

UNOFFICIAL

FIREARMS ACT

CHAPTER 16:01

Act

44 of 1970

Amended by

18 of 1972

45 of 1979

21 of 1990

8 of 1992

20 of 1992

3 of 1994

22 of 1995

*3 of 2004

26 of 2006

*2 of 2011

*18 of 2019

*20 of 2020

*7 of 2021

21 of 2022

*2 of 2023

(*See Notes on pages 2 and 3)

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Note on Adaptation

Certain fees in this Chapter were increased by the Commission under paragraph 4 of the Second Schedule to the Law Revision Act (Chap. 3:03). Where this occurs, a marginal reference in the form normally indicating an amendment is made to LN 51/1980 (the Legal Notice by which the President's approval was signified).

Note on Act No. 3 of 2004

LN 98/2004 brought Act No. 3 of 2004 into operation on 31st May 2004 with respect to the amendments made to this Act by the said Act No. 3 of 2004 with the exception of that part of section 10 which inserted section 13B and that part of section 18(a) which inserted section 28(1B). These sections, namely, section 13B and 28(1B) will come into operation at a later date to be fixed by the President by Proclamation.

Note on Act No. 2 of 2011

LN 23/2011 brought Act No. 2 of 2011 into operation on 25th February 2011 with respect to amendments made to this Act by Act No. 2 of 2011. Further, Act No. 2 of 2011 repealed section 28(1B) which was never brought into operation.

Note on Act No. 18 of 2019

Act No. 18 of 2019 took effect upon assent and amended various sections of this Act, including section 13B which at the time of revision of this Act was awaiting proclamation.

Note on Act No. 20 of 2020

The amendments made to this Act by Act No. 20 of 2020 took effect on 21st July 2020 by LN 275/2020.

Note on Act No. 7 of 2021 (Transitional Provision)

Section 30 of Act No. 7 of 2021 provides the following:

30. (1) A person who has possession of pepper spray prior to the coming into force of this Act shall, within six months from the date of commencement of the Act, apply to the Commissioner of Police or the police officer authorised by him as the case may be for a Pepper Spray Permit.

(2) A person who contravenes subsection (1) commits an offence and is liable on summary conviction to a fine of twenty-five thousand dollars.

(3) The Minister may, by Order, extend the period for application of a permit for possession of pepper spray under subsection (1).

Note on Act No. 2 of 2023

The amendments made to this Act by Act No. 2 of 2023 took effect on 1st November 2023 by LN 359/2023.

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CHAPTER 16:01

FIREARMS ACT

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CHAPTER 16:01

FIREARMS ACT

An Act respecting Firearms and Ammunition.

44 of 1970.

[1ST JANUARY 1971]

*Commencement.
200/1970.

1. This Act may be cited as the Firearms Act.

Short title.

PRELIMINARY

2. (1) In this Act—
“ammunition” means—

Interpretation.
[3 of 2004
18 of 2019
7 of 2021
2 of 2023].

- (a) ammunition for any firearm of any kind;
- (b) every shell, cartridge case, bomb, hand grenade, bullet or like missile, whether containing any explosive or gas or chemical or not, and whether intended to be discharged from or by any gun or other propelling or releasing instrument or mechanism or not, except missiles which can be used only for the purpose of extinguishing fires;
- (c) every part of any such shell, cartridge case, bomb, hand grenade, bullet or missile, whether such shell, cartridge case, bomb, hand grenade, bullet or missile may have been completely formed at any time or not;
- (d) every fuse, percussion cap, or priming cap, adapted, or prepared for the purpose of causing the propulsion of or exploding any shell, bomb, hand grenade, bullet or other projectile;
- (e) every bullet clip or cartridge clip;
- (f) any explosive when enclosed in any case or contrivance adapted or prepared so as to form a cartridge, charge or complete round for any firearm or any other weapon, or to form any tube for firing explosives, or to form a

*See Note on Act No. 3 of 2004 at page 2.

detonator, or a projectile, which can be used (whether singly or in suitable combinations) as, or in connection with, a missile;

(g) everything declared by Order of the Minister to be ammunition;

“artillery” means any cannon, howitzer, mortar or flame-thrower;

“automatic firearm” means any firearm 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;

“cannon” means a firearm that requires mounting and fires explosive shells or projectiles;

“certificate” means a certificate under this Act;

“Commissioner of Police” or “Commissioner” means the person appointed to hold or to act in the office of Commissioner of Police in accordance with section 123 of the Constitution;

“competent authority” means the Commissioner of Police, the Comptroller of Customs and Excise, the Chief Immigration Officer or the Chief of Defence Staff;

“controlled delivery” means the technique of allowing illicit or suspect consignments of firearms, ammunition and other related materials to pass out of, through, or into the territory of one or more States, with the knowledge and under the supervision of the competent authorities, with a view to identifying persons involved in the commission of offences under this Act;

“firearm” means any lethal barrelled weapon from which ammunition can be discharged or any prohibited weapon, and includes any component part of any such weapon and any accessory to any such weapon designed or adapted to diminish the noise or flash caused by firing the weapon, but does not include any air rifle, air gun, air pistol or pepper spray of a type prescribed by Order made by the Minister and of a calibre so prescribed;

“Firearm Dealer’s Licence” means a licence authorising the holder thereof to buy or sell or buy and sell at such place as may be specified in the licence firearms or ammunition of such type as may be so specified;

“Firearm Disposal Permit” means a permit authorising the holder thereof to dispose of the firearm or ammunition specified therein;

“Firearm Import Permit” means a permit authorising the holder thereof during such period as may be specified therein to import into Trinidad and Tobago from such source as may be specified therein such firearms or ammunition as may be so specified;

“Firearm User’s Licence” means a licence authorising the holder thereof subject to the terms and conditions specified in the licence, to be in possession of the firearm or ammunition so specified;

“Firearm User’s (Employee’s) Certificate” means a certificate issued pursuant to section 18;

“Flame-thrower” includes a tube or container capable of directing a sustained flame for any distance;

“Gunsmith’s Licence” means a licence authorising the holder thereof to carry on the business of repairing, testing or proving firearms or ammunition or such other business incidental to the foregoing as is permitted by the licence at such premises as may be specified in the licence;

“howitzer” includes a firearm designed for high angle firing of shells at low velocity;

“licence” means a licence under this Act and includes a Firearm User Identification Card;

“life” means the natural life of a person;

“Minister” means the Minister to whom responsibility for national security is assigned;

“mortar” includes a small bore, muzzle-loading high angle of fire firearm or a firearm for firing of shells at high angles;

“officer of Customs” means any officer within the meaning of section 2 of the Customs Act;

Ch. 78:01.

“pepper spray” means any inflammatory agent which, when applied on the body of an individual, may cause the mucous membranes in the eyes, nose, throat and lungs of the individual to become inflamed resulting in the immediate closing of the eyes, difficulty breathing, runny nose, and coughing;

“Pepper Spray Import Permit” means a permit authorising the holder during such period and from such source as may be specified in the permit, to import pepper spray into Trinidad and Tobago;

“Pepper Spray Permit” means a permit authorising the holder during such period as may be specified in the permit to—

- (a) manufacture, produce, export, divert, sell or distribute pepper spray; or
- (b) purchase, acquire or have in his possession pepper spray;

“permit” means a permit under this Act;

Ch. 15:01. “police officer” has the same meaning as in the Police Service Act, and includes a member of the Special Reserve Police established under the Special Reserve Police Act;

Ch. 15:03.

“prohibited weapon” means—

- (a) any artillery or automatic firearm;
- (b) any grenade, bomb or other like missile; or
- (c) any weapon of whatever description or design which is designed, manufactured or adapted for the discharge of any noxious liquid, gas or other thing;

“public place” means any place to which at the material time the public has access;

“Regulations” means Regulations made under this Act;

“restricted person” means any person who has at any time within five years next before the event in relation to which the term is used—

- (a) been declared by a Court pursuant to section 3 to be a restricted person; or
- (b) been convicted of an offence involving violence and sentenced to a term of imprisonment exceeding three months;

“sell” includes exchange or to exchange in part only of the consideration, and “purchase” has a corresponding meaning;

“slaughtering instrument” means a firearm which is specially designed or adapted for the instantaneous slaughter of animals or for the instantaneous stunning of animals with a view to slaughtering them;

“vehicle” has the meaning assigned to that expression in the Motor Vehicles and Road Traffic Act.

Ch. 48:50.

(2) An Order made under paragraph (g) of the definition of “ammunition” in subsection (1) shall be subject to negative resolution of Parliament.

3. A Court before which a person is convicted of an offence under this Act (other than an offence against section 28), may declare that person to be a restricted person for the purposes of this Act.

Declaration of restricted person.

