation for each individual transaction taking place;</p> <p>(iv) ensuring that all brokering transactions provide full disclosure on import and export licences or authorisation and accompanying documents of the names and locations of all brokers involved in the transaction;</p> <p>(v) licensing, registering and checking regularly and randomly all independent manufacturers, dealers, traders and brokers.</p> <p>Bamako Declaration Art. 3 A (vii) B (iv), UN Firearms Protocol Art. 15 and UN Programme of Action Section II Art. 14</p> <p>Require provisions for the control of brokers, including shipping and transit agents.</p>		<p>The national legislation does not conform to the regional and international agreements.</p>

Brokering: Description of brokering controls *continued*

Analytical category	International and regional agreements	Current national legislative controls	Conformity
	<p>UN Firearms Protocol Art. 5 (2) (a) and (b) and Art. 14</p> <p>Requires provisions relating to the illicit trafficking in firearms and those acting as accomplices or who organise, direct, aid, abet, facilitate or counsel the commission of such offences.</p> <p>Requires adequate legislation regulating the activities of those who engage in small arms and light weapons brokering.</p>		

Brokering: Offences/penalties

Analytical category	International and regional agreements	Current national legislative controls	Conformity

Manufacture**Licensing**

Analytical category	International and regional agreements	Current national legislative controls	Conformity
<p>Description of licensing process:</p> <ul style="list-style-type: none"> ■ competency testing of manufacturers? ■ duration of licences? ■ offence to withhold information? ■ specifications of licence – information to be included on licence? ■ distinction made between small arm and ammunition manufacturing? ■ limits on quantities produced? <p>restrictions on types of arms/ammunition produced?</p>	<p>Co-ordinated Agenda for Action Art. 3.1, 3.2.2, 3.2.3 and Implementation Plan Art. 3.1, 3.2.2, 3.2.3</p> <p>Require minimum standards to govern and regulations regarding the manufacture of small arms and light weapons.</p> <p>Protocol for the GLR and HoA Art. 1</p> <p><i>Definitions</i></p> <p>“illicit manufacturing” shall mean the manufacturing or assembly of small arms and light weapons:</p> <p>(b) without a licence or authorisation from a competent authority of the State Party where the manufacture or assembly takes place; or</p> <p>Art. 3 (a) (ii) and (c) (iv)</p> <p>Require establishing as a criminal offence illicit manufacturing of small arms and light weapons and establishing controls over the manufacturing of small arms and light weapons.</p> <p>Bamako Declaration Art. 3 A</p> <p>(iii) Recommends establishing as a criminal offence the illicit manufacturing of small arms and light weapons.</p> <p>UN Firearms Protocol Art. 3</p> <p>(d) “Illicit manufacturing” shall mean the manufacturing or assembly of firearms, their parts and components or ammunition:</p> <p>Art. 5 (1) (a)</p> <p>Requires state parties to adopt legislation making the illicit manufacturing of firearms and ammunition a criminal offence.</p>	<p>Firearms Act 1970 Part II Art. 10</p> <p>(1) No person shall manufacture or assemble any firearm or ammunition.</p>	<p>The national legislation fully conforms to the regional and international agreements.</p> <p>The manufacture of small arms and ammunition is prohibited.</p>

Manufacture: Licensing *continued*

Analytical category	International and regional agreements	Current national legislative controls	Conformity
	<p>UN Programme of Action II Art. 2</p> <p>Requires establishing adequate laws, regulations and administrative procedures to exercise effective control over the production of small arms</p> <p>Art. 3</p> <p>Recommends establishing as a criminal offence the illegal manufacture of small arms and light weapons.</p>		

Manufacture: Marking

Analytical category	International and regional agreements	Current national legislative controls	Conformity
What conditions pertain?	<p>Protocol for the GLR and HoA Art. 1</p> <p><i>Definitions</i></p> <p>"illicit manufacturing" shall mean the manufacturing or assembly of small arms and light weapons:</p> <p>(c) without marking the small arms and light weapons at the time of manufacture, in accordance with Article 7 of this Protocol.</p> <p>Art. 3 (c) (vi)</p> <p>Requires the standardized marking and identification of small arms and light weapons at the time of manufacture.</p> <p>Art. 7 (a)</p> <p>Requires the marking of each small arm and light weapon at the time of manufacture, with a unique marking providing the name of the manufacturer, the country of place of manufacture and the serial number. The marking should be on the barrel, frame and, where applicable, the slide.</p> <p>Bamako Declaration Art. 3 A (iv)</p> <p>Recommends establishing at the national level the responsible management of licit arms.</p> <p>Protocol for the GLR and HoA Art. 7 (a), UN Firearms Protocol Art. 8 and UN Programme of Action Section II Art. 7</p> <p>Require specific provisions for a unique number to be marked on the barrel, frame or slide at the time of manufacture or import. Such information must permit identification of country of manufacture and manufacturer.</p>		Not applicable as the manufacture of small arms and ammunition is prohibited.

Manufacture: Record keeping

Analytical category	International and regional agreements	Current national legislative controls	Conformity
What records should be kept? What records should be submitted to authorities, and when?	<p>Protocol for the GLR and HoA Art. 7 (d)</p> <p>Requires the maintenance, for not less than ten years, of information in relation to small arms and light weapons that is necessary to trace and identify those small arms and light weapons which are illicitly manufactured and to prevent and detect such activities.</p>	<p>Firearms Act 1970 Part II Art. 16</p> <p>(1) Every firearms dealer or gunsmith shall provide and keep at each of his places of business a register of all his transactions in firearms and ammunition, and shall enter or cause to be entered therein such particulars as may be prescribed.</p>	Not applicable as the manufacture of small arms and ammunition is prohibited.

Manufacture: Record keeping *continued*

Analytical category	International and regional agreements	Current national legislative controls	Conformity
	<p>UN Programme of Action Section II Art. 9</p> <p>Requires ensuring that accurate records are kept for as long as possible on the manufacture of small arms and light weapons. Records should be maintained and organised to ensure accurate and prompt retrieval of information.</p>	<p>(2) In case a registered gunsmith is employed by a registered firearms dealer at the dealer's place of business the records referred to in subsection (1) of this section shall be kept by the firearms dealer.</p> <p>(3) Every entry shall be made within twenty-four hours after the transaction to which it relates took place, and in the case of a sale or transfer, the firearms dealer shall at the time of the transaction require the purchaser or transferee to furnish particulars sufficient for identification, and shall immediately enter the said particulars in the register.</p> <p>(4) Every firearms dealer shall on demand allow any customs officer or police officer to enter and inspect all firearms and ammunition in hand, and shall on request by any such officer produce for inspection the register required to be kept under the provisions of subsection (1) of this section.</p> <p>(5) Every firearms dealer shall, within seven days beginning from the day of the sale or transfer of any firearm, notify the chief licensing officer of such sale or transfer.</p>	

Manufacture: Premises

Analytical category	International and regional agreements	Current national legislative controls	Conformity
<p>Registration of premises?</p> <p>Conditions of storage?</p> <p>Restrictions on type of premises and location?</p>	<p>UN Firearms Protocol Art. 11</p> <p>Requires state parties to take appropriate measures to ensure the security of firearms, their parts and components and ammunition to prevent theft, loss and diversion.</p> <p>Protocol for the GLR and HoA Art. 3 (c) (viii)</p> <p>Requires provisions for effective control of small arms and light weapons including storage.</p>	<p>Firearms Act 1970 Part II Art. 13</p> <p>(1) Any person who applies to be registered as a firearms dealer or gunsmith under section 12 of this Act shall state the particulars of every place of business within the area at which he proposes to carry on business as a firearms dealer or gunsmith and the chief licensing officer shall cause to be entered in the register every such place of business.</p> <p>(2) Every person registered as a firearms dealer or gunsmith in any area, who propose to carry on business as such at any place of business in that area which is not entered in the register, shall notify the chief licensing officer and shall furnish him with such particulars as may be prescribed and the chief licensing officer shall cause to be entered that place of business in the register.</p> <p>(3) If the chief licensing officer is satisfied that any place of business notified to him by any person under the provisions of subsection (1) of this section or any place entered as the place of business of any person in the register of firearms dealer and gunsmith is a place at which that person cannot be permitted to carry on business as a firearms dealer or gunsmith without danger to the public safety or to the peace, he may refuse the entry of that place of business in the register or cause it to be removed from the register; as the case may be.</p> <p>Art. 15</p> <p>(1) In addition to any other powers on that behalf conferred by the provisions of this Act, the chief licensing officer may cause to be removed from the register of firearm dealers and gunsmiths the name of any person who,</p> <p>(b) has ceased to carry on business as a firearms dealer or gunsmith: or</p> <p>Art. 17</p> <p>(1) Every firearms dealer or gunsmith shall provide and maintain at each of his places of business a suitable enclosed store for the safe custody of firearms and ammunition in his possession and shall at all times keep all such firearms and ammunition securely within such store.</p> <p>(2) Every store required to be provided and maintained under Subsection (1) of this section shall be secure to the satisfaction of the licensing officer of the area in which it is situated, and shall have only one means of</p>	<p>Not applicable as the manufacture of small arms and ammunition is prohibited.</p>

