

TRINIDAD AND TOBAGO.

No. 9.—1909.

16th March, 1909.

AN ORDINANCE relating to Firearms.

[L.S.]

S. W. KNAGGS,

ACTING GOVERNOR.

22nd March, 1909.

rifle 9-11/1918
" 10/1916
" 8/1920 - cartridges

BE it enacted by the Governor of Trinidad and Tobago with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Firearms Ordinance, Short title. 1909.

2. In this Ordinance the term

Interpretation of terms.

“Firearms” includes a weapon of any description from which any shot, bullet or other missile can be discharged by means of an explosive substance.

“Pistol” means a firearm of which the length of barrel does not exceed twelve inches, and includes revolvers.

“Rifle” means a firearm, not being a pistol, the inside of the barrel of which is grooved or formed with spiral chambers.

“Gun” means a smooth-bored firearm, not being a pistol, and includes fowling piece.

9 air gun, vide 10/1916

“License to deal in firearms” and “License to keep firearms” mean respectively the licenses in that behalf issued in pursuance of this Ordinance.

“Gunsmith” means any person who makes or repairs firearms.

License to keep firearms necessary.

3. It shall not be lawful for any person, unless he be licensed in accordance with Section 9 hereof, to use, carry or have in his custody or possession any firearms without having in force a license to keep firearms duly granted under the provisions of this Ordinance, for which license an annual duty of one pound for each pistol or rifle and five shillings for each gun shall be payable.

Provided that without having had granted to him a license to keep firearms, any person in the Naval or Military service of His Majesty or in the Local Forces of the Colony or any member of any Rifle Association or Club approved by the Governor may use, carry or have in his custody or possession any firearms issued to him or forming part of his ordinary equipment; and any Warden or other public officer approved by the Governor may use, carry or have in his custody or possession any firearms for his personal protection.

Provided also that this section shall not apply to any person acting as a porter or carrier who may have in his custody firearms entrusted to him solely for the purpose of being transported direct from one place to another.

Provided also that any person may use or carry on any lands, the occupier whereof has in force a license under this Ordinance, firearms belonging to such occupier and by the written order of such occupier, if the person so carrying firearms upon the request of a Warden, Ward Officer, Justice of the Peace or member of the Constabulary Force, gives his true name and address and also the name and address of the occupier of such land.

Duration and particulars of license.

4. Every license to keep a firearm shall be dated on the day on which it is granted and shall expire on the 31st day of March next following, shall be numbered and shall contain the full names and address of the person to whom, and the description of the firearm in respect of

which, it is granted, and shall be in the form A in the Schedule to this Ordinance, and shall not be transferable.

It shall be lawful for the Inspector-General and any officer or non-commissioned officer of Constabulary to amend any license subsequent to the issue thereof by altering the description of the firearm described in such license.

5. Every person, not being a person exempted by the provisions of Section 3 hereof, who shall use, carry or have in his custody or possession any firearm without having in force a license to keep firearms, and every person who shall use carry or have in his custody or possession any firearm except such as is described in his license to keep firearms, shall be guilty of an offence and on summary conviction shall be liable to a penalty not exceeding fifty pounds.

Having, &c.,
firearms, with-
out license.

6. Where a firearm is carried in parts by two or more persons in company, each and every one of such persons shall be deemed to carry a firearm.

Carrying fire-
arm in parts.

7. It shall be lawful for any Warden or Ward Officer or any member of the Constabulary Force to demand from any person carrying or using any firearm (not being a person exempted under Section 3 hereof) his license for the same, and if such person does not forthwith produce such license or satisfactorily account for the non-production thereof, such Warden, Ward Officer or member of the Constabulary Force may seize and detain such firearm until a license therefor is produced.

Power to de-
mand produc-
tion of license.

Any person who resists or obstructs the Warden, Ward Officer or member of the Constabulary Force in seizing and detaining any such firearm, shall be guilty of an offence, and on summary conviction shall be liable to a penalty not exceeding ten pounds.