4. Except in the case of the grant of a licence, certificate or permit under Part II, the functions, powers and duties of the Commissioner of Police under this Act, may be exercised, by any police officer authorised by the Commissioner in that behalf.

Exercise of Commissioner’s functions.

PART I

POSSESSION, SALE, TRANSFER AND USE OF FIREARMS AND AMMUNITION AND PEPPER SPRAY

5. (1) In this Part—

“acquire” means hire, accept as a gift or borrow;

“transfer” includes let, hire, give, lend or part with possession.

Interpretation of Part I.
[2 of 2011
7 of 2021].

(2) For the purposes of any prosecution for an offence under this Part, sections 16B, 16C, 17A(2), 40A or Part IV, a person who—

(a) is found with any firearm, ammunition or pepper spray;

(b) occupies, controls or is in possession of any land, building, room, vessel, vehicle, aircraft or place in or on which is found any firearm, ammunition or pepper spray;

(c) is proved to have had with him or under his control any firearm, ammunition or pepper spray; or

(d) is proved to have had with him or under his control anything in or on which is found any firearm, ammunition or pepper spray,

shall be deemed to be in possession of such firearm, ammunition or pepper spray in the absence of lawful excuse, the proof of which lies on the person.

Possession with licences only—Saving. [18 of 1972, 20 of 1992, 22 of 1995, 3 of 2004, 26 of 2006, 2 of 2011, 18 of 2019, 7 of 2021, 2 of 2023].

6. (1) Subject to section 7, a person may purchase, acquire or have in his possession a firearm or ammunition only if he holds a Firearm User's Licence with respect to such firearm or ammunition.

(2) Notwithstanding any law to the contrary, a person may not have in his possession any prohibited weapon unless he is, and is acting in the capacity of—

- (a) a police officer;
- (b) a member of the Defence Force;
- (c) Director, Trinidad and Tobago Forensic Science Centre;
- (d) any scientific officer designated by the Director, Trinidad and Tobago Forensic Science Centre;
- (e) a Customs officer; or
- (f) a prison officer.

(2A) Notwithstanding section 6A(2), the following persons may have in their possession pepper spray for the purpose of performing their functions:

- Ch. 15:02. (a) an Estate Police under the Supplemental Police Act;
- Ch. 15:03. (b) a Special Reserve Officer under the Special Reserve Police Act;
- Ch. 25:04. (c) a Municipal Police Officer under the Municipal Corporation Act; or
- (d) any other person approved by the Minister by Order.

(2B) A person who is and is acting in the capacity of a member of a Municipal Police Service within the meaning of Part III of the Municipal Corporations Act may have in his possession for the purpose of performing his functions any weapon

of whatever description or design which is designed, manufactured or adapted for the discharge of any noxious liquid, gas or other thing.

(3) Any person who contravenes any of the provisions of this section is liable in the case of—

- (a) an offence under subsection (1)—
 - (i) on summary conviction for a first offence to a fine of five hundred thousand dollars and to imprisonment for fifteen years; or
 - (ii) on conviction on indictment for a first offence to imprisonment for twenty years; and
 - (iii) on conviction on indictment for a second or any subsequent offence to imprisonment for twenty-five years;
- (b) an offence under subsections (2) and (2B)—
 - (i) on summary conviction for a first offence to a fine of one million dollars and to imprisonment for fifteen years; or
 - (ii) on conviction on indictment for a first offence to imprisonment for twenty years; and
 - (iii) on conviction on indictment for a second or any subsequent offence to imprisonment for twenty-five years.

(4) In addition to any other offence for which he may be convicted, a restricted person who purchases, acquires or has in his possession a firearm or ammunition contrary to subsection (1) is liable in the case of—

- (a) an offence under subsection (1), on summary conviction to a fine of five hundred thousand dollars and to imprisonment for fifteen years; or
- (b) an offence under subsections (2) and (2B)—
 - (i) on summary conviction to a fine of one million dollars and to imprisonment for fifteen years; or
 - (ii) on conviction on indictment to imprisonment for twenty-five years.

(5) Notwithstanding subsections (3) and (4), a person who has at least two previous convictions for an offence under

subsection (3) or (4) and who is charged with an offence under any of those subsections, shall be tried on indictment and is liable on conviction for the offence to imprisonment for life.

Manufacture, production, importation, exportation, etc., of pepper spray. [7 of 2021].

6A. (1) For the purposes of the manufacture, production, importation, exportation, diversion, sale or distribution of pepper spray under this Act, the Minister may by Order subject to negative resolution of Parliament approve the type, strength and volumetrical content of pepper spray permitted in a canister.

(2) Subject to subsection (1), a person may—

(a) manufacture, produce, import, export, divert, sell or distribute; or

(b) purchase, acquire or have in his possession, pepper spray, only if he holds a Pepper Spray Import Permit or a Pepper Spray Permit, as the case may be, issued by the Commissioner of Police or a police officer authorised by him.

(3) Any pepper spray that is not approved by the Minister under subsection (1), is a prohibited weapon for the purposes of this Act.

(4) A person who contravenes subsection (2) commits an offence and is liable—

(a) on summary conviction to a fine of two hundred and fifty thousand dollars and imprisonment for five years; or

(b) on conviction on indictment to a fine of seven hundred and fifty thousand dollars and imprisonment for fifteen years.

Application for or renewal of Pepper Spray Import Permit or Pepper Spray Permit. [7 of 2021].

6B. A person who is desirous of obtaining or renewing a Pepper Spray Import Permit or a Pepper Spray Permit shall submit an application to the Commissioner of Police or a police officer authorised by him in a form approved by the Minister.

False or misleading statement or information when applying for permit. [7 of 2021].

6C. Any person who, in applying for a Pepper Spray Import Permit or Pepper Spray Permit under section 6B, makes any statement or gives any information which to his knowledge is

false, or in any material respect misleading, commits an offence and is liable—

- (a) on summary conviction to a fine of fifty thousand dollars and imprisonment for five years; or
- (b) on conviction on indictment to a fine of seven hundred and fifty thousand dollars and imprisonment for fifteen years.

7. (1) The following persons are exempt from the provisions of section 6(1) that relate to having a firearm or ammunition in their possession:

Exemptions.
[18 of 1972
21 of 1990
8 of 1992
22 of 1995
3 of 2004
2 of 2011
2 of 2023].

- (a) a person, whose firearm and ammunition are the property of the Government and are required in the performance of his duty as—
 - (i) a police officer;
 - (ii) a member of a Municipal Police Service within the meaning of Part III of the Municipal Corporations Act;
 - (iii) a member of the Defence Force;
 - (iv) a Customs officer;
 - (v) a prison officer;
 - (vi) the Director, Strategic Services Agency established under the Strategic Services Agency Act; or
 - (vii) an employee designated by the Director, Strategic Services Agency,in each case acting in his capacity as such;
- (aa) the Director, Trinidad and Tobago Forensic Science Centre and any scientific officer of the Centre (as) (are) designated by him acting in their capacity as such;
- (b) the holder of a Firearm Dealer's Licence who has in his possession such firearm or ammunition in the ordinary course of business under such licence;

Ch. 25:04.

Ch. 15:06.

Ch. 14:02.

- (c) the holder of a Firearm User's (Employee's) Certificate who has such firearm or ammunition in his possession in the circumstances contemplated by section 18;
- (d) the holder of a Gunsmith's Licence who has in his possession such firearm or ammunition in the ordinary course of business under such licence;
- (e) a member of a cadet corps established under the Cadet Force Act, who has in his possession such firearm or ammunition when engaged as such a member in or in connection with drill or target practice;
- (f) subject to subsection (2), a person taking part in a theatrical performance or any rehearsal thereof or production of a cinematograph or television film who has such firearm in his possession during and for the purpose of the performance, rehearsal or production;
- (g) subject to subsection (2) a person present at an athletic meeting who has in his possession such firearm and ammunition for the purpose of starting the races at that meeting;
- (h) any person (including a restricted person) who came into possession of any firearm or ammunition in the capacity of executor or administrator of the estate of any deceased person, or Trustee in Bankruptcy or liquidator of any insolvent person or of any company in liquidation, during the period of thirty days after the day upon which he came into possession of such firearm or ammunition;
- (i) any servant or agent of any of the persons referred to in paragraphs (b), (c) and (d) who has possession of any firearm or ammunition entrusted to him with the written permission of the Commissioner for delivery to the owner or to some person who is about to become the owner thereof in accordance with this Act;

- (j) any officer of Customs or any police officer who has possession of any firearm or ammunition that came into his possession pursuant to this Act during such period as such firearm or ammunition is retained by him pursuant to this Act;
- (ja) the curator of the Chaguaramas Military History and Aerospace Museum and the curator of the Museum established under the National Museum and Art Gallery Act, in respect of the firearms listed in the Schedule; Ch. 40:52.
- (k) the owner of a firearm (not being a slaughtering instrument) or of any ammunition who is exempt from the payment of appropriate fee under section 39(2);
- (l) **(Deleted by Act No. 2 of 2011).**

(2) Subsection (1)(f) and (g) shall not apply so as to exempt any person mentioned therein from the provisions of section 6(1) unless he has obtained from the Commissioner of Police permission in writing to possess such firearm and ammunition for such purpose.