Manufacture: Premises *continued*

Analytical category	International and regional agreements	Current national legislative controls	Conformity
		<p>entry thereto which shall be provided with two different locks of which master keys shall be delivered to the licensing officer who shall keep them in a safe after properly labeling them.</p> <p>(3) In case a registered gunsmith is employed by a registered firearms dealer at the dealer's place of business, the requirements of this section shall apply only to the dealer.</p>	

Manufacture: Restrictions on sale/transfer

Analytical category	International and regional agreements	Current national legislative controls	Conformity
<p>To whom can manufacturer transfer arms?</p> <p>What arms can manufacturer transfer?</p> <p>Conditions to be met in transferring arms?</p> <p>What documentation and reporting of transfers is required?</p>	<p>Bamako Declaration Art. 3 A. (vii)</p> <p>Requires that states take appropriate measures to control arms transfers by manufacturers</p>	<p>Firearms Act 1970</p> <p>Part II</p> <p>Art. 20</p> <p>(1) No person shall sell or transfer to any other person other than a registered firearms dealer, any firearm or ammunition unless such other person produces a firearm certificate authorising him to purchase or acquire the same or show that he is entitled, by virtue of the provisions of this Act, to purchase or acquire the same without holding a firearm certificate.</p> <p>(2) Every person who sells or gives a firearm or ammunition to any other person not being a registered firearms dealer shall comply with any of the instructions contained in the firearm certificate produced and in the case of a firearm shall, within forty-eight hours from the transaction,</p> <p>(a) send by registered post to the chief licensing officer notice of the transactions;</p> <p>(b) if he is not a registered firearm dealer, surrender the firearm certificate held by him in respect of such firearm to the chief' licensing officer.</p>	<p>Not applicable as the manufacture of small arms and ammunition is prohibited.</p>

Manufacture: Quality control/standards

Analytical category	International and regional agreements	Current national legislative controls	Conformity
<p>Conditions relating to quality of arms/ammunition produced</p>			

Manufacture: Gunsmiths

Analytical category	International and regional agreements	Current national legislative controls	Conformity
<p>Conditions/controls relating to repair and modification</p>		<p>Firearms Act 1970</p> <p>Part II</p> <p>Art. 6</p> <p>(1) The following provisions of this section shall have effect notwithstanding anything in section 2 of this Act, that is to say,</p> <p>(a) a person carrying on the business of a firearms dealer or gunsmith, or an approved servant of such a person, may, without holding a firearm certificate, have in his possession a firearm or ammunition in the ordinary course of that business;</p> <p>Art. 10</p> <p>(2) Nothing in this section shall be deemed to prohibit the assembly,</p> <p>(a) by firearms dealer or gunsmith of any firearm; or</p> <p>Art. 11</p> <p>(1) subject to the provisions of this section, no person</p> <p>(b) shall repair, test or prove any firearm or ammunition unless he is registered under this Act as a gunsmith.</p> <p>Art. 12</p> <p>(1) The chief licensing officer shall continued or in case to be confined in the prescribed form a register of firearms dealers and gunsmiths and shall, subject as here in after provided, enter or cause to be entered</p>	

Manufacture: Gunsmiths *continued*

Analytical category	International and regional agreements	Current national legislative controls	Conformity
		<p>there in the name of any person who applies to be registered as a firearms dealer or gunsmith and furnishes the particulars prescribed by section 13 of this Act.</p> <p>(2) The chief licensing officer may in his discretion refuse to register the name of any applicant for, registration as a firearms dealer or gunsmith without assigning any reason for such refusal and in any case shall refuse to register the name of any such applicant.</p> <p>(a) Who is prohibited from being registered by an order of a court made under the provisions of section 18 of this Act;</p> <p>(b) in respect of whom the chief licensing officer is satisfied that, having regard to the public safety or to the peace, he is not a fit and proper person so to be registered;</p> <p>(c) whom the chief licensing officer is satisfied is not sufficiently qualified or competent to carry on the business of a dealer or gunsmith.</p> <p>Art. 14</p> <p>(1) The chief licensing officer shall, upon payment of the prescribed fees, issued or each person registered as a firearms dealer- or gunsmiths under the provisions of section 12 of this Act a certificate of registration in the prescribed form.</p> <p>(2) Every firearms dealer or gunsmith shall cause to be exhibited, in a prominent position in is Iris principal place of business, the certificate of registration issued under the provisions of subsection (1) of this section.</p> <p>(3) A certificate of registration shall remain in force unless the name of the firearms dealer or gunsmith to whom it is issued is removed from the register, until the 31st day of December in the year in which it is issued.</p> <p>(4) Within seven days from the 1st day of January in each year every person registered as a firearms dealer.</p> <p>(a) shall surrender to the chief licensing officer his certificate of registration; and</p> <p>(b) shall apply in the prescribed form for the issue of a new certificate of registration; and</p> <p>(c) shall pay such fees as maybe prescribed. and thereafter the chief licensing officer may, subject to the provisions of subsection (2) of section 12 of this Act issue or cause to be issued to such person a new certificate of registration.</p> <p>Art. 15</p> <p>(1) In addition to any other- powers on that behalf conferred by the provisions of this Act, the chief licensing officer may cause to be removed from the register of firearm dealers and gunsmiths the name of any person who,</p> <p>(d) has ceased, in the opinion of the chief licensing officer, to be a fit and proper person, having regard to tile public safety or to the peace, to be registered as a firearms dealer or gunsmith.</p> <p>Art. 20</p> <p>(3) No person shall repair, test or any firearm or ammunition for any other person unless such other person produces or causes to be produced a firearm certificate authorising him to have possession of such a firearm or ammunition or shows that he is authorised by the provisions of this Act to have possession thereof without holding a firearm certificate.</p> <p>Part IV</p> <p>Art. 29</p> <p>(1) Every person having in his possession any firearm and ammunition.</p> <p>(a) shall keep the same at all times securely and in safe custody; and</p> <p>(b) shall take all reasonable precautions to ensure that such a firearm or ammunition is not lost or stolen and is not at any time available to any person not lawfully entitled to possess the same.</p>	

Manufacture: Gunsmiths *continued*

Analytical category	International and regional agreements	Current national legislative controls	Conformity
		(2) Any person having possession of a firearm or ammunition whether or not he holds a firearm certificate therefore or is entitled to have possession thereof without holding a firearm certificate shall, if such firearm or ammunition is lost stolen or destroyed, report such loss, theft or destruction as soon as possible after its occurrence to the police officer in charge of the nearest police station.	