8.—(1.) Except with the special permission of the Governor, no license to keep firearms shall be granted to any immigrant within the meaning of the Immigration Ordinance No. 161, nor to any person who has been convicted before the Supreme Court of any offence against the person, nor to any person subject to Police supervision under the Habitual Criminals Ordinance No. 24, nor to any person of weak intellect, nor to persons under the age of sixteen years.

Persons not
to be licensed.

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No. 9 *Except with the special permission of the Government* FIREARMS. 1909

(2.) No license to deal in firearms or to carry on the trade of a gunsmith shall be granted to any person who has been convicted of an offence under Sections 12, 13 or 14 hereof, or on whose premises or in whose possession firearms shall have been found which have not been entered in the Firearms Receipt book in accordance with the provisions of Section 14 hereof.

License for dealer in arms or gunsmith.

9. It shall not be lawful for any person to sell or deal in firearms or to carry on the trade of gunsmith without having in force a license to deal in firearms or to trade as a gunsmith duly granted to him under the provisions of this Ordinance, for which license an annual duty of one pound shall be paid.

Provided that it shall be lawful for any person to export any firearms imported into the Colony and kept in bond without having a license to deal in firearms.

Particulars of dealer's and gunsmith's licenses.

10. Every license to deal in firearms, or to trade as a gunsmith, shall contain the name and description of the licensee and a description of the premises in respect of which the license is granted, and shall be numbered and shall be dated on the day of grant and shall expire on the next following 31st day of March, and shall be in the form B in the Schedule to this Ordinance, and shall not be transferable.

Signboards.

11. Every person having a license to deal in firearms or to trade as a gunsmith shall cause to be painted in letters three inches at least in length in white upon a black ground or in black upon a white ground upon a board placed over the entrance door of the licensed premises the name of such licensed person, together with the words "licensed to deal in firearms," or "licensed gunsmith" as the case may be, and every such person shall keep such name and words so painted visible and legible during all the time he continues licensed.

Every person having a license to deal in firearms or to trade as a gunsmith who contravenes any of the provisions of this section shall be guilty of an offence, and on summary conviction thereof shall be liable to a penalty not exceeding two pounds.

Selling or dealing without license.

12. Every person who sells or deals in firearms or who trades as a gunsmith without having in force a license to

deal in firearms or to trade as a gunsmith, or who sells or deals in firearms or trades as a gunsmith upon any premises other than those specified in his license, shall be guilty of an offence and on summary conviction shall be liable to a penalty not exceeding twenty pounds.

13. It shall not be lawful to sell or let on hire to any person any firearm unless at the time of sale or hire such person produces a license to deal in firearms or a license to keep firearms of the description intended to be sold or let on hire. Buyer to produce license.

Any person who contravenes the provisions of this section shall be guilty of an offence and on summary conviction shall be liable to a penalty not exceeding fifty pounds.

14. Every person licensed to sell or deal in firearms and every licensed gunsmith shall keep on his licensed premises a book according to the form C in the Schedule to this Ordinance, to be called the "Firearms Receipt Book," and shall immediately after receipt of any firearms at his licensed premises make or cause to be made entry therein of the date of such receipt, the number and full description of each kind of firearm received and the name and address of the person or persons from whom received. Books to be kept by dealers and gunsmiths.

And every such person shall keep on his licensed premises a book according to the form D in the Schedule to this Ordinance, to be called the "Firearms Delivery Book," and shall immediately after delivery of firearms from his licensed premises make or cause to be made entry of the date of such delivery, the name and address of the person to whom delivered, the nature and serial number of the license produced by him with the name of the office from which it was issued, or the circumstances exempting such person from producing such license, the description of every firearm delivered and the cause of such delivery whether on sale, hire or otherwise.

Such books shall be produced for inspection on the request of any member of the Constabulary Force, who shall have power to verify the same by examination of the premises.

Any person who contravenes any of the provisions of this section, or who in the sale, purchase, hire or delivery of any firearm knowingly makes or causes to be made any false entry or statement as to any matter which he is required by this section to make, shall be guilty of an offence and on summary conviction shall be liable to a penalty not exceeding five pounds.

Search
warrant.