(3) Nothing in subsection (1)(h) shall be taken to authorise any such person so coming into possession of a firearm or ammunition to carry such firearm or ammunition in any public place or in any way to use such firearm or ammunition and if any such person carries a firearm or ammunition in a public place or in any way uses such firearm or ammunition he is guilty of an offence under section 6(1) in addition to any other offence he may have committed.

(4) Nothing in section 6(1) shall be construed so as to make any person liable for an offence thereunder, if a firearm or ammunition is in the possession of any officer of a Court for the purpose only of any legal proceedings in which the firearm or ammunition is in the custody of the Court.

8. (1) Subject to subsection (2), any person who carries a firearm or ammunition in a public place so prescribed by the

Carrying any firearm or ammunition in public place. [3 of 2004 2 of 2011 18 of 2019 7 of 2021 2 of 2023].

Minister commits an offence and is liable on summary conviction to a fine of two hundred and fifty thousand dollars and to imprisonment for ten years.

- (2) Subsection (1) shall not apply to—
- (a) the persons specified in section 7(1)(a) and (aa); and
 - (b) the holder of a valid Firearm User's Licence.

Carrying of any firearm or ammunition by a prison officer. [2 of 2023].

8A. (1) Subject to subsection (2), a prison officer may have in his possession any firearm or ammunition which is the property of the Government.

(2) The Commissioner of Prisons may grant permission to a prison officer to have in his possession any firearm or ammunition which is the property of the Government while off-duty where he considers the life or safety of the officer is under threat.

(3) Where the Commissioner of Prisons grants permission to a prison officer to have in his possession any firearm or ammunition which is the property of the Government under subsection (2), he shall issue to the prison officer a Trinidad and Tobago Prison Services Firearm Identification Card.

Offences relating to selling or transferring firearms or ammunition. [3 of 2004, 2 of 2011, 18 of 2019, 2 of 2023].

9. (1) Any person who sells or transfers a firearm or ammunition to any other person who does not hold or who is not exempted from holding a Firearm User's Licence is liable—

- (a) on summary conviction for a first offence to a fine of five hundred thousand dollars and to imprisonment for ten years; or
- (b) on conviction on indictment for a first offence to imprisonment for twenty years;
- (c) on conviction on indictment for a second offence to imprisonment for twenty-five years;
- (d) on conviction on indictment for a third or any subsequent offence to imprisonment for life.

(2) A person is liable—

- (a) on summary conviction for a first offence to a fine of five hundred thousand dollars and to imprisonment for ten years; or

- (b) on conviction on indictment for a first offence to imprisonment for twenty years;
- (c) on conviction on indictment for a second offence to imprisonment for twenty-five years;
- (d) on conviction on indictment for a third or any subsequent offence to imprisonment for life,

who purchases or acquires from, sells or transfers a firearm or ammunition to, or repairs, tests or proves any firearm or ammunition for any other person whom he knows, or has reasonable cause to believe, to be—

- (a) a restricted person;
- (b) drunk or under the influence of drugs or of unsound mind;
- (c) at the time of such sale or transfer otherwise unfit to be entrusted with such a firearm or ammunition; or
- (d) under the age of twenty-five years.

(3) The provisions of this section shall apply whether or not the person selling or transferring a firearm or ammunition is the holder of a Firearm Dealer's Licence or, in the case of a person who repairs, tests or proves a firearm or ammunition, a Gunsmith's Licence.

(4) Notwithstanding subsections (1) and (2), a person specified in section 7(1)(a) and (aa) who commits an offence under subsection (1) or (2), is liable on conviction on indictment to imprisonment for life.

9A. (1) A person who has in his possession two or more firearms or prohibited weapons is deemed to have the firearms or prohibited weapons for the purpose of trafficking the firearms or prohibited weapons, unless the contrary is proved, the burden of proof being on the accused, and such person commits an offence and is liable—

Trafficking of
firearm or
prohibited
weapon.
[18 of 2019].

- (a) on summary conviction for a first offence to a fine of one million dollars and to imprisonment for fifteen years; or
- (b) on conviction on indictment for a first offence to imprisonment for twenty years;

- (c) on conviction on indictment for a second offence to imprisonment for twenty-five years; and
- (d) on conviction on indictment for a third or any subsequent offence to imprisonment for life.

(2) In this section, “trafficking” includes importing, exporting, acquiring, delivering, selling or transferring firearms or prohibited weapons.

Offences relating to the sale or transfer of pepper spray. [7 of 2021].

9B. Any person who sells or transfers pepper spray to any other person who does not hold or is not exempt from holding a Pepper Spray Import Permit or Pepper Spray Permit is liable—

- (a) on summary conviction to a fine of five hundred and fifty thousand dollars and to imprisonment for five years; or
- (b) on conviction on indictment to a fine of seven hundred and fifty thousand dollars and imprisonment for fifteen years.

Special offence as to possession of firearms in certain circumstances. [2 of 2011, 18 of 2019].

10. (1) Without prejudice to any liability for the commission of an offence under any other law, a person who has in his possession or under his control in Trinidad and Tobago or elsewhere any firearm or ammunition with intent to sell or transfer such firearm or ammunition to any other person in Trinidad and Tobago for the purpose of the commission of any crime (including an offence under this Act) is liable—

- (a) on summary conviction for a first offence to a fine of seven hundred and fifty thousand dollars and to imprisonment for fifteen years; or
- (b) on conviction on indictment for a first offence to imprisonment for twenty years; and
- (c) on conviction on indictment for a second or any subsequent offence to imprisonment for twenty-five years.

(2) For the purposes of subsection (1), where any firearms or ammunition is found in any ship, vessel, aircraft,

vehicle or other means of conveyance in Trinidad and Tobago, including in particular its territorial waters—

- (a) the ship, vessel, aircraft, vehicle or other means of conveyance may be seized by an officer of Customs, police officer or by a member of the Defence Force;
- (b) the master or any person in control of such ship, vessel, aircraft, vehicle or other means of conveyance, as the case may be, shall be deemed guilty of an offence under subsection (1), unless he proves that the firearms or ammunition were in the ship, vessel, aircraft, vehicle or other means of conveyance without his consent, knowledge or connivance and that he exercised all due diligence to prevent the commission of the offence.

(3) Nothing in subsection (2)(b) shall apply if the master or other person referred to in subsection (2) proves to the satisfaction of the Court that the firearms or ammunition are cargo properly manifested to consignees in Trinidad and Tobago or elsewhere, or are *bona fide* stores of any ship, vessel or aircraft, in the custody of the proper officer authorised for the purpose.

(4) Nothing in subsection (2) shall apply to any ship, vessel or aircraft belonging to the Naval or Air Forces of any other State, if permission to come into territorial sea of Trinidad and Tobago has been granted by the competent authority.

(5) Where any person is convicted of an offence under this section, the Court before which he is convicted shall order that the ship, vessel, aircraft, vehicle or other means of conveyance, if any, used for the purpose of conveying the firearm or ammunition be forfeited and, upon such order being made the ship, vessel, aircraft, vehicle or other means of conveyance, shall, unless an application under subsection (6) is successful, be sold and the proceeds of such sale paid into the general revenue.

(6) Where any ship, vessel, aircraft, vehicle or other means of conveyance is ordered to be forfeited under subsection (3), the owner of such ship, vessel, aircraft, vehicle or other means of conveyance may make a claim to the Court for the ship, vessel, aircraft, vehicle or other means of conveyance to be restored to him.

(7) Where a claim is made to the Court under subsection (6), the Court may, subject to subsection (8), order that the ship, vessel, aircraft, vehicle or other means of conveyance shall be restored to the owner thereof on payment by him of any expenses incurred for transporting and keeping such ship, vessel, aircraft, vehicle or other means of conveyance for the purposes of this section.

(8) A Court shall not make an order under subsection (7) unless it is satisfied that the owner, charterer or master of the ship, vessel, aircraft, vehicle or other means of conveyance, as the case may be—

- (a) did not permit any person convicted of an offence under subsection (1) to use the ship, vessel, aircraft, vehicle or other means of conveyance for the purpose of conveying any firearm or ammunition in respect of which the offence was committed;
- (b) had no knowledge that any person convicted of an offence under subsection (1) would use the ship, vessel, aircraft, vehicle or other means of conveyance for the purpose of conveying any firearm or ammunition in respect of which the offence was committed.