Manufacture: Offences/penalties

Analytical category	International and regional agreements	Current national legislative controls	Conformity
	<p>UN Firearms Protocol Art. 5 (2) (a) and (b)</p> <p>Stipulates including provisions relating to the illicit manufacturing of firearms and for those acting as accomplices or who organise, direct, aid, abet, facilitate or counsel the commission of such offences.</p> <p>Protocol for the GLR and HoA Art. 1</p> <p><i>Definitions</i></p> <p>"illicit manufacturing" shall mean the manufacturing or assembly of small arms and light weapons:</p> <p>(a) from parts and components illicitly trafficked;</p> <p>(b) without a licence or authorisation from a competent authority of the State Party where the manufacture or assembly takes place; or</p> <p>(c) without marking the small arms and light weapons at the time of manufacture, in accordance with Article 7 of this Protocol.</p> <p>Art. 3 (a) (ii)</p> <p>Requires establishing as a criminal offence illicit manufacturing of small arms and light weapons.</p>	<p>Firearms Act 1970 Part II Art. 10</p> <p>(3) any person who contravenes the provisions of subsection (1) of this section commits an offence shall be liable to imprisonment for life.</p> <p>Art. 11</p> <p>(3) Any person who contravenes the provisions of subsection (1) of this section commits an offence and shall be liable to imprisonment for a term not exceeding five years or to a fine not exceeding twenty thousand shillings or to both.</p> <p>Art. 12</p> <p>(4) Any person who, for the purpose of procuring the registration of himself or of any other person as a firearms dealer or gunsmith, make any statement which he knows to be false, or does not believe to be true commits an offence and shall be liable to imprisonment for a term not exceeding five years or to a fine not exceeding twenty thousand shillings or to both.</p> <p>Art. 13</p> <p>(4) Any person who,</p> <p>(a) carries on a business as a firearms dealer or gunsmith at any place which is not entered in the register; or</p> <p>(b) for the purpose of procuring, whether for himself or any other person, the entry of any place of business in the register of firearms dealers or gunsmiths, makes any statement which he knows to be false or does not believe to be true, commits an offence and shall be liable to imprisonment for a term not exceeding five years or a fine not exceeding twenty thousand shillings or to both.</p> <p>Art. 14</p> <p>(5) If any firearms dealer or gunsmith fails to comply with any of the provisions of this section, the chief licensing officer shall, by notice in writing, require him to comply therewith and if he fails so to do within twenty-one days of the date of such notice, or within such further time as the chief licensing officer may in special circumstances allow, shall cause his name to be removed from the register of firearms dealers and gunsmiths.</p> <p>Art. 15</p> <p>(2) If, pursuant to any of the provisions of this Act, the chief licensing officer removes or causes to be removed the name of any firearms dealer or gunsmith from the register of firearms dealer or gunsmiths, he shall, by notice in writing, require such firearms dealer or gunsmith to surrender his certificate of registration.</p> <p>(3) Any firearms dealer or gunsmith served with a notice under the provisions of subsection (2) of this section who fails to comply therewith within fourteen days of the date of such notice commits an offence and shall be liable to a fine not exceeding one thousand shillings:</p> <p>Provided that,</p> <p>(a) Until the firearms dealer or gunsmith surrenders his certificate of registration in accordance with the</p>	<p>The national legislation broadly conforms to the regional and international agreements but falls short in a few key areas.</p> <p>The manufacture of small arms and ammunition is prohibited and subject to life imprisonment.</p> <p>However, the legislation does not stipulate as specific offences the organising, aiding, abetting, facilitating, counselling or commissioning of offences.</p>

Manufacture: Offences/penalties *continued*

Analytical category	International and regional agreements	Current national legislative controls	Conformity
		<p>provisions of this section, or, if he fails so to surrender his said certificate, until the expiration of the aforesaid period of fourteen days, the firearms dealer or gunsmith shall be deemed to be registered as a firearms dealer or gunsmith for the purpose only of disposing of the stock in hand of his business.</p> <p>Art. 16</p> <p>(6) any person who,</p> <p>(a) fails to comply with any of the provisions of this section; or</p> <p>(b) knowingly makes any false entry in a register required to be kept under this section: or</p> <p>(c) knowingly furnishes any false particulars of identification of himself or any other person, commits an offence and shall be liable to imprisonment for a term not exceeding six months or to a fine not exceeding two thousand shillings or to both.</p> <p>Art. 17</p> <p>(4) Any person who fails to comply with any of the provisions of this section commits an offence and shall be liable to a fine not exceeding five thousand shillings.</p> <p>Art. 18</p> <p>(1) Where a firearms dealer or gunsmith is convicted of an offence against this Act, or against any law for the time being in force relating to customs in respect of the import or export of firearms or ammunition, the court may order,</p> <p>(a) that the name of the firearms dealer or gunsmith be removed from the register and</p> <p>(b) that neither the firearms dealer or gunsmith nor any person who acquires the business of that firearms dealer or gunsmith nor any person who took part in the management of the business, and who was knowingly a party to the offence, shall be registered as a firearms dealer or gunsmith; and</p> <p>(c) that any person who, after the date of the order, knowingly employs in the management or conduct of his business any such firearms dealer or gunsmith or any person who was knowingly a party to the offence, shall be liable to be removed from the register, and</p> <p>(d) that any stock in hand of the business shall be disposed of as directed by the Inspector-General of Police after consultation with the Minister.</p> <p>Art. 20</p> <p>(4) any person who,</p> <p>(b) contravenes any of the foregoing provisions of this section: or</p> <p>(c) for any of the purposes of the foregoing provisions of this section, produces a false firearm certificate, or a firearm certificate in which any false entry or alteration has been made or personates any person to whom a firearm has been issued, or makes any false statement, commits an offence and shall be liable to imprisonment for a term not exceeding five years or to a fine not exceeding twenty thousand shillings or both.</p> <p>Part IV</p> <p>Art. 29</p> <p>(3) Any person who contravenes any of the provisions of this section commits an offence and shall be liable to imprisonment for a term not exceeding twelve months or to a fine not exceeding five thousand shillings, or to both.</p> <p>Art. 32</p> <p>(2) Subject to the provisions of subsection (1) of this section, where any person,</p> <p>(a) is convicted of an offence under the provisions of this Act; or</p> <p>(b) is convicted of an offence for which he is sentenced to enter into recognizances to keep the peace or be of good behaviour a condition of which is that the offender shall not possess, use or carry a firearm, or is</p>	

Manufacture: Offences/penalties *continued*

Analytical category	International and regional agreements	Current national legislative controls	Conformity
		subject to a probation order containing a requirement that he shall not possess, use or carry a firearm, the court before which he is convicted, or by which the order is made, may make such order as to the forfeiture or disposal of any firearm or ammunition which was found in his possession or in respect of which the offence of which he is convicted was committed or which was used in the commission of such offence as the court thinks fit, and may cancel any firearm certificate or permit issued under the provisions of this Act and held by the person convicted.	

Trade**Licensing**

Analytical category	International and regional agreements	Current national legislative controls	Conformity
<p>Description of licensing process:</p> <ul style="list-style-type: none"> ■ competency testing of those licensed to trade? ■ duration of licences? ■ offence to withhold information? ■ specifications of licence – information to be included on licence? ■ limits on quantities traded? 	<p>Nairobi Declaration Art. iv Urges states to monitor and effectively control all transactions relating to small arms and light weapons to licensed entities.</p> <p>Co-ordinated Agenda for Action Art. 3.1, 3.2.2 and Implementation Plan Art 3.1, 3.2.3 Promote minimum standards and regulations for the governing and control of the transfer of small arms and light weapons.</p> <p>Co-ordinated Agenda for Action 3.2.3 Requires regulations for the effective control of traders of small arms and light weapons.</p> <p>Protocol for the GLR and HoA Art. 3 (a) (i) Requires establishing as a criminal offence the illicit trafficking in small arms and light weapons.</p> <p>(c) (v) Requires minimum standards regarding the control and transfer of small arms and light weapons.</p> <p>Bamako Declaration Art. 3 A (vii) Recommends that Member States should take appropriate measures to control arms transfers by traders.</p> <p>UN Programme of Action II Art. 3 Recommends establishing as a criminal offence the illegal trade in small arms and light weapons.</p>	<p>Firearms Act 1970 Part II Art. 1 (1) subject to the provisions of this section, no person (a) shall sell or transfer or expose for sale or transfer or have in his possession for sale, transfer or have repair, test or prove any firearm or ammunition unless he is registered under this Act as a firearms dealer; or</p> <p>Art. 12 (1) The chief licensing officer shall continued or in case to be confined in the prescribed form a register of firearms dealers and gunsmiths and shall, subject as here in after provided, enter or cause to be entered there in the name of any person who applies to be registered as a firearms dealer or gunsmith and furnishes the particulars prescribed by section 13 of this Act.</p> <p>(2) The chief licensing officer may in his discretion refuse to register the name of any applicant for, registration as a firearms dealer or gunsmith without assigning any reason for such refusal and in any case shall refuse to register the name of any such applicant.</p> <p>(a) Who is prohibited from being registered by an order of a court made under the provisions of section 18 of this Act;</p> <p>(b) in respect of whom the chief licensing officer is satisfied that, having regard to the public safety or to the peace, he is not a fit and proper person so to be registered;</p> <p>(c) whom the chief licensing officer is satisfied is not sufficiently qualified or competent to carry on the business of a dealer or gunsmith.</p> <p>Art. 14 (1) The chief licensing officer shall, upon payment of the prescribed fees, issued or each person registered as a firearms dealer- or gunsmiths under the provisions of section 12 of this Act a certificate of registration in the prescribed form.</p> <p>(2) Every firearms dealer or gunsmith shall cause to be exhibited, in a prominent position in is Iris principal place of business, the certificate of registration issued under the provisions of subsection (1) of this section.</p> <p>(3) A certificate of registration shall remain in force unless the name of the firearms dealer or gunsmith to whom it is issued is removed from the register, until the 31st day of December in the year in which it is issued.</p> <p>(4) Within seven days from the 1st day of January in each year every person registered as a firearms dealer, shall surrender to the chief licensing officer his certificate of registration; and shall apply in the prescribed form for the issue of a new certificate of registration; and</p>	<p>The national legislation fully conforms to the regional and international agreements.</p> <p>Small arms dealers must register with the chief licensing officer before they may sell small arms and ammunition.</p> <p>Applicants to register as a small arms dealer not deemed to be fit or proper shall be refused permission to trade.</p>

