



BRITISH INDIAN OCEAN TERRITORY

**REVISED ORDINANCES OF THE
BRITISH INDIAN OCEAN TERRITORY**

THE FIREARMS ORDINANCE 1970

CHAPTER C.1

Revised Edition

Showing the law as at 1 September 2020

Published by Authority

REVISED ORDINANCES OF THE BRITISH INDIAN OCEAN TERRITORY

THE FIREARMS ORDINANCE 1970

CHAPTER C.1

Revised Edition

Showing the law as at 1 September 2020

This is a revised edition of the law, prepared by the Law Revision Commissioner under the authority of the Law Revision Ordinance 2015 and contains a consolidation of the following laws:

The Firearms Ordinance 1970 - Ordinance No.3 of 1970

As amended by:

Ordinance No.8 of 1981

Ordinance No.2 of 1999

Ordinance No.3 of 2007

Ordinance No.3 of 2008

Ordinance No.4 of 2016

The following revised notice and regulations have been issued in pursuance of this Ordinance:

Notice of Exemption 1981

RRBIOT, c.C.1

The Firearms Regulations 2007

RRBIOT, c.C.5

© British Indian Ocean Territory Administration

All rights reserved. No part of this publication may be reproduced in any form or by any means (including photocopying or copying in electronic format) without the written permission of the Commissioner of the British Indian Ocean Territory, or otherwise as permitted under the terms of a licence from the British Indian Ocean Territory Administration.

**REVISED ORDINANCES OF THE BRITISH INDIAN OCEAN
TERRITORY**

THE FIREARMS ORDINANCE 1970

CHAPTER C.1

ARRANGEMENT OF SECTIONS

Section		Page
1.	Citation.	4
2.	Definitions.	4
3.	Licences for firearms and ammunition.	4
4.	Persons exempt from taking out licence.	5
5.	Surrender of firearms and ammunition.	6
6.	Commissioner may make Orders in certain cases.	6
7.	Regulations.	6

**REVISED ORDINANCES OF THE BRITISH INDIAN OCEAN
TERRITORY**

THE FIREARMS ORDINANCE 1970

CHAPTER C.1

An Ordinance to provide for the licensing of firearms and ammunition and for matters incidental thereto and connected therewith.

Citation.

1. This Ordinance may be cited as the Firearms Ordinance 1970, ROBIOT c.C.1.

Definitions.

2. In this Ordinance unless the context otherwise requires –

ammunition means ammunition for any firearm and includes grenades, bombs and other like missiles whether capable of use with such a firearm or not and such other things which may be declared by regulations made under section 7 to be ammunition;

Commissioner means the Commissioner for the British Indian Ocean Territory;

firearm means any gun, air-gun or other lethal barrelled weapon of any description from which any shot, bullet or other missile can be discharged or which can be adapted for the discharge of any such shot, bullet or other missile, except a toy gun;

licence means a full licence, issued under section 3(2), to keep, carry and use (or to do only such of those things as the licence may specify) a firearm or ammunition, or a temporary licence, issued under section 3(3), to keep (but not to carry or use) a firearm or ammunition;

Territory means the British Indian Ocean Territory.

Licences for firearms and ammunition.

3. (1) Subject to the provisions of this Ordinance, no person may keep, carry or use a firearm or ammunition save in accordance with a licence issued under this section.

- (2) The Commissioner may –

- (a) issue a full licence; and

(b) revoke or vary any full licence that has previously been issued.

(3) The Commissioner may –

(a) issue a temporary licence to the master of a vessel to keep a firearm or ammunition on board that vessel; and

(b) revoke or vary a temporary licence that has previously been issued.

(4) A full licence issued under subsection (2) may be general or may be in respect only of such firearm or firearms and such ammunition as is specified therein.

(5) A temporary licence issued under subsection (3) shall be in respect only of such firearm or firearms and such ammunition as is specified therein.

(6) Without prejudice to the generality of section 27(2) of the Interpretation and General Provisions Ordinance 1993, the conditions to which a licence may be made subject include conditions as to the storage and safekeeping of the firearms or ammunition in respect of which the licence is issued.

(7) The Commissioner may, by notice issued by him which shall be published in the *Gazette*, determine the fees which may be charged, either generally or in any particular case or particular class of case, for the issue of a licence; and the provisions of section 34 of the Interpretation and General Provisions Ordinance 1993 shall apply in relation to such a determination as they apply in relation to the prescription of fees by the Commissioner under an Ordinance.

(8) The provisions of sections 6 and 7 of the Imports and Exports Control Ordinance 2009 apply in relation to any firearm or ammunition which a Police Officer or a Customs Officer has reason to believe is being kept, carried or used in contravention of subsection (1) as they apply in relation to a prohibited import.

(9) Any person who contravenes subsection (1) or fails to observe any of the conditions of a licence is guilty of an offence and is liable, on conviction, to a fine of £5000 or to imprisonment for one year or to both such a fine and such imprisonment; and the court by which he is convicted may order the forfeiture to the Crown (for disposal as the commissioner may direct) of the firearm or ammunition in respect of which the offence was committed.

Persons exempt from taking out licence.

4. No licence shall be required to be taken out in respect of a firearm or ammunition
by –

(a) any person in the Armed Forces of the Crown or any Police Officer or prison officer (including the Superintendent); or

(b) any person or class of persons exempted in writing by the Commissioner from taking out such licence.

Surrender of firearms and ammunition.

5. A person in possession of a firearm or ammunition who is not exempt from taking out a licence under section 4 shall surrender such firearm or ammunition to the Commissioner's Representative if he is not the holder of a valid licence issued under this Ordinance.

Commissioner may make orders in certain cases.

6. (1) The Commissioner may by Order published in the *Gazette* –

(a) prohibit or restrict the keeping, carrying or use of firearms or ammunition in the whole or any part of the Territory for a specified or an indefinite period of time; and

(b) direct that all firearms or ammunition shall be delivered up on demand to such person or persons as may be specified in the Order.

(2) Any person who contravenes or fails to comply with the provisions of an Order made under subsection (1) of this section shall be guilty of an offence and liable to a fine of £1000, and to imprisonment for one year, and to forfeiture of any firearm or ammunition in respect of which the offence is committed.

Regulations.

7. (1) The Commissioner may make regulations to carry out the objects and provisions of this Ordinance.

(2) Without prejudice to the generality of subsection (1), the Commissioner may make regulations to –

(a) prescribe forms and fees;

(b) provide for the registration of firearms or ammunition;

(c) specify the persons to whom licences may or may not be issued;

(d) provide for the disposal of firearms or ammunition seized, surrendered or forfeited; and

(e) create offences and provide that contravention of or failure to comply with the regulations made under this section shall be an offence and provide penalties for such offences, not exceeding a fine of £5000 and imprisonment for one year, and the forfeiture of any firearm or ammunition in respect of which the offence is committed.