Restrictions relating to the discharge of firearms, etc. [3 of 2004 2 of 2011 18 of 2019].

11. (1) A person who discharges a firearm or ammunition on or within forty metres of any public road or in any public place is liable—

- (a) on summary conviction for a first offence to a fine of five hundred thousand dollars and to imprisonment for ten years; or
- (b) on conviction on indictment for a first offence to imprisonment for fifteen years; and

(c) on conviction on indictment for a second or any subsequent offence to imprisonment for twenty years,
except where he does so—

- (i) in the lawful protection of his person or property or of the person or property of some other person;
- (ii) under the direction of some civil or military authority authorised to give such direction;
- (iii) with the written permission of the Commissioner; or
- (iv) as the holder of a provisional licence, issued by the Commissioner under section 16 and he discharges the firearm or ammunition on the shooting range named and for the purposes specified in the licence.

(2) A police officer may without warrant enter any premises on which he has reasonable cause to believe an offence under subsection (1) was committed and search for and seize any firearms and ammunition there found which he has reasonable cause to believe were used in such contravention and may retain such firearm or ammunition for so long as may be necessary for the purpose of any investigation in relation thereto, and where such investigation results in legal proceedings against any person for any such offence until such legal proceedings are finally determined.

(3) Nothing in subsection (1) shall apply in the case of the accidental discharge of a firearm.

(4) Where any person is charged with an offence under subsection (1), the burden of proving that the discharge of the firearm or ammunition in respect of which the contravention is alleged to have occurred was accidental or otherwise a lawful discharge shall lie upon the person asserting the same.

12. (1) A person who has in his possession any firearm or ammunition with intent by means thereof to endanger life or cause serious injury to property, or to enable any other person to endanger life or cause serious injury to property is, whether any

Penalty for possessing firearms or ammunition with intent to injure.
[3 of 2004].

injury to person or property has been caused or not, liable on conviction on indictment to imprisonment for life.

(2) Without prejudice to any other circumstances in which a person may be held to have had the specific intent required by subsection (1), a person shall be held to have had such intent, if, at the time he had a firearm or ammunition in his possession, he made any unlawful demand of, or any threat to, any other person.

Penalty for use and possession of firearm or imitation firearms in certain circumstances. [2 of 2011 18 of 2019].

13. (1) A person who makes or attempts to make any use whatever of a firearm or imitation firearm in furtherance of the commission of any offence or with intent to resist or prevent the lawful apprehension or detention of himself or some other person, is liable on conviction on indictment to imprisonment for twenty-five years.

(2) Where a person commits an offence against subsection (1) in respect of the commission of a felony or the lawful apprehension or detention of himself for any other arrestable offence committed by him, he is liable to the penalty provided by that subsection in addition to any penalty to which he may be sentenced for that felony or other arrestable offence.

(3) Where an offence in relation to a firearm or imitation firearm is charged, but the evidence establishes the commission of an offence in relation to an imitation firearm or firearm, respectively, the accused shall not be entitled to an acquittal, but he may be convicted of the offence of which the evidence establishes the commission.

(4) In this section “imitation firearm” means anything which has the appearance of being a firearm whether it is capable of discharging any ammunition or not.

Trespassing with a firearm. [3 of 2004 2 of 2011 18 of 2019].

13A. (1) A person who while he has a firearm with him, enters or is in any building or part of a building or any land as a trespasser without reasonable excuse, commits an offence and is liable on summary conviction to a fine of two hundred and fifty thousand dollars and to imprisonment for fifteen years.

(2) The onus of proving reasonable excuse shall be on the accused.

***13B.** A person commits an offence if he has a firearm with him while he is drunk or under the influence of a dangerous drug within the meaning of the Dangerous Drugs Act, and is liable on summary conviction to a fine of two hundred thousand dollars and to imprisonment for five years.

Possession of firearm whilst under the influence of dangerous drugs.
[3 of 2004
18 of 2019].
Ch. 11:25.

14. Without prejudice to the foregoing provisions of this Part a person who, being the holder of a licence, certificate or permit, contravenes any of the terms or conditions thereof, is liable on summary conviction to a fine of fifty thousand dollars and to imprisonment for two years.

Penalty for use of firearms or ammunition in contravention of terms or conditions of licences, etc.
[2 of 2011
18 of 2019].

15. (1) No person may manufacture or assemble any firearm or ammunition in Trinidad and Tobago and, in particular, a person other than the holder of a Gunsmith's Licence shall not—

Prohibition on manufacture, etc., of firearm or ammunition.
[22 of 1995
3 of 2004
2 of 2011
18 of 2019].

- (a) shorten the barrel of any firearm;
- (b) convert into a firearm (other than a prohibited weapon) anything which is not a firearm; or
- (c) convert into a prohibited weapon anything which is not a prohibited weapon.

(2) The holder of a Gunsmith's Licence shall not do any of the things referred to in subsection (1), except with the prior written approval of the Commissioner of Police.

(3) Any person who contravenes subsection (1) is liable in the case of—

- (a) an offence in relation to the manufacture of prohibited weapons—
 - (i) on summary conviction for a first offence to a fine of one million dollars and to imprisonment for fifteen years; or
 - (ii) on conviction on indictment for a first offence to imprisonment for twenty years;
 - (iii) on conviction on indictment for a second offence to imprisonment for twenty-five years;

*This section is not yet in operation—See Note on Act No. 3 of 2004 and Act No. 18 of 2019 at page 2.

- (iv) on conviction on indictment for a third or any subsequent offence to imprisonment for life;
- (b) an offence in relation to the manufacture of firearms or ammunition, other than a prohibited weapon—
 - (i) on summary conviction for a first offence to a fine of seven hundred and fifty thousand dollars and to imprisonment for fifteen years; or
 - (ii) on conviction on indictment for a first offence to imprisonment for twenty years; and
 - (iii) on conviction on indictment for a second offence to imprisonment for twenty-five years; and
 - (iv) on conviction on indictment for a third or any subsequent offence to imprisonment for life;
- (c) an offence in relation to paragraph (a) or (b) of subsection (1)—
 - (i) on summary conviction for a first offence to a fine of seven hundred and fifty thousand dollars and to imprisonment for fifteen years; or
 - (ii) on conviction on indictment for a first offence to imprisonment for twenty years; and
 - (iii) on conviction on indictment for a second offence to imprisonment for twenty-five years; and
 - (iv) on conviction on indictment for a third or any subsequent offence to imprisonment for life;
- (d) an offence in relation to paragraph (c) of subsection (1)—
 - (i) on summary conviction for a first offence to a fine of one million dollars and to imprisonment for fifteen years; or
 - (ii) on conviction on indictment for a first offence to imprisonment for twenty years; and

- (iii) on conviction on indictment for a second offence to imprisonment for twenty-five years; and
- (iv) on conviction on indictment for a third or any subsequent offence to imprisonment for life.
- (4) Any person who has in his possession a firearm—
- (a) the barrel of which has been shortened; or
 - (b) in relation to which an offence under subsection (1)(b) or (c) has been committed,
- shall be deemed, unless he proves the contrary, to have committed the offence under subsection (1)(a), (b) or (c), respectively.

PART II

LICENCES

GENERAL PROVISIONS

16. (1) Where a person intends to obtain a Firearm User's Licence for the first time, he shall prior to the grant of such a licence obtain a provisional licence from the Commissioner authorising him to discharge a firearm for the purpose of training in the use of such firearm.

Provisional
licence.
[3 of 2004].

- (2) An application for a provisional licence shall—
- (a) be addressed to the Commissioner;
 - (b) be made in the prescribed form;
 - (c) contain the prescribed particulars;
 - (d) be accompanied by the prescribed number of photographs of the person to whom the licence, certificate or permit is desired to be granted;
 - (e) be accompanied by a certificate of good character issued by the Commissioner not less than three months prior to the date of application;
 - (f) carry a specimen of the signature of the person to whom the licence is to be granted;
 - (g) be signed by the applicant;

(h) be accompanied by such other documents, as may be prescribed by Regulations made by the Commissioner with the approval of the Minister subject to a negative resolution of Parliament.

(3) A provisional licence issued by the Commissioner under subsection (1), shall authorise the holder to discharge a firearm only for the purpose of training in the use of the firearm, and shall be restricted to a shooting range to be named in the licence.

(4) Where a provisional licence is issued under subsection (1), the holder of such a licence shall not discharge a firearm unless he is under the supervision of the holder of a Firearm User's Licence.