Trade: Licensing *continued*

Analytical category	International and regional agreements	Current national legislative controls	Conformity
		<p>shall pay such fees as maybe prescribed. and thereafter the chief licensing officer may, subject to the provisions of subsection (2) of section 12 of this Act issue or cause to be issued to such person a new certificate of registration.</p> <p>Art. 15</p> <p>(1) In addition to any other- powers on that behalf conferred by the provisions of this Act, the chief licensing officer may cause to be removed from the register of firearm dealers and gunsmiths the name of any person who,</p> <p>(d) has ceased, in the opinion of the chief licensing officer, to be a fit and proper person, having regard to tile public safety or to the peace, to be registered as a firearms dealer or gunsmith.</p>	

Trade: Marking

Analytical category	International and regional agreements	Current national legislative controls	Conformity
What conditions pertain?			

Trade: Record keeping

Analytical category	International and regional agreements	Current national legislative controls	Conformity
<p>What records should be kept?</p> <p>What records should be submitted to authorities?</p>	<p>Protocol for the GLR and HoA Art. 7 (d) and UN Firearms Protocol Art. 7</p> <p>Require the maintenance of records for not less than ten years of firearms, ammunition and components that are necessary to trace illicitly trafficked arms.</p>	<p>Firearm Act 1970 Part II Art. 12</p> <p>(1) The chief licensing officer shall continued or in case to be confined in the prescribed form a register of firearms dealers and gunsmiths and shall, subject as here in after provided, enter or cause to be entered there in the name of any person who applies to be registered as a firearms dealer or gunsmith and furnishes the particulars prescribed by section 13 of this Act.</p> <p>Art. 16</p> <p>(1) Every firearms dealer or gunsmith shall provide and keep at each of his places of business a register of all his transactions in firearms and ammunition, and shall enter or cause to be entered therein such particulars as may be prescribed.</p> <p>(2) In case a registered gunsmith is employed by a registered firearms dealer at the dealer's place of business the records referred to in subsection (1) of this section shall be kept by the firearms dealer.</p> <p>(3) Every entry shall be made within twenty-four hours after the transaction to which it relates took place, and in the case of a sale or transfer, the firearms dealer shall at rile time of the transaction require the purchaser or transferee of furnish particulars sufficient for llls identification, and shall immediately enter the said particulars in the register.</p> <p>(4) Every firearms dueler shall on demand allow any customs officer or police officer to enter and inspect all firearms and ammunition in hand, and shall on request by any such officer produce fur inspection the roister required to be kept under the provisions of subsection (1) of this section.</p> <p>(5) Every firearms dealer shall, within seven days beginning from the day of the sale or transfer of any firearm, notify the chief licensing officer of such sale or transfer.</p>	<p>The national legislation broadly conforms to the regional and international agreements but falls short in one key area.</p> <p>Small arms dealers are required to keep a record of transactions and shall inform the chief licensing officer of any sale or transfer within 7 days.</p> <p>However, there is no requirement for records to be kept for not less than ten years.</p>

Trade: Premises

Analytical category	International and regional agreements	Current national legislative controls	Conformity
<p>Registration of premises?</p> <p>Conditions of storage?</p> <p>Restrictions on type of premises and location?</p>	<p>Protocol for the GLR and HoA Art. 3 (c) (viii)</p> <p>Requires provisions for effective control of small arms and light weapons including storage.</p>	<p>Firearms Act 1970 Part II Art. 13</p> <p>(1) Any person who applies to be registered as a firearms dealer or gunsmith under section 12 of this Act shall state the particulars of every place of business within the area at which he proposes to carry on business as a firearms dealer or gunsmith and the chief licensing officer shall cause to be entered in the register every such place of business.</p> <p>(2) Every person registered as a firearms dealer or gunsmith in any area, who propose to carry on business as such at any place of business in that area which is not entered in the register, shall notify the chief licensing officer and shall furnish him with such particulars as may be prescribed and the chief licensing officer shall cause to be entered that place of business in the register.</p> <p>(3) if the chief licensing officer is satisfied that any place of business notified to him by any person under the provisions of subsection (1) of this section or any place entered as the place of business of any person in the register of firearms dealer and gunsmith is a place at which that person cannot be permitted to carry on business as a firearms dealer or gunsmith without danger to the public safety or to the peace, he may refuse the entry of that place of business in the register or cause it to be removed from the register; as the case may be.</p> <p>Art. 15</p> <p>(1) In addition to any other- powers on that behalf conferred by the provisions of this Act, the chief licensing officer may cause to be removed from the register of firearm dealers and gunsmiths the name of any person who,</p> <p>(c) has ceased to carry on business in tile place in which he was registered, or</p> <p>Art. 17</p> <p>(1) Every firearms dealer or gunsmith shall provide and maintain at each of llls places of business a suitable enclosed store for the Safe custody of firearms and ammunition in llls possession and shall at all tunes keep all such firearms and ammunition securely within such store.</p> <p>(2) Every store required to be provided and maintained under Subsection (1) of this section shall be secure to the satisfaction of the licensing officer of the area in which it is situated, and shall have only one means of entry thereto which shall be provided with two different locks of which master keys shall be delivered to the licensing officer who shall keep them in a safe after properly labeling them.</p> <p>(3) In case a registered gunsmith is employed by a registered firearms dealer at the dealer's place of business, the requirements of this section shall apply only to the dealer.</p>	<p>The national legislation fully conforms to the Protocol for the GLR and HoA.</p> <p>The premises of a small arms dealer must be registered. Registration may be refused if the place of business is deemed to present a danger to public safety.</p> <p>A suitable enclosed store with 1 means of entry and 2 different locks must be provided.</p>

Trade: Restrictions on sale/transfer

Analytical category	International and regional agreements	Current national legislative controls	Conformity
<p>To whom can a licensed trader transfer arms?</p> <p>What arms can a licensed trader transfer?</p> <p>Conditions to be met in transferring arms?</p> <p>What documentation and reporting of transfers is required?</p>	<p>Bamako Declaration Art. 3 A. (vii)</p> <p>Requires that states take appropriate measures to control arms transfers by traders</p>	<p>Firearms Act 1970 Part II Art. 20</p> <p>(1) No person shall sell or transfer to any other person other than a registered firearms dealer, any firearm or ammunition unless such other person produces a firearm certificate authorising him to purchase or acquire the same or show that he is entitled, by virtue of the provisions of this Act, to purchase or acquire the same without holding a firearm certificate.</p> <p>(2) Every person who sells or gives a firearm or ammunition to any other person not being a registered firearms dealer shall comply with any of the instructions contained in the firearm certificate produced and in the</p>	<p>The national legislation fully conforms to the Bamako Declaration.</p> <p>Small arms dealers may only sell or transfer small arms to other registered dealers or persons possessing a valid small arms licence.</p>

Trade: Restrictions on sale/transfer *continued*

Analytical category	International and regional agreements	Current national legislative controls	Conformity
		<p>case of a firearm shall, within forty-eight hours from the transaction,</p> <p>(a) send by registered post to the chief licensing officer notice of the transactions;</p> <p>(b) if he is not a registered firearm dealer, surrender the firearm certificate held by him in respect of such firearm to the chief' licensing officer.</p>	

Trade: Quality control/standards

Analytical category	International and regional agreements	Current national legislative controls	Conformity
Conditions relating to quality of arms/ammunition produced			

