

No. 4 of 2024.

Firearms (Amendment) Act, 2024.

Saint Christopher
and Nevis.



I assent,

MARCELLA ALTHEA LIBURD

Governor-General

10th May, 2024.

SAINT CHRISTOPHER AND NEVIS

No. 4 of 2024

AN ACT to amend the Firearms Act, Cap. 19.05 and for matters connected therewith.

[Published 10th May 2024, Extra Ordinary Gazette No. 24 of 2024.]

BE IT ENACTED by the King's Most Excellent Majesty, by and with the advice and consent of the National Assembly of Saint Christopher and Nevis, and by the authority of the same as follows:

1. Short title.

This Act may be cited as the Firearms (Amendment) Act, 2024.

2. Interpretation.

In this amendment, unless the context otherwise permits, the expression "Act" means the Firearms Act, Cap. 19.05.

3. Amendment of section 4.

The Act is amended in section 4 subsection (2) as follows:

(a) by replacing paragraph (a) as follows:

“ (a) in the case of an offence relating to a prohibited weapon, on conviction on indictment, to a fine not exceeding five hundred thousand dollars and to imprisonment, with or without hard labour for a term not exceeding forty years; and

(b) by replacing paragraph (c) as follows:

“ (c) in any other case

(i) on summary conviction before a Magistrate, to a fine not exceeding one hundred thousand dollars or to imprisonment, with or without hard labour, for a term not exceeding fifteen years;

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- (ii) on conviction on indictment, to a fine not exceeding two hundred and fifty thousand dollars or to imprisonment for a term not exceeding thirty years.

4. Amendment of section 9.

The Act is amended in section 9 subsection (2) as follows:

- (a) by replacing paragraph (a) as follows

“ (a) an offence in relation to the manufacture of, or to dealing in, prohibited weapons, on conviction on indictment to a fine not exceeding five hundred thousand dollars and to imprisonment, with or without hard labour, for a term not exceeding forty years;

- (b) by replacing paragraph (c) as follows

“ (c) an offence in relation to dealing in firearms or ammunition, other than prohibited or restricted weapons or restricted ammunition on conviction on indictment, to a fine not exceeding two hundred and fifty thousand dollars and to imprisonment for a term not exceeding thirty years.”.

5. Amendment of section 10.

The Act is amended in section 10 subsection (7) as follows

- (a) by replacing paragraph (a) as follows:

“ (a) in the case of the purchase, acquisition, sale or transfer of a prohibited weapon on conviction on indictment, to a fine not exceeding five hundred thousand dollars and to imprisonment, with or without hard labour for a term not exceeding forty years;

- (b) by replacing paragraph (b) as follows

“ (b) in the case of the purchase, acquisition, sale or transfer of a restricted weapon or of restricted ammunition by any person

- (i) on summary conviction, to a fine not exceeding five thousand dollars or to imprisonment with or without hard labour for a term not exceeding ten years; or
- (ii) on conviction on indictment, to imprisonment, with or without hard labour for a term not exceeding fifteen years.

- (c) by replacing paragraph (c) as follows

“ (c) in the case of the purchase, acquisition, sale or transfer of a firearm or ammunition other than a prohibited or restricted weapon or restricted ammunition by a restricted person, on conviction on indictment, to a fine not exceeding two hundred and fifty thousand dollars or to imprisonment, with or without hard labour, for a term not exceeding thirty years.”.

6. Amendment of section 20.

The Act is amended in section 20 by replacing subsection 4 as follows

- “ (4) Every person who contravenes this section commits an offence, and shall be liable
- (a) if the offence relates to the possession of a prohibited weapon, on conviction on indictment to a fine not exceeding five hundred thousand dollars and to imprisonment, with or without hard labour for a term not exceeding forty years;
 - (b) if the offence relates to the possession of a restricted weapon or restricted ammunition, on conviction on indictment, to a fine not exceeding one hundred thousand dollars or to imprisonment, with or without hard labour, for a term not exceeding twenty years;
 - (c) if such person is a restricted person, on conviction on indictment, to a fine not exceeding five hundred thousand dollars and to imprisonment, with or without hard labour, for a term not exceeding forty years;
 - (d) in any other case
 - (i) on summary conviction before a Magistrate, to a fine not exceeding one hundred thousand dollars or to imprisonment for a term not exceeding fifteen years; or
 - (ii) on conviction on indictment to a fine not exceeding two hundred and fifty thousand dollars and to imprisonment for a term not exceeding thirty years.

7. Amendment of section 25.

The Act is amended in section 25 subsection (3), by replacing the expression, “to imprisonment with or without hard labour for a term not less than fourteen years”, with the expression, “to a fine not exceeding two hundred and fifty thousand dollars or to a term of imprisonment of thirty years or to both.”

8. Amendment of Act.

The Act is amended by inserting immediately after section 45, the following new section 45A.

“45A. Amnesty.

(1) For the purposes of this section, “firearms amnesty” means an indemnity against prosecution for the unlawful possession of a firearm or ammunition.

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(2) The Minister may, by Order subject to negative resolution, declare a firearms amnesty in Saint Christopher and Nevis or any part thereof, if the Minister is satisfied that

- (a) the firearms amnesty may result in a reduction in the number of illegally possessed firearms or ammunition in Saint Christopher and Nevis or any part thereof; or
- (b) it is in the public interest to do so.

(3) An Order under subsection (1) shall specify

- (a) the duration of the firearms amnesty;
- (b) the conditions under which the firearms amnesty may be granted;
- (c) the place at which a firearm or ammunition may be surrendered; and
- (d) the person to whom a firearm or ammunition may be surrendered.

(4) A firearm or ammunition surrendered pursuant to a firearms amnesty under this section shall be disposed of in such manner as may be prescribed.

(5) A person who surrenders a firearm or ammunition in compliance with an Order made under this section shall not be prosecuted for the unlawful possession of the firearm or ammunition surrendered pursuant to a firearms amnesty.

9. Amendment of Act.

The Act is amended by inserting immediately after section 52, a new section 53 as follows:

“53. DPP to elect for trial.

Notwithstanding the provisions of any other law, where any person is charged with an offence under this Act such offence shall be tried summarily or on indictment at the election of the Director of Public Prosecutions.”.

LANEIN K. BLANCHETTE
Speaker

Passed by the National Assembly this 9th day of May 2024.

TREVLIN STAPLETON
Clerk of the National Assembly