(5) A provisional licence issued under subsection (1) shall be valid for two months.

(6) Regulations made under subsection 2(h), shall be published in the *Gazette*.

Application for
Firearm User's
Licence.
[3 of 2004].

16A. Upon the expiration of the period referred to in section 16(5) the person who held the provisional licence may apply for a Firearm User's Licence, and such application shall be accompanied by a certificate of competence issued by a licensed firearms instructor.

Persons
prohibited from
obtaining a
Pepper Spray
Import Permit
or Pepper Spray
Permit.
[7 of 2021].
Ch. 4:60.

Ch. 45:56.

16B. (1) A person who is—

- (a) charged or convicted with an offence specified in Schedule II;
- (b) charged or convicted with an offence listed in Part II of the Bail Act; or
- (c) charged or convicted with an offence under the Domestic Violence Act,

is prohibited from obtaining a Pepper Spray Import Permit or Pepper Spray Permit.

(2) For the purposes of subsection (1), a person who is the subject of an Undertaking, Interim Order or Protection Order in proceedings under the Domestic Violence Act shall be prohibited from obtaining a Pepper Spray Import Permit or Pepper Spray Permit unless a Court determines otherwise.

(3) A person who is prohibited from obtaining a Pepper Spray Import Permit or Pepper Spray Permit under subsection (1) or (2) and is found with pepper spray in his possession, commits an offence and is liable—

- (a) on summary conviction to a fine of two hundred and fifty thousand dollars and imprisonment for five years; or
- (b) on conviction on indictment to a fine of seven hundred and fifty thousand dollars and imprisonment for fifteen years.

16C. (1) Where a holder of a Pepper Spray Import Permit or Pepper Spray Permit is charged or convicted for an offence under section 16B(1) or (2), that person shall, within seven days of becoming a person prohibited from obtaining a Pepper Spray Import Permit or Pepper Spray Permit, return the Pepper Spray Import Permit or Pepper Spray Permit and pepper spray to a police station.

Prohibited persons to return Pepper Spray Import Permit or Pepper Spray Permit and pepper spray. [7 of 2021].

(2) A person who contravenes subsection (1), commits an offence and is liable—

- (a) on summary conviction to a fine of two hundred and fifty thousand dollars and imprisonment for five years; or
- (b) on conviction on indictment to a fine of seven hundred and fifty thousand dollars and imprisonment for fifteen years.

17. (1) Subject to this section and to section 16, the grant of any licence, certificate or permit shall be in the discretion of the Commissioner of Police.

General provisions as to grant and issue of licences, certificates and permits. [3 of 2004 7 of 2021].

(2) No licence, certificate or permit shall be granted in relation to any prohibited weapon.

(2A) No licence, certificate or permit shall be granted to a person under the age of twenty-five years.

(3) No licence, certificate or permit other than a Firearm Disposal Permit shall be granted to, or held by a restricted person except with the prior permission of the Minister.

(4) A Firearm Import Permit, a Firearm User's Licence or a Firearm User's (Employee's) Certificate shall be granted by the Commissioner of Police only if he is satisfied that the applicant has a good reason for importing, purchasing, acquiring or having in his possession the firearm or ammunition in respect of which the application is made, and can be permitted to have in his possession that firearm or ammunition without danger to the public safety or to the peace; however, such a permit, certificate or licence shall not be granted to a person whom the Commissioner has reason to believe to be of intemperate habits or unsound mind, or to be for any reason unfit to be entrusted with such a firearm or ammunition.

Grant of Pepper
Spray Import
Permit or
Pepper Spray
Permit by the
Commissioner
of Police.
[7 of 2021].

(4A) A Pepper Spray Import Permit or Pepper Spray Permit shall be granted by the Commissioner of Police or such police officer as may be authorised by the Commissioner, only if the Commissioner or the police officer as authorised by him, is satisfied that the applicant has good reason to—

(a) manufacture, produce, import, export, divert, sell or distribute; or

(b) purchase, acquire or have in his possession, pepper spray in respect of which the application is made, and can be permitted to manufacture, produce, import, export, divert, sell or distribute pepper spray or to purchase, acquire or have in possession pepper spray, without danger to the public safety or to the peace, however, such permit shall not be granted to a person whom the Commissioner of Police or the police officer authorised by him, as the case may be, has reason to believe to be of intemperate habits or unsound mind, or to be for any reason unfit to be entrusted with pepper spray.

(5) A licence, certificate, Pepper Spray Import Permit or Pepper Spray Permit shall not be issued to any person until the appropriate fee has been paid.

(6) A licence other than a provisional licence shall be valid for three years from the date of issue and may be renewed, upon payment of the appropriate fee for each renewal, by the Commissioner.

(7) An applicant for the renewal of a Firearm User's Licence under this Act shall submit with his application—

- (a) a certificate of competence issued by a licensed firearms instructor; and
- (b) such other documents as may be prescribed by the Commissioner.

(8) A licence held by a person prior to the coming into operation of this Act shall continue to be valid after the commencement of this Act.

17A. (1) Notwithstanding section 17(2A), a person may be issued with a Pepper Spray Import Permit or Pepper Spray Permit where—

- (a) that person is eighteen years of age and over; or
- (b) in the case of a child who is sixteen years of age and over, the parent, guardian or person with responsibility for the child has given written permission for the child to be in possession of pepper spray.

General provisions for the grant of a Pepper Spray Import Permit or Pepper Spray Permit. [7 of 2021].

(2) A person authorised to purchase, acquire or have in his possession pepper spray, shall only use the pepper spray in self-defence.

(3) A person who uses pepper spray in the commission of a criminal offence is liable—

- (a) on summary conviction to a fine of two hundred and fifty thousand dollars and imprisonment for five years; or
- (b) on conviction on indictment to a fine of seven hundred and fifty thousand dollars and imprisonment for fifteen years.

18. (1) Subject to the provisions of this Act, the Commissioner, on the application of any person who is acting with the written consent of the holder of a Firearm User's Licence in respect of a particular firearm specified in such application, may grant to such person a Firearm User's (Employee's)

Firearm User's (Employee's) Certificate.

Certificate which shall authorise such person to keep, carry and use in connection with the business of the holder of such Firearm User's Licence the particular firearm specified in such certificate and such ammunition therefor as may be so specified.

(2) For the purposes of subsection (1), where application for a Firearm User's (Employee's) Certificate is made by a public officer for the purpose of the exercise of his functions as such, the Permanent Secretary in the Ministry to which that public officer is attached shall be deemed to be the holder of a Firearm User's Licence in respect of any particular firearm specified in such application.

General provisions as to licences, certificates and permits.

19. (1) Every licence, certificate or permit shall be in the prescribed form and shall contain the prescribed particulars and shall specify the conditions (if any) subject to which it is held and, if so prescribed, shall bear upon it a photograph of the prescribed dimensions of the person to whom it is granted and a specimen of the signature of such person.

(2) Subject to subsection (1), every licence, certificate or permit shall be subject to the prescribed conditions and to such other terms and conditions as the Commissioner may impose.

Amendment of licences, certificates and permits.

20. (1) The Commissioner of Police may at any time by notice in writing to the holder of a licence, certificate or permit vary the conditions other than such conditions as may be prescribed subject to which such licence, certificate or permit is held.

(2) A licence, certificate or permit may also, on the application of the holder thereof, be varied from time to time by the Commissioner.

Revocation of licences, certificates and permits. [7 of 2021].

21. The Commissioner of Police may revoke any licence, certificate or permit—

(a) if, in the case of the holder of a Firearm Dealer's Licence, a Gunsmith's Licence, Pepper Spray Import Permit or Pepper Spray Permit, he is convicted of an offence against this Act or of an offence against the Customs Act;

- (b) if he is satisfied that the holder thereof is of intemperate habits or of unsound mind, or is otherwise unfit to be entrusted with such a firearm or ammunition, pepper spray as may be mentioned in the licence, certificate or permit;
- (c) for non-payment of fees;
- (d) in any other case, if he thinks fit.

21A. A person aggrieved by the decision of the Commissioner under section 17, 17A or 21 may appeal to the Firearms Appeal Board established under this Act.

Appeals.
[22 of 1995
7 of 2021].

21B. (1) Where the holder of a Firearm User's Licence or a Firearm User's (Employee's) Certificate is convicted of an offence under the Domestic Violence Act, the Commissioner may suspend his licence or certificate as the case may be for a period of five years from the date of conviction for such offence.

Restrictions on
domestic
violence
offender
holding Firearm
User's Licence.
[3 of 2004
2 of 2011].

(2) Where a person is convicted of a domestic violence offence under the Domestic Violence Act, the Commissioner may refuse to grant that person a Firearm User's Licence or a Firearm User's (Employee's) Certificate for a period of five years from the date of conviction.