Trade: Pawning/pledging restrictions

Analytical category	International and regional agreements	Current national legislative controls	Conformity
	<p>Protocol for the GLR and HoA Art. 3 (c) (x)</p> <p>Requires provisions prohibiting the pawning and pledging of small arms and light weapons.</p>	<p>Firearms Act 1970 Part II Art. 19</p> <p>(1) No person shall take or accept any firearm or ammunition from any other person as a security for any money lent to that person or for any performance of an action done.</p>	<p>The national legislation fully conforms to the Protocol for the GLR and HoA.</p> <p>Taking in pawn or pledging any small arm is prohibited.</p>

Trade: Transfer and possession restrictions

Analytical category	International and regional agreements	Current national legislative controls	Conformity
<p>Restrictions/special conditions for traders for business purposes?</p> <ul style="list-style-type: none"> ■ Eg possessing/transferring arms without a licence in the course of business 		<p>Firearms Act 1970 Part II Art. 6</p> <p>(1) The following provisions of this section shall have effect notwithstanding anything in section 2 of this Act, that is to say,</p> <p>(a) a person carrying on the business of a firearms dealer or gunsmith, or an approved servant of such a person, may, without holding a firearm certificate, have in his possession a firearm or ammunition in the ordinary course of that business;</p> <p>(b) a person carrying on the business of an approved carrier or an approved warehouseman, or an approved servant of such a person, may, without holding a firearm certificate, have in his possession a firearm or ammunition in the ordinary course of that business;</p> <p>Art. 10</p> <p>(2) Nothing in this section shall be deemed to prohibit the assembly, by firearms dealer or gunsmith of any firearm;</p> <p>Part IV Art. 29</p> <p>(1) Every person having in his possession any firearm and ammunition.</p> <p>(a) shall keep the same at all times securely and in safe custody; and</p> <p>(b) shall take all reasonable precautions to ensure that such a firearm or ammunition is not lost or stolen and is not at any time available to any person not lawfully entitled to possess the same.</p> <p>(2) Any person having possession of a firearm or ammunition whether or not he holds a firearm certificate therefore or is entitled to have possession thereof without holding a firearm certificate shall, if such firearm or ammunition is lost stolen or destroyed, report such loss, theft or destruction as soon as possible after its occurrence to the police officer in charge of the nearest police station.</p>	

Trade: Offences/penalties

Analytical category

International and regional agreements

Current national legislative controls

Conformity

UN Firearms Protocol Art. 5 (2) (a) and (b)

Requires provisions relating to the illicit trafficking in firearms and for those acting as accomplices or who organise, direct, aid, abet, facilitate or counsel the commission of such offences.

Protocol for the GLR and HoA**Art. 3 (a) (i)**

Requires the establishment as a criminal offence the illicit trafficking in small arms and light weapons.

Firearms Act 1970**Part II****Art. 11**

(3) Any person who contravenes the provisions of subsection (1) of this section commits an offence and shall be liable to imprisonment for a term not exceeding five years or to a fine not exceeding twenty thousand shillings or to both.

Art. 12

(4) Any person who, for the purpose of procuring the registration of himself or of any other person as a firearms dealer or gunsmith, make any statement which he knows to be false, or does not believe to be true commits an offence and shall be liable to imprisonment for a term not exceeding five years or to a fine not exceeding twenty thousand shillings or to both.

Art. 13

(4) Any person who,

(a) carries on a business as a firearms dealer or gunsmith at any place which is not entered in the register; or

(b) for the purpose of procuring, whether for himself or any other person, the entry of any place of business in the register of firearms dealers or gunsmiths, makes any statement which he knows to be false or does not believe to be true, commits an offence and shall be liable to imprisonment for a term not exceeding five years or a fine not exceeding twenty thousand shillings or to both.

Art. 14

(5) If any firearms dealer or gunsmith fails to comply with any of the provisions of this section, the chief licensing officer shall, by notice in writing, require him to comply therewith and if he fails so to do within twenty-one days of the date of such notice, or within such further time as the chief licensing officer may in special circumstances allow, shall cause his name to be removed from the register of firearms dealers and gunsmiths.

Art. 15

(2) If, pursuant to any of the provisions of this Act, the chief licensing officer removes or causes to be removed the name of any firearms dealer or gunsmith from the register of firearms dealer or gunsmiths, he shall, by notice in writing, require such firearms dealer or gunsmith to surrender his certificate of registration.

(3) Any firearms dealer or gunsmith served with a notice under the provisions of subsection (2) of this section who fails to comply therewith within fourteen days of the date of such notice commits an offence and shall be liable to a fine not exceeding one thousand shillings: Provided that,

(a) Until the firearms dealer or gunsmith surrenders his certificate of registration in accordance with the provisions of this section, or, if he fails so to surrender his said certificate, until the expiration of the aforesaid period of fourteen days, the firearms dealer or gunsmith shall be deemed to be registered as a firearms dealer or gunsmith for the purpose only of disposing of the stock in hand of his business.

Art. 16

(6) any person who,

(a) fails to comply with any of the provisions of this section; or

(b) knowingly makes any false entry in a register required to be kept under this section: or

(c) knowingly furnishes any false particulars of identification of himself or any other person, commits an offence and shall be liable to imprisonment for a term not exceeding six months or to a fine not exceeding two thousand shillings or to both.

The national legislation broadly conforms to the UN Firearms Protocol but falls short in a few key areas.

Illicit trading is criminal offence, however, the legislation does not stipulate as specific offences the organising, aiding, abetting, facilitating, counselling or commissioning of offences.

Trade: Offences/penalties *continued*

Analytical category	International and regional agreements	Current national legislative controls	Conformity
		<p>Art. 17</p> <p>(4) Any person who fails to comply with any of the provisions of this section commits an offence and shall be liable to a fine not exceeding five thousand shillings.</p> <p>Art. 18</p> <p>(1) Where a firearms dealer or gunsmith is convicted of an offence against this Act, or against any law for the time being in force relating to customs in respect of the import or export of firearms or ammunition, the court may order,</p> <p>(i) that the name of the firearms dealer or gunsmith be removed from the register and</p> <p>(j) that neither the firearms dealer or gunsmith nor any person who acquires the business of that firearms dealer or gunsmith nor any person who took part in the management of the business, and who was knowingly a party to the offence, shall be registered as a firearms dealer or gunsmith; and</p> <p>(k) that any person who, after the date of the order, knowingly employs in the management or conduct of his business any such firearms dealer or gunsmith or any person who was knowingly a party to the offence, shall be liable to be removed from the register, and</p> <p>(l) that any stock in hand of the business shall be disposed of as directed by the Inspector-General of Police after consultation with the Minister.</p> <p>Art. 19</p> <p>(2) any person who contravenes the provisions of this section commits an offence and shall be liable to imprisonment for a term of not more than six months or to a fine of not more than two thousand shillings or to both.</p> <p>Art. 20</p> <p>(4) any person who,</p> <p>(b) contravenes any of the foregoing provisions of this section: or</p> <p>(c) for any of the purposes of the foregoing provisions of this section, produces a false firearm certificate, or a firearm certificate in which any false entry or alteration has been made or personates any person to whom a firearm has been issued, or makes any false statement, commits, an offence and shall be liable to imprisonment for a term not exceeding five years or to a fine not exceeding twenty thousand shillings or both.</p> <p>Part IV</p> <p>Art. 29</p> <p>(3) Any person who contravenes any of the provisions of this section commits an offence and shall be liable to imprisonment for a term not exceeding twelve months or to a fine not exceeding five thousand shillings, or to both.</p> <p>Art. 32</p> <p>(2) Subject to the provisions of subsection (1) of this section, where any person,</p> <p>(a) is convicted of an offence under the provisions of this Act; or</p> <p>(b) is convicted of an offence for which he is sentenced to enter into recognizances to keep the peace or be of good behaviour a condition of which is that the offender shall not possess, use or carry a firearm, or is subject to a probation order containing a requirement that he shall not possess, use or carry a firearm, the court before which he is convicted, or by which the order is made, may make such order as to the forfeiture or disposal of any firearm or ammunition which was found in his possession or in respect of which the offence of which he is convicted was committed or which was used in the commission of such offence as the court thinks fit, and may cancel any firearm certificate or permit issued under the provisions of this Act and held by the person convicted.</p>	