15. It shall be lawful for any Justice of the Peace by warrant under his hand to direct any member of the Constabulary Force with such assistants as may be necessary to enter and search at any time of the day or night any house, store, yard or other place or any vessel in which there shall be reasonable cause to suspect that any firearms are concealed or placed in respect of which no license to keep firearms under the provisions of this Ordinance shall be then in force.

All firearms that may be found upon any such search shall be forfeited to His Majesty.

Provided that this section shall not apply to firearms in the possession of persons exempted under the provisions of Section 3 hereof, nor to firearms in the possession of persons licensed to sell or deal in firearms or in the possession of a licensed gunsmith, entry whereof shall have been made in accordance with the provisions of Section 14 hereof.

Delivery from
Customs.

16. No firearm imported into the Colony shall be delivered by the Collector of Customs to any person unless he shall have first obtained a license to deal in firearms or a license to keep firearms.

Curiosities.

17. The provisions of this Ordinance shall not apply where an antique firearm is sold or kept as a curiosity or ornament.

Power to pro-
hibit carrying
of arms.

18. It shall be lawful for the Governor in Executive Council from time to time to prohibit by proclamation the carrying of firearms in any district or part of the Colony, and any such proclamation to revoke or alter as he shall think fit.

Any person who carries firearms in contravention of the provisions of such Proclamation shall be guilty of an

offence and on summary conviction thereof shall be liable to a penalty not exceeding fifty pounds, in addition to the forfeiture to His Majesty of such firearms.

19. It shall be lawful for the Governor from time to time by proclamation to prohibit the sale of firearms within the Colony for such time as may be specified in such proclamation. Sale of firearms may be prohibited.

Any person who sells firearms in contravention of any such proclamation shall be guilty of an offence, and on summary conviction shall be liable to a penalty not exceeding fifty pounds.

20. It shall be lawful for the Governor from time to time by proclamation to order that within any district specified in such proclamation all firearms shall be delivered up on demand to such person or persons as the Governor may appoint. Governor may order firearms to be delivered.

Any person who refuses or neglects to comply with the orders of any such proclamation shall be guilty of an offence, and on summary conviction shall be liable to a penalty not exceeding fifty pounds, in addition to the forfeiture to His Majesty of the firearms in respect of which the offence was committed.

21. Licenses under this Ordinance may be granted by the Inspector-General, and by any officer or non-commissioned officer of Constabulary duly authorised in writing by the Inspector-General so to do. Granting and recording licenses.

Every person who grants licenses under this Ordinance shall keep a register in which he shall enter the particulars contained in every license granted by him. Registration fee.

22. Any person, other than a licensed dealer, who sells or otherwise disposes of any firearms to any other person in this Colony shall within fourteen days of such sale or disposition, notify the Inspector-General thereof in writing, stating the name and address of the person to whom such firearms have been sold or otherwise disposed of and the description of such firearms. Notice of disposal of firearms.

FORM B.

License to deal in Firearms or to trade as a Gunsmith.

No. 1 of

A.B., of _____ having paid the sum of one pound, is hereby licensed to deal in firearms (or trade as a gunsmith), under the provisions of the Firearms Ordinance 1909, in the premises in the _____, known as No. _____, Street.

Dated this _____ day of _____

(Signed.) C.B.

NOTE.—This License expires on the 31st day of March.....

FORM C.

Firearms Receipt Book.

Date of Receipt.	Person from whom received.	Address of person from whom received.	Number.	Description of Firearm.*	Remarks.†

* Description to be full and accurate—specifying whether rifle, gun, &c., number of barrels or chambers in case of revolvers, bore, whether magazine or repeating, maker's name if known, &c.

† Remarks to specify whether for sale, hire, repair, &c.

FORM D.

Firearms Delivery Book.

Date of Delivery.	Person to whom deliv'rd.	Address of person to whom delivered.	Number of License.	Nature of license and office of issue.	Number of Firearms.	Description of Firearm.*	Remarks.†

* Description to be full and accurate—specifying whether rifle, gun, &c., number of barrels or chambers in case of revolvers, bore, whether magazine or repeating, maker's name if known, &c.

† Remarks to specify whether for sale, hire, repair &c.