Ch. 45:56.

21C. The Commissioner shall establish and maintain a Register to be known as—

Firearms
register.
[3 of 2004
7 of 2021].

- (a) “the Trinidad and Tobago Firearms Register”, in which shall be kept in such form a record of—
- (i) every licence, registration certificate and permit that is issued, renewed or revoked by the Commissioner;
 - (ii) every application for a licence, registration certificate or permit or renewal thereof that is refused by the Commissioner;
 - (iii) every import into or export from Trinidad and Tobago of a firearm and ammunition of which the Commissioner is informed under this Act;

- (iv) every loss, finding, theft or destruction of a firearm and ammunition of which the Commissioner is informed under section 28; and
- (v) such other matters as may be prescribed; and
- (b) “the Trinidad and Tobago Pepper Spray Register”, in which shall be kept in such form a record of such matters as may be prescribed.

Power to call in firearms and ammunition. [2 of 2011 18 of 2019 7 of 2021].

22. (1) The Commissioner of Police may at any time he considers it necessary or expedient for the purpose of safeguarding the safety of the public, by Notification published in the *Gazette* and in at least one daily newspaper circulating in Trinidad and Tobago, temporarily suspend any or all licences, certificates or permits granted by him under this Act and may by such Notification call upon the holders of such licences, certificates or permits to surrender all firearms, ammunition or pepper spray as the case may be, held by them by delivering the same to a police station.

(2) A person who without reasonable excuse fails (within such time as is specified in the Notification) to comply with a Notification under subsection (1) is liable on summary conviction to a fine of twenty-five thousand dollars and to imprisonment for one year.

THE FIREARMS APPEAL BOARD

Establishment of Board. [22 of 1995 7 of 2021].

22A. (1) There is established a Board to be known as the Firearms Appeal Board which shall hear and determine appeals from the decision of the Commissioner under sections 17, 17A and 21.

(2) In the determination of an appeal, the Board shall either—

- (a) dismiss the appeal; or
- (b) allow the appeal and direct the Commissioner with or without conditions to grant or reinstate the licence, permit or certificate.

22B. The Board shall consist of—

- (a) the Chairman who shall be an Attorney-at-law within the meaning of the Legal Profession Act, with not less than ten years standing; and
- (b) two other members,

all of whom shall be appointed by the President.

Composition.
[2 of 2011].

Ch. 90:03.

22C. No person is qualified to be a member of the Board who is—

- (a) a member of the Senate;
- (b) a member of the House of Representatives;
- (c) a member of the Tobago House of Assembly;
- (d) a member of a local authority;
- (e) a person who holds or is acting in any public office or has held public office within a period of three years prior to the date of his appointment;
- (f) a person who has at any time been convicted of an offence punishable by a term of imprisonment.

Disqualification.
[22 of 1995].

22D. (1) A member of the Board shall be appointed for a period of three years and shall be eligible for reappointment.

Terms and conditions.
[22 of 1995].

(2) Where a member of the Board is incapable of performing his functions and duties due to illness or any other reason, the President may appoint another person to act in his place.

(3) The remuneration and terms and conditions of office of the members of the Board shall be determined by the President.

(4) The salaries and allowances of the members of the Board shall be a charge on the Consolidated Fund.

22E. Before entering upon the duties of his office, a member of the Board shall take an oath or affirm before the President or a person appointed by the President for that purpose.

Oath.
[22 of 1995].

22F. A member of the Board may resign by instrument in writing addressed to the President.

Resignation.
[22 of 1995].

Revocation of
appointment.
[22 of 1995].

22G. The President may revoke the appointment of a member of the Board where he is satisfied that the member—

- (a) has failed without reasonable excuse to carry out his duties for a continuous period of three months;
- (b) is incapacitated physically or mentally to such an extent as to impair his ability and render him unable to perform his duties or is otherwise unfit to perform his duties;
- (c) is a person to whom the provisions of section 22C now apply.

Procedure.
[22 of 1995].

22H. (1) Subject to subsection (2) the Board may regulate—

- (a) its own procedure; and
- (b) the procedure for conducting appeals.

(2) The Board shall hear applications *in camera* and may permit—

- (a) an applicant or his representative;
- (b) the Commissioner or his representative,

to appear before the Board.

(3) Any question before the Board shall be determined by the opinion of the majority of the members.

Staff.
[22 of 1995].

22I. The Board with the approval of the Prime Minister may by Regulations or otherwise confer powers and impose duties on any public officer or any authority of the Government of Trinidad and Tobago for the purpose of the exercise of the functions of the Board.

SPECIAL PROVISIONS

Special
restrictions upon
holders of
Firearm
Dealer's
Licences.
[2 of 2011
18 of 2019
7 of 2021].

23. (1) A holder of a—

- (a) Firearm Dealer's Licence shall not deal in firearms or ammunition; or
- (b) Pepper Spray Import Permit or Pepper Spray Permit under section 6A(2)(a) shall not deal in pepper spray,

elsewhere than at the place specified in his licence or in any amendment thereof.

- (2) A person who contravenes subsection (1) is liable—
- (a) on summary conviction for a first offence to a fine of one hundred thousand dollars and to imprisonment for ten years; or
 - (b) on conviction on indictment for a first offence to imprisonment for fifteen years; and
 - (c) on conviction on indictment for a second or any subsequent offence to imprisonment for twenty years.

24. (1) A person shall not undertake the repair, test or proof of a firearm or ammunition for any other person except under and in accordance with the terms of a Gunsmith's Licence.

Restrictions relating to gunsmiths. [2 of 2011 18 of 2019].

(2) A holder of a Gunsmith's Licence shall not accept delivery of any firearm or ammunition for the purpose of effecting any alteration or repair thereto—

- (a) elsewhere than at the premises in respect of which he is licensed as a gunsmith; and
- (b) from any person unless that person produces or causes to be produced a Firearm Dealer's Licence or a Firearm User's Licence authorising him to buy, sell or be in possession of, as the case may be, such firearm or ammunition.

(3) A holder of a Gunsmith's Licence shall forthwith record in the records to be kept by him pursuant to section 26 particulars of any licence or certificate produced to him pursuant to subsection (2)(b) and shall in due course return such licence or certificate to the person who produced it.

(4) Every holder of a Gunsmith's Licence who contravenes subsection (1) or (2) is liable on summary conviction to a fine of one hundred thousand dollars and to imprisonment for five years.

25. (1) Every holder of a Firearm Dealer's Licence, Gunsmith's Licence, Pepper Spray Import Permit or Pepper Spray Permit shall cause to be affixed and keep affixed over one of the principal entrances of the place in which or premises upon which he carries on business as a firearm dealer, gunsmith or a

Notice to be displayed by licensees. [2 of 2011 18 of 2019 7 of 2021].

dealer in pepper spray, as the case may be, a board on which shall be printed in legible letters at least two inches in height the name in full of such licensee and the words “Licensed as a firearm dealer”, “Licensed as a gunsmith” or “Authorised dealer in pepper spray”, respectively.

(2) A person who fails to comply with subsection (1) is liable on summary conviction to a fine of fifty thousand dollars and to imprisonment for two years.

Records and
returns.
[2 of 2011
18 of 2019
7 of 2021].

26. (1) Every licensed dealer shall provide and keep a register of transactions and shall enter or cause to be entered therein such particulars as may be prescribed of all transactions relating to his business as a licensed dealer.

(2) Every such 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, every such licensed dealer shall at the time of the transaction require the purchaser or transferee, if not known to him, to furnish particulars sufficient for identification, and shall immediately enter the said particulars in the register.

(3) Every such licensed dealer shall on demand allow any police officer duly authorised in writing in that behalf by the Commissioner of Police or any police officer of or above the rank of Inspector to enter and inspect all stock in hand and shall on request by—

- (a) any police officer duly authorised in writing in that behalf by the Commissioner; or
- (b) an officer of Customs; or
- (c) any police officer above the rank of Inspector,

produce for inspection the register required to be kept under subsection (1), but so that any written authority required by this subsection shall be produced on demand.

(4) Every person who is required to keep a register of transactions under subsection (1) shall make such returns to such authority in such form, in respect of such periods, at such time and containing such particulars as may be prescribed.

(5) Every person who contravenes this section or knowingly makes any false entry in the register required to be kept under subsection (1) is guilty of an offence.

(6) Any person who in furnishing the particulars for any of the purposes of subsection (2) makes any statement which he knows to be misleading, false, or deceptive, or by any dishonest concealment of material facts, or by reckless making of any statement (dishonestly or otherwise) misleads or attempts to mislead any other person, is liable on summary conviction to a fine of one hundred thousand dollars and to imprisonment for five years.