Seizure, disposal and enforcement

Seizure, confiscation, forfeiture

Analytical category	International and regional agreements	Current national legislative controls	Conformity
Description of controls/provisions	<p>Co-ordinated Agenda for Action Art. 3.2.4 and Implementation Plan Art. 3 and Protocol for the GLR and HoA Art. 3 (c) (vii)</p> <p>Require provisions for the seizure, confiscation and forfeiture to the State of all small arms manufactured or conveyed in transit and transport without or in contravention of licences, permits or written authority.</p> <p>Protocol for the GLR and HoA Art. 9 (a) and UN Firearms Protocol Art. 6 (1)</p> <p>Require measures to enable the confiscation of small arms and light weapons that have been illicitly manufactured or trafficked.</p>	<p>Firearms Act 1970</p> <p>Part II</p> <p>Art. 4</p> <p>(2) Where,</p> <p>(a) a firearm certificate is suspended or revoked under subsection (1) of this section; or</p> <p>(b) the licensing officer, after consultation with the chief licensing officer, refuses to renew a firearm certificate, the chief licensing officer shall, by notice in writing, require the holder to surrender to him the firearm and ammunition to which it relates in such police station as the chief licensing officer may direct, and the holder who fails so to do within fourteen days from the date of such notice commits an offence and shall be liable on conviction to a fine not exceeding one thousand shillings.</p> <p>Art. 8</p> <p>(2) if any person upon whom a demand is so made fails to produce the certificate, or to permit the officer to read the certificate, or to show that he is entitled by virtue of the provisions of this Act to have the firearm or ammunition in his possession without holding a firearm certificate, the officer may seize and detain the firearm and ammunition.</p> <p>Part IV</p> <p>Art. 32</p> <p>(1) Where a person is convicted of an offence under this Act, the court before which he is convicted shall order the forfeiture of any firearm or ammunition found in his possession or in respect of which the offence of which he is convicted was committed or which was used in the commission of such offence if</p> <p>(a) he has never held a firearm certificate in respect of such firearm or ammunition; or</p> <p>(b) he is convicted under subsection (1) of section 29 or under sections 30 and 31 of this Act; or</p> <p>(c) he is sentenced to imprisonment for a term of three years or more.</p> <p>(4) Where a court cancels a firearm certificate under this section, it shall cause notice to be sent to the chief licensing officer who shall, by notice to be sent to the chief licensing officer who shall, by notice in writing addressed to the holder of the firearm certificate; require the holder to surrender the firearm certificate to him and to deposit any firearm or ammunition to which the certificate relates in such police station as the chief licensing officer may direct and any holder served with a notice under this subsection who fails to comply therewith within fourteen days from the date of such notice commits an offence and shall be liable to a fine not exceeding one thousand shillings.</p> <p>Part IV</p> <p>Art. 33</p> <p>Wherever a police officer has reasonable cause to suspect that any person has contravened any of the provisions of this Act, he may,</p> <p>(b) seize and detain any person, firearm or ammunition found in, at or on such premises or place in respect of which he has reasonable cause to suspect that an offence under the provision of this Act has been committed.</p> <p>Amnesty Act, 2000</p> <p>Art. 4</p> <p>(1) A reporter shall be taken to be granted the amnesty declared under section 3 if the reporter –</p> <p>(c) surrenders at any place or to any such authority or person any weapons in his or her possession;</p> <p>Art. 5</p> <p>An official or authority specified in section 4 of this Act who receives a reporter under section 4 shall hand over the reporter and weapons, if any, to the Sub-county Chief of the area.</p>	<p>The national legislation fully conforms to the regional and international agreements.</p> <p>Small arms possessed without a licence or authorisation must be forfeited to the state.</p> <p>Police officers have the power to seize and detain any person, small arm or ammunition if he/she has reasonable cause to suspect that the provisions of the Firearms Act are being breached.</p>

Seizure, disposal and enforcement: *Disposal/destruction*

Analytical category	International and regional agreements	Current national legislative controls	Conformity
Description of controls/provisions	<p>Protocol for the GLR and HoA Art. 8</p> <p>(a) Requires effective programmes for the collection, safe-storage, destruction and responsible disposal of small arms and light weapons rendered surplus, redundant or obsolete, in accordance with domestic laws.</p> <p>(b) requires that small arms and light weapons rendered surplus, redundant or obsolete through the implementation of a peace process, the re-equipment or re-organisation of armed forces and/or other state bodies are securely stored, destroyed or disposed of in a way that prevents them from entering the illicit market or flowing into regions in conflict or any other destination that is not fully consistent with agreed criteria for restraint.</p> <p>UN Programme of Action Section II Art. 16 and UN Firearms Protocol Art. 6 (2)</p> <p>Specify the need for provisions to ensure the destruction of confiscated, seized or collected firearms where no other form of disposition or use has been officially sanctioned.</p> <p>Bamako Declaration Art. 3 A (iv)</p> <p>Recommends that Member States should develop and implement programmes for the identification and destruction of surplus, obsolete and seized stocks.</p>	<p>Firearms Act 1970 Part II Art. 18</p> <p>(1) Where a firearms dealer or gunsmith is convicted of an offence against this Act, or against any law for the time being in force relating to customs in respect of the import or export of firearms or ammunition, the court may order,</p> <p>(d) that any stock in hand of the business shall be disposed of as directed by the Inspector-General of Police after consultation with the Minister.</p> <p>Part IV Art. 37</p> <p>(1) Where any firearm or ammunition has been held under police custody for a period of more than six months the Inspector-General of Police may order the disposal of such firearm or ammunition in any manner which he thinks fair:</p> <p>Provided that,</p> <p>(a) such steps as may be deemed appropriate by the Inspector-General of Police have been taken to give notice to the owner of the firearm or ammunition of his intention to dispose of such firearm or ammunition and has allowed the owner a period of not less than one month within which to make arrangements for the lawful disposal of the firearm or ammunition</p> <p>(b) in the event of a firearm or ammunition being sold at the direction of the: Inspector-General of Police, the proceeds of the sales, after deduction of the expenses of and incidental to the sale, have been paid over to the owner or, if the owner cannot be traced, have been held on deposit for a period of three months after which such proceeds shall be paid into the general revenue.</p> <p>The Control of Private Security Organisations Regulations, 1997 Art. 21</p> <p>Destruction of any damaged firearms or expired ammunitions in respect of a private security organisation shall be notified to the Inspector General after duly obtaining a court order for the destruction of such damaged or expired ammunitions respectively.</p> <p>Amnesty Act, 2000 Art. 11</p> <p>A Demobilization and Resettlement Team is hereby established.</p> <p>Art. 13</p> <p>The functions of the DRT shall be to draw programmes for –</p> <p>(a) de-commissioning of arms;</p>	<p>The national legislation fully conforms to the regional and international agreements.</p> <p>The disposal of forfeited small arms is provided for.</p>

Seizure, disposal and enforcement: *Deactivation*

Analytical category	International and regional agreements	Current national legislative controls	Conformity
Description of controls/provisions	<p>UN Firearms Protocol Art. 9</p> <p>Specifies the need for provisions relating to: deactivated firearms; making it an offence to re-activate deactivated firearms; issuing a certificate of deactivation; and stamping deactivated firearms with stamps to that effect.</p>		<p>The national legislation does not conform to the UN Firearms Protocol.</p>

Seizure, disposal and enforcement: *Inspection/enforcement*

Analytical category	International and regional agreements	Current national legislative controls	Conformity
Description of controls/provisions	<p>Protocol for the GLR and HoA Art. 3 (c) (ix)</p> <p>Requires provisions for the monitoring and auditing of licences.</p>	<p>Firearms Act 1970 Part II Art. 7</p> <p>(1) Notwithstanding anything contained in any of the foregoing sections of this Act, a licensing officer shall</p>	<p>The national legislation fully conforms to the Protocol for the GLR and HoA.</p>