(7) In this section “licensed dealer” means the holder of a Firearm Dealer’s Licence, Gunsmith’s Licence, Pepper Spray Import Permit or Pepper Spray Permit.

26A. There shall be compiled and retained by the prescribed authority, a database of all licensed and, where possible, unlicensed firearms and ammunition located in Trinidad and Tobago.

Database.
[3 of 2004].

PART III

POWER OF SEARCH AND TO OBTAIN INFORMATION

27. (1) The holder of a licence, certificate or Pepper Spray Permit who is thereby authorised to carry a firearm and ammunition or pepper spray, as the case may be, in a public place shall whenever he carries such firearm, ammunition or pepper spray in a public place have with him the applicable licence, certificate or Pepper Spray Permit in respect of such firearm and ammunition or pepper spray.

Carrying of
firearms and
ammunition in
public places—
power of police
as to.
[3 of 2004
2 of 2011
18 of 2019
7 of 2021].

(2) Subject to subsection (4), except in the case of a person exempted by virtue of section 7, a police officer may require any person whom he sees or whom he believes to be carrying any firearm, ammunition or pepper spray in any public place to produce to him his licence, certificate or Pepper Spray Permit in relation to such firearm, ammunition or pepper spray and to produce the firearm, ammunition or pepper spray.

(3) A person so required under subsection (2), who is so carrying a firearm, ammunition or pepper spray and who fails to produce the licence, certificate or Pepper Spray Permit, as the case may be, or to permit the police officer to read the licence, certificate or Pepper Spray Permit or to produce the firearm,

ammunition or pepper spray or to permit him to examine the firearm, ammunition or pepper spray for the purpose of verifying the particulars in the licence, certificate or Pepper Spray Permit, is guilty of an offence, and the provisions of subsection (4) as to search, seizure and retention of firearms and ammunition or pepper spray shall apply in any such case, and the police officer may, without warrant, arrest such person or may require that person to declare to him immediately his name and address.

(4) Where a police officer has reasonable cause to suspect that any person is carrying a firearm, ammunition or pepper spray in a public place contrary to any of the provisions of this Act, the police officer may search that person, and may seize and retain any firearm, ammunition or pepper spray carried by that person until such time as legal proceedings against that person for any offence in relation to such firearm, ammunition or pepper spray are finally determined, and may without warrant arrest such person.

(4A) A search of a woman under subsection (4), shall be carried out only by a female member of the Police Service, the Department of Customs and Excise, the Immigration Department or the Defence Force.

(5) A person so required under subsection (3) who refuses to declare his name and address, or fails to give his true name and address is guilty of an offence and the police officer may arrest without warrant any person who refuses so to declare his name and address, or whom he reasonably suspects of giving a false name or address or of intending to abscond.

(6) A police officer authorised in writing by the Commissioner may at any time require the holder of a licence, certificate or permit to produce for inspection the firearm and ammunition or pepper spray to which it relates, and any person who without good cause refuses or fails to do so is guilty of an offence.

(7) A person guilty of an offence under this section is liable on summary conviction to a fine of one hundred thousand dollars and to imprisonment for five years.

28. (1) The holder of a licence, certificate or permit in respect of any firearm or ammunition and any other person lawfully in possession of any firearm or ammunition by virtue of section 7(2) shall, within twenty-four hours after he discovers the loss or theft of his licence, certificate or permit, if any, or of such firearm or ammunition, report the loss or theft at a police station.

Report of loss or theft of firearm or ammunition, etc.
[3 of 2004
2 of 2011
18 of 2019].

(1A) The holder of a licence, certificate or permit in respect of any firearm or ammunition and any other person lawfully in possession of any firearm or ammunition by virtue of section 7(2) who loses such firearm or ammunition through negligence on his part commits an offence and is liable, on summary conviction, to a fine of one hundred thousand dollars.

(1B) *(Repealed by Act No. 2 of 2011).*

(2) A person who fails to comply with subsection (1) is liable on summary conviction to a fine of fifty thousand dollars and to imprisonment for three years.

29. (1) A police officer in uniform may stop any vehicle for the purpose of ascertaining whether any firearm or ammunition is being conveyed therein and may search without warrant such vehicle, the driver thereof and any person conveyed therein.

Power to stop and search vehicles.
[3 of 2004
2 of 2011
18 of 2019].

(2) A person is liable on summary conviction to a fine of fifty thousand dollars and to imprisonment for five years who—

- (a) being the driver or person operating a vehicle, fails to stop the vehicle at the request of a police officer under this section; or
- (b) being conveyed in a vehicle, prevents or intimidates the driver thereof or other person operating such vehicle from stopping at the request of a police officer under this section; or
- (c) escapes or attempts to escape from a vehicle after a request to stop under this section.

30. (1) A Magistrate or a Justice of the Peace on being satisfied by information on oath that there is reasonable ground for suspecting that an offence under this Act has been, is being, or is about to be committed or there is a substantial risk to the

Search warrants.
[3 of 2004
2 of 2011
18 of 2019].

safety of the public may grant a search warrant authorising any police officer named therein with the assistance of such other persons as he may require—

- (a) to enter at any time any premises or place named in the warrant, if necessary by force, and to search the premises or place and every person found therein; and
- (b) to seize any firearm or ammunition which he may find on the premises or in the place, or on any such person, in respect of which or in connection with which he has reasonable grounds for suspecting that an offence under this Act has been, is being, or is about to be committed and to retain such firearm or ammunition for so long as may be necessary for the purpose of any investigation in relation thereto, and, where such investigation results in legal proceedings against any person for any such offence, until such legal proceedings are finally determined.

(2) Where a firearm or ammunition is found on the premises, the police officer making the search may arrest without warrant any person found on the premises or in the place whom he has reason to believe to be guilty of an offence under this Act.

(3) A police officer or other person referred to in subsection (1), may in carrying out the search on the premises or place—

- (a) use or cause to be used any data processing system at the place to examine any data relating to arms and ammunition contained in or available to the system;
- (b) reproduce any record relating to arms and ammunition or cause it to be reproduced from the data in the form of printout or other intelligible output and remove the printout or other output for examination or copying; and
- (c) use or cause to be used any copying equipment at the place to make copies of any records, books, accounts or other document relating to arms and ammunition.

(4) Where in exercising the powers of a warrant under subregulation (3)(c), costs are incurred in respect of the copying equipment used, the person immediately responsible for paying such cost, on proof of such expenditure or costs shall be reimbursed, by the State, all sums thereof.

(5) A person who hinders, molests or interferes with any police officer or other person referred to in subsections (1) and (3), whilst such police officer or person is doing anything that he is authorised to do under this section or prevents or attempts to prevent a police officer or other such person from doing any such thing commits an offence and is liable on summary conviction to a fine of two hundred thousand dollars and to imprisonment for ten years.

PART IV

IMPORTATION OF FIREARMS, ETC.

31. (1) Notwithstanding any other law but subject to section 32, no person may import into Trinidad and Tobago any firearm or ammunition, except—

- (a) under and in accordance with the terms of a Firearm Import Permit (including a permit under section 33); or
- (b) firearms or ammunition that is cargo properly manifested to consignees elsewhere than in Trinidad and Tobago or that are the *bona fide* stores of any ship, vessel or aircraft in the custody of the proper officer authorised for the purpose.

Restrictions on importation and exportation of firearms and ammunition. [22 of 1995, 3 of 2004, 26 of 2006, 2 of 2011, 18 of 2019].

(2) A person who contravenes or aids or abets any other person in contravening subsection (1) is liable—

- (a) in the case of an offence relating to a prohibited weapon—
 - (i) on summary conviction for a first offence to a fine of one million dollars and to imprisonment for fifteen years; or

- (ii) on conviction on indictment for a first offence to imprisonment for twenty years; and
 - (iii) on conviction on indictment for a second offence to imprisonment for twenty-five years; and
 - (iv) on conviction on indictment for a third or any subsequent offence to imprisonment for life.
- (b) in the case of an offence relating to the importation of multiple firearms for distribution or resale, on conviction on indictment to imprisonment for life;
- (c) in any other case—
- (i) on summary conviction for a first offence to a fine of five hundred thousand dollars and to imprisonment for fifteen years; or
 - (ii) on conviction on indictment for a first offence to imprisonment for twenty years; and
 - (iii) on conviction on indictment for a second offence to imprisonment for twenty-five years; and
 - (iv) on conviction on indictment for a third or any subsequent offence to imprisonment for life.

(3) *(Deleted by Act No. 26 of 2006).*

(4) Where a firearm is imported under subsection (1), such firearm shall be marked by the manufacturer with the name and address of the manufacturer and the serial number of the firearm, for the purposes of identification and tracing.

Travellers to
make
declaration of
firearms and
ammunition.
[22 of 1995
3 of 2004
2 of 2011
18 of 2019].

32. (1) Every person who disembarks from any ship, vessel or aircraft which comes into Trinidad and Tobago from any port or place outside Trinidad and Tobago shall, whether or not required so to do by any officer of Customs, declare to a Customs officer whether he has any, and, if so, what firearms or ammunition in his possession or under his control.

(2) A person referred to in subsection (1) other than a pleasure craft visitor who has any firearm or ammunition in his possession or under his control unless he is the holder of a Firearm Import Permit, shall either—

- (a) cause such firearm or ammunition to be retained upon the vessel or aircraft upon which he came into Trinidad and Tobago until after such vessel or aircraft departs from Trinidad and Tobago; or
- (b) deliver such firearm or ammunition to an officer of Customs to be dealt with in accordance with the Regulations.

(3) A pleasure craft visitor shall upon disembarking in Trinidad and Tobago lodge any firearm or ammunition in his possession with the officer of Customs at the port of disembarkation.

(4) Where the stay of the pleasure craft visitor is for a period exceeding four weeks, an officer of Customs shall deliver the firearm or ammunition to the police station which is located nearest to the port of disembarkation unless otherwise prescribed.

(5) The officer in charge of the police station referred to in subsection (4) shall provide an armed escort for the officer of Customs responsible for transporting the firearm or ammunition referred to in subsection (4) to and from that police station.

(6) Without prejudice to any other offence for which he may be convicted under this Act or any other written law, a person is liable on summary conviction to a fine of two hundred and fifty thousand dollars and to imprisonment for eight years who contravenes this section or makes a statement which he knows to be false or does not believe to be true.

33. (1) Where the holder of a Firearm User's Licence is about to go outside Trinidad and Tobago and desires to take with him the firearm or ammunition to which such licence relates, he may apply to the Commissioner of Police in the prescribed form for a permit to do so.

Permission to
take firearm
abroad.
[26 of 2006
2 of 2011
18 of 2019].

(2) The Commissioner may if he thinks fit grant a written permit to any such licensee to take the firearm and ammunition with him, and where such permission is granted, nothing in section 31(1) shall be construed so as to cause such a licensee to be guilty of an offence thereunder by reason only of his bringing the firearm and ammunition back into Trinidad and Tobago on the occasion of his return, save that nothing in this subsection shall affect the operation of section 32 in relation to such firearm or ammunition.

(3) No person may export from Trinidad and Tobago any firearm or ammunition except—

- (a) under and in accordance with the terms of a written permit issued under subsection (2);
- (b) firearms or ammunition, that is, cargo properly manifested to a consignee elsewhere than in Trinidad and Tobago or that are the *bona fide* stores of any aircraft or vessel in the custody of the proper officer authorised for that purpose.

(4) Every person who is about to board any aircraft or vessel destined to leave Trinidad and Tobago shall, whether or not required to do so by any Customs Officer, declare to a Customs Officer whether he has any and, if so, what firearms and ammunition are in his possession or under his control.

(5) A person who commits an offence under this section is liable on summary conviction to a fine of two hundred and fifty thousand dollars and to imprisonment for fifteen years and on conviction on indictment to a fine of five hundred thousand dollars and to imprisonment for twenty years.

Special offence relating to firearms on aircraft or vessel. [3 of 2004, 26 of 2006, 2 of 2011, 18 of 2019].

34. (1) A person is guilty of an offence if without lawful authority he has on his person or under his personal control any firearm, ammunition, explosive or offensive weapon—

- (a) when boarding or attempting to board or when disembarking from any aircraft or vessel; or
- (b) while on board any aircraft or vessel operated by a company registered in Trinidad and Tobago.

(2) For the purposes of this section a person shall not be deemed to be acting with lawful authority unless he is acting in his capacity as a member of the Defence Force, established under the Defence Act, a police officer or as a security officer employed by the operators of the aircraft or vessel, save that where the operator is a company registered in Trinidad and Tobago the security officer shall not be deemed to be acting with lawful authority, unless he is the holder of a licence or certificate. Ch. 14:01.

(3) A person who commits an offence under this section is liable on summary conviction to a fine of two hundred and fifty thousand dollars and to imprisonment for fifteen years and on conviction on indictment to a fine of five hundred thousand dollars and to imprisonment for twenty years.

(4) Nothing in this section shall apply to any person who obtains the prior permission of the Commissioner to embark or disembark from, or to be on any aircraft on a flight scheduled to take place exclusively in Trinidad and Tobago or a vessel sailing exclusively within the territorial sea, save that the operator of the aircraft or vessel may refuse to accept such a person as a passenger.

(5) In this section—

“explosive” has the same meaning as in the Explosives Act; Ch. 16:02.

“offensive weapon” has the same meaning as in the Prevention of Crimes (Offensive Weapons) Act; Ch. 11:09.

“Police Officer” includes a Customs Officer;

“security officer” means a person employed by the operators of an aircraft or vessel for the protection of the aircraft or vessel and its passengers while in flight or a vessel sailing exclusively within the territorial sea.

(6) For the avoidance of doubt it is hereby declared that the lawful possession of a licence to carry a firearm in any public place shall not in itself afford a defence to any proceedings under this section.

PART V
MISCELLANEOUS

Controlled
delivery.
[3 of 2004].

35. Evidence obtained by controlled delivery shall be admissible in a Court of law.

Regulations.
[3 of 2004
7 of 2021].

36. (1) The Minister may make Regulations in respect of any of the following matters:

- (a) the test for determining drunkenness for the purpose of section 13B;
- (aa) the manufacture, production, importation, exportation, diversion, sale or distribution of pepper spray;
- (ab) the possession, storage and transfer of pepper spray;
- (ac) the prescription of the records that are to be kept by any person in connection with the manufacture, production, importation, exportation, diversion, receipt, sale, disposal and distribution of pepper spray;
- (b) provisions relating to the prescribed authority and the database of firearms and ammunition for the purpose of section 26A; and
- (c) any other thing required or permitted by this Act to be prescribed.

(2) Regulations made under subsection (1) shall be subject to negative resolution of Parliament and may prescribe a fine of two hundred and fifty thousand dollars and imprisonment for two years.

Service of
notices.
[7 of 2021].

37. Any notice required or authorised by this Act to be given to any person may be sent by registered post in a letter addressed to him at his last or usual place of abode, or in the case of the holder of a Firearm Dealer's Licence, Gunsmith's Licence, Pepper Spray Import Permit or Pepper Spray Permit at any place or premises in respect of which the licence is issued.

38. Any firearm or ammunition, or pepper spray seized and detained under this Act may be retained for as long as is necessary for the purpose of any examination, investigations, inquiries or legal proceedings; and subject to section 10 a Judge or Magistrate may, upon application made in such proceedings, direct such firearm or ammunition, or pepper spray to be forfeited or otherwise disposed of as he considers just.

Forfeiture and
disposal by
Court.
[7 of 2021].

39. (1) The Minister may prescribe fees (herein called the “appropriate fee”) for the purposes of subsection (4) and section 17(5), and different fees may be prescribed for different classes of holders of licences, certificates or permits or for different types of firearms.

Appropriate
fee.
[18 of 1972
20 of 2020
7 of 2021].

(2) Subject to subsection (4), the holder of a Firearm User’s Licence that includes more than one firearm shall pay the appropriate fee for each firearm included in the licence.

(3) Notwithstanding anything herein to the contrary, no fee shall be payable under this section by the owner of any slaughtering instrument or of any firearm or ammunition in respect of which the Commissioner of Police certifies that he is satisfied that such firearm or ammunition is of an obsolete type and is not intended by the owner to be used by himself or by any other person.

(4) The full amount of the appropriate fee shall be payable in respect of the period commencing with the date of grant of licence or certificate and ending with the next succeeding 31st day of March and thereafter shall be payable in respect of each year in which the licence or certificate is in force and on or before the 1st day of April in that year; but where a licence or certificate is first granted in the month of March in any year the appropriate fee shall be deemed to apply to the period ending on the 31st day of March of the next succeeding year, and thereafter shall be payable in respect of each year as mentioned above.

(4A) Notwithstanding subsection (4), in the year 2020, the full amount of the appropriate fee shall be payable on or before 30th September 2020 or such later date as the Minister may, by Order, prescribe.

Custody of
firearms and
ammunition.
[3 of 1994
3 of 2004
2 of 2011
18 of 2019].

40. (1) Every person who comes into possession of any firearm or ammunition in the circumstances specified in section 7(1)(h) shall, within thirty days of coming into possession of such firearm or ammunition, unless he has obtained a Firearm User's Licence in respect thereof within such period, deliver