Seizure, disposal and enforcement: *Inspection/enforcement continued*

Analytical category	International and regional agreements	Current national legislative controls	Conformity
		<p>not renew a firearm certificate unless is produced to him for his inspection or for marking, if necessary, in accordance with the requirements of subsection (2) of this section or for testing.</p> <p>(3) A licensing officer may, before renewing a firearm certificate, satisfy himself that the firearm to which such firearm certificate will, if renewed, relate is in such a condition as to be safe to use.</p> <p>(4) In case an import permit has been issued to an importer other than a licensed firearms dealer, the importer shall produce the firearm to the licensing officer of the place where he resides for inspection within fourteen days of the issue of the firearm certificate in respect of that firearm.</p> <p>Art. 8</p> <p>(1) Any police officer or customs officer may demand, from any person in possession of a firearm or ammunition, the production of his firearm certificate.</p> <p>Art. 9</p> <p>(1) Any police officer or customs officer may demand, from any person who holds a firearm certificate, the production of the firearm and ammunition to which such certificate relates, at such time and place as such officer may specify, for inspection by himself or such other officer as he may specify.</p> <p>(b) any person who fails to comply with a demand made under subsection (1) of this section commits an offence and shall be liable to imprisonment for a term not exceeding six months or to a fine, not exceeding two thousand shillings or to both.</p> <p>Art. 16</p> <p>(4) Every firearms dealer shall on demand allow any customs officer or police officer to enter and inspect all firearms and ammunition in hand, and shall on request by any such officer produce for inspection the roister required to be kept under the provisions of subsection (1) of this section.</p> <p>Part IV</p> <p>Art. 33</p> <p>Wherever a police officer has reasonable cause to suspect that any person has contravened any of the provisions of this Act, he may,</p> <p>(a) enter any premises or place and search the same and every person and any package, container, vehicle, aircraft or boat found in, at or on such premises or place; and</p> <p>Art. 34</p> <p>The chief licensing officer may at all reasonable times require any police officer, without a search warrant, to enter upon the premises of any firearms dealer with a view to ascertaining whether or not the provisions of this Act or of any regulations made thereunder are being observed, and may inspect such premises and any firearm or ammunition, book, account, register; document or thing found therein, and may require in order to ascertain whether or not the provisions of this Act or of any regulations made thereunder are being observed.</p> <p>Art. 36</p> <p>Any police officer may arrest without warrant any person whom he suspects on reasonable grounds of having committed or being about to commit an offence against this. Act.</p> <p>The Control of Private Security Organisations Regulations, 1997</p> <p>Art. 23</p> <p>The Inspector General of Police shall quarterly inspect the armoury, arms and ammunitions in possession of a private security organisation, and shall ensure that all arms being used are licensed in conformity with the Firearms Act.</p>	<p>Provisions allowing for the verification of small arms licences and their corresponding small arms exist, as do provisions for the monitoring of import permits and the activities and premises of small arms dealers.</p>

Seizure, disposal and enforcement: *Offences/penalties*

Analytical category	International and regional agreements	Current national legislative controls	Conformity
		<p>Firearms Act 1970</p> <p>Part II</p> <p>Art. 4</p> <p>(2) Where,</p> <p>(a) a firearm certificate is suspended or revoked under subsection (1) of this section; or</p> <p>(b) the licensing officer, after consultation with the chief licensing officer, refuses to renew a firearm certificate, the chief licensing officer shall, by notice in writing, require the holder to surrender to him the firearm and ammunition to which it relates in such police station as the chief licensing officer may direct, and the holder who fails so to do within fourteen days from the date of such notice commits an offence and shall be liable on conviction to a fine not exceeding one thousand shillings.</p> <p>Art. 9</p> <p>(2) any person who fails to comply with a demand made under subsection (1) of this section commits an offence and shall be liable to imprisonment for a term not exceeding six months or to a fine, not exceeding two thousand shillings or to both.</p> <p>Art. 16</p> <p>(6) any person who,</p> <p>(a) fails to comply with any of the provisions of this section; or</p> <p>(b) knowingly makes any false entry in a register required to be kept under this section: or</p> <p>(c) knowingly furnishes any false particulars of identification of himself or any other person, commits an offence and shall be liable to imprisonment for a term not exceeding six months or to a fine not exceeding two thousand shillings or to both.</p> <p>Part IV</p> <p>Art. 32</p> <p>(2) Subject to the provisions of subsection (1) of this section, where any person,</p> <p>(a) is convicted of an offence under the provisions of this Act; or</p> <p>(b) is convicted of an offence for which he is sentenced to enter into recognizances to keep the peace or be of good behaviour a condition of which is that the offender shall not possess, use or carry a firearm, or is subject to a probation order containing a requirement that he shall not possess, use or carry a firearm, the court before which he is convicted, or by which the order is made, may make such order as to the forfeiture or disposal of any firearm or ammunition which was found in his possession or in respect of which the offence of which he is convicted was committed or which was used in the commission of such offence as the court thinks fit, and may cancel any firearm certificate or permit issued under the provisions of this Act and held by the person convicted.</p> <p>(4) Where a court cancels a firearm certificate under this section, it shall cause notice to be sent to the chief licensing officer who shall, by notice to be sent to the chief licensing officer who shall, by notice in writing addressed to the holder of the firearm certificate; require the holder to surrender the firearm certificate to him and to deposit any firearm or ammunition to which the certificate relates in such police station as the chief licensing officer may direct and any holder served with a notice under this subsection who fails to comply therewith within fourteen days from the date of such notice commits an offence and shall be liable to a fine not exceeding one thousand shillings.</p> <p>Art. 35</p> <p>Any person who,</p> <p>(a) obstructs a police officer in the exercise of any of the powers conferred on him by or under section 33 or section 34 of this Act; or</p>	

Seizure, disposal and enforcement: Offences/penalties *continued*

Analytical category	International and regional agreements	Current national legislative controls	Conformity
		<p>(b) fails to give to such police officer any information which he is lawfully required by such police officer under the provisions of section 34 of this Act to give; or</p> <p>(c) gives to any police officer, acting in the exercise of the powers conferred upon him by section 34 of this Act, any information which he knows to be false or does not believe to be true, commits an offence and shall be liable to imprisonment for a term not exceeding two years or to a fine not exceeding ten thousand shillings, or to both.</p>	

Arms embargoes**Overview**

Analytical category	International and regional agreements	Current national legislative controls	Conformity
Relevant provisions	<p>Co-ordinated Agenda for Action Art. 3.4 and Implementation Plan Art. 3.4</p> <p>Require measures to enforce adherence to international sanctions that prohibit the export of weapons to conflict zones and/or countries.</p> <p>Protocol for the GLR and HoA Art. 3 (b)</p> <p>Requires measures to sanction criminally, civilly or administratively under their national law the violation of arms embargoes mandated by the Security Council of the United Nations and/or regional organisations.</p> <p>Bamako Declaration Art. 3 A (vi) and UN Programme of Action Section II Art. 15</p> <p>Require provisions to prevent the breaching of UN Security Council arms embargoes.</p>		The national legislation does not conform to the regional and international agreements.

Arms embargoes: Offences/penalties

Analytical category	International and regional agreements	Current national legislative controls	Conformity
	<p>Protocol for the GLR and HoA Art. 3 (b)</p> <p>Requires measures to sanction criminally, civilly or administratively under their national law the violation of arms embargoes mandated by the Security Council of the United Nations and/or regional organisations.</p>		The national legislation does not conform to the Protocol for the GLR and HoA.

State-owned small arms**Overview**

Analytical category	International and regional agreements	Current national legislative controls	Conformity
General provisions			

State-owned small arms: Possession and use by state employees

Analytical category	International and regional agreements	Current national legislative controls	Conformity
Licensing requirements? Special conditions? Controls?	<p>Protocol for the GLR and HoA Art. 3</p> <p>(a) Requires the establishment as criminal offences the</p>	<p>Firearms Act 1970 Part III Art. 24</p> <p>(1) It shall not be lawful for any person, other than a person in the service of the Government in his capacity</p>	The national legislation fully conforms to the Protocol for the GLR and HoA.

State-owned small arms: Possession and use by state employees *continued*

Analytical category	International and regional agreements	Current national legislative controls	Conformity
	<p>(iii) illicit possession and misuse of small arms and light weapons</p>	<p>as such, or a person authorised on that behalf by the Minister, to sell, transfer, purchase, acquire, or have in his possession,</p> <p>(a) any firearm which is so designed or adapted that, if pressure is applied to the trigger, missiles continue to be discharged until pressure is removed from the trigger or until the magazine containing the missiles is empty; or</p> <p>(b) any firearm possessing a mechanism which ejects the expended cartridge and reloads the firearm by manual action other than the pressing and releasing of the trigger; or</p> <p>(c) any weapon of whatever description designed or adapted for the discharge of any noxious liquid, gas, or similar thing dangerous to human beings; or</p> <p>(d) any ammunition containing, or designed or adapted to contain any such noxious thing; or</p> <p>(e) any firearm or ammunition specified, or any firearm or ammunition of a class or type specified by the Minister by statutory instrument.</p> <p>(3) An authority given to any person under the provisions of this section shall be in writing and shall be subject to such conditions may be specified therein.</p> <p>(4) The Minister at any time revoke any authority given by him to any person under this section by notice in writing requiring that person to deliver up the authority and the firearm weapon or ammunition in respect of which the authority was granted, to such police station as may be specified in the notice within fourteen days from the date of such notice.</p> <p>(5) The foregoing provisions of this section shall be addition to and not in derogation of any other provisions of this Act or any other enactment relating to the sale, transfer purchase, acquisition or possession of firearms ammunition but,</p> <p>(a) the chief licensing officer shall not refuse to grant and shall not revoke, and a licensing officer shall not refuse to renew, a firearm certificate in respect of a firearm, weapon or ammunition such as is referred to in subsection (1) of this section if the applicant is for the time being authorised by the Minister to have possession of that firearms, weapon or ammunition; and</p> <p>(b) the chief licensing officer shall not refuse to enter in the register of firearms dealers and gunsmith the name of a person for the time being authorised as aforesaid to sell or transfer a firearm, weapon or ammunition such as aforesaid, or remove the name of such a person from the register, on the ground that he cannot be permitted to carry on or continue to carry on business as a firearms dealer without danger to the public safety or to the peace.</p> <p>(6) Where any authority to purchase acquire or have possession of a firearm, weapon or ammunition is revoked under the provisions of this section, the firearm certificate and any permit relating to that firearm, weapon or ammunition shall be revoked by the chief licensing officer.</p> <p>The Police Statute, 1994 Art. 29</p> <p>(1) A police officer may use a firearm against –</p> <p>(a) a person charged with or convicted of a felony who escapes from lawful custody;</p> <p>(b) a person who, through force, rescues another person from lawful custody;</p> <p>(c) a person who, through force, prevents the lawful arrest of himself or of any other person.</p> <p>(2) A person who attempts to do an act referred to in subsection (1) shall be taken to have committed that act.</p> <p>(3) Resort shall not be had to do the use of arms under this section unless –</p> <p>(a) the police officer has reasonable grounds to believe that he cannot otherwise prevent any act referred to in paragraph (a) or (b) of subsection (1) or otherwise effect the arrest; or</p>	

State-owned small arms: Possession and use by state employees *continued*

Analytical category	International and regional agreements	Current national legislative controls	Conformity
		<p>(b) the police officer has issued a warning to the offender that he is going to resort to the use of arms and that the offender did not heed that warning; or</p> <p>(c) the police officer has reasonable grounds to believe that he or any other person is in danger of grievous bodily harm if he does not resort to the use of arms save that only such force as is reasonable in the circumstances may be used.</p> <p>National Resistance Army Statute, 1992 Art. 32</p> <p>(1) A person subject to military law who fails to protect war materials or misuses the same commits an offence and shall on conviction, be liable to suffer death.</p> <p>(2) For the purposes of this section, failure to protect war materials or misuse of the same means –</p> <p>(a) failing to guard arms and ammunition;</p> <p>(b) malicious damage to arms and ammunition;</p> <p>(c) tampering with or mishandling arms and ammunition resulting in damage;</p> <p>(d) giving or allowing arms and ammunition to be handled by unauthorised persons;</p> <p>(e) losing arms and ammunition or parts thereof;</p> <p>(f) failing to clean arms; or</p> <p>(g) failing to do any other act necessary for the protection of any war material or otherwise misusing the same.</p> <p>Art. 108</p> <p>In this Statute unless the context otherwise requires – “war materials” includes arms, ammunition, parts of arms, explosives and other materials ordinarily reserved for the Army and shall include such other materials that are so declared by the Army Council.</p>	

State-owned small arms: Record keeping

Analytical category	International and regional agreements	Current national legislative controls	Conformity
	<p>Protocol for the GLR and HoA Art. 6 (a) and (b)</p> <p>Requires the establishment and maintenance of complete national inventories of small arms and light weapons held by security forces and other state bodies and strict national accountability of all small arms and light weapons owned and distributed by the state.</p> <p>Art. 7 (a)</p> <p>Requires all small arms and light weapons in the possession of the state to be marked with a unique mark.</p> <p>UN Programme of Action Section II Art. 10</p> <p>Requires provision to ensure responsibility for weapons held and issued by the state and effective measures for tracing such weapons.</p>		The national legislation does not conform to the regional and international agreements.

State-owned small arms: Storage

Analytical category	International and regional agreements	Current national legislative controls	Conformity
Stockpile Management	<p>Protocol for the GLR and HoA Art. 6</p> <p>Stipulates that States Parties must maintain secure storage of state-owned small arms and light weapons.</p>		The national legislation does not conform to the regional and international agreements.

State-owned small arms: Storage *continued*

Analytical category	International and regional agreements	Current national legislative controls	Conformity
	<p>UN Programme of Action Section II Art. 17 and 18</p> <p>Requires controls relating to the management and security of state stocks including:</p> <ul style="list-style-type: none"> ■ Appropriate locations for stockpiles ■ Physical security measures ■ Control of access to stocks ■ Inventory management and accounting control ■ Staff training ■ Security accounting and control of firearms relating to operation units ■ Controls on theft and loss <p>Art. 29</p> <p>Encourage States to promote safe, effective stockpile management and security, in particular physical security measures, for small arms and to implement, regional and subregional mechanisms in this regard.</p> <p>Co-ordinated Agenda for Action Art. 5.2 and 5.3</p> <p>Requires the safe storage of arms in possession of the state and strict accountability and the effective tracing of all weapons owned by the state.</p>		

State-owned small arms: Import, export, transfer, transit

Analytical category	International and regional agreements	Current national legislative controls	Conformity
Documentation required? Licensing/authorisation?	<p>UN Firearms Protocol Art. 8 (c)</p> <p>Requires provision for the unique marking of firearms when transferred from government stocks to permanent civilian use.</p>		The national legislation does not conform to the UN Firearms Protocol.

State-owned small arms: Disposal/destruction

Analytical category	International and regional agreements	Current national legislative controls	Conformity
General conditions Provisions relating to surplus stocks of arms and ammunition?	<p>Protocol for the GLR and HoA Art. 8</p> <p>(a) Requires effective programmes for the collection, safe-storage, destruction and responsible disposal of small arms and light weapons rendered surplus, redundant or obsolete, in accordance with domestic laws.</p> <p>(b) requires that small arms and light weapons rendered surplus, redundant or obsolete through the implementation of a peace process, the re-equipment or re-organisation of armed forces and/or other state bodies are securely stored, destroyed or disposed of in a way that prevents them from entering the illicit market or flowing into regions in conflict or any other destination that is not fully consistent with agreed criteria for restraint.</p> <p>UN Programme of Action Section II Art. 16 and 18</p> <p>Requires that all confiscated, seized or collected SALW are destroyed subject to any legal constraints.</p>		

State-owned small arms: Disposal/destruction *continued*

Analytical category	International and regional agreements	Current national legislative controls	Conformity
	Stipulates the need for provisions to regularly review state held stocks, to identify surpluses and have procedures in place for the responsible disposal, preferably through destruction of such surpluses.		The national legislation does not conform to the regional and international agreements.

State-owned small arms: Offences/penalties

Analytical category	International and regional agreements	Current national legislative controls	Conformity
		<p>Firearms Act 1970</p> <p>Part III</p> <p>Art. 24</p> <p>(2) Any person who contravenes subsection (1) of this section commits an offence and shall be liable to imprisonment for a term not exceeding five years or to a fine not exceeding twenty thousand shillings or to both.</p> <p>(7) any person who fails to comply,</p> <p>(a) with any condition subject to which an authority is given under the provisions of this section; or</p> <p>(b) with the requirements of any notice given under the provisions of subsection (4) of this section, commits an offence and shall be liable to imprisonment for a term not exceeding six months or to a fine not exceeding two thousand shillings or to both.</p> <p>Part IV</p> <p>Art. 32</p> <p>(2) Subject to the provisions of subsection (1) of this section, where any person,</p> <p>(a) is convicted of an offence under the provisions of this Act; or</p> <p>(b) is convicted of an offence for which he is sentenced to enter into recognizances to keep the peace or be of good behaviour a condition of which is that the offender shall not possess, use or carry a firearm, or is subject to a probation order containing a requirement that he shall not possess, use or carry a firearm, the court before which he is convicted, or by which the order is made, may make such order as to the forfeiture or disposal of any firearm or ammunition which was found in his possession or in respect of which the offence of which he is convicted was committed or which was used in the commission of such offence as the court thinks fit, and may cancel any firearm certificate or permit issued under the provisions of this Act and held by the person convicted.</p>	

SaferAfrica is a not-for-profit organisation that assists governments and civil society to implement agreed policy on peace and security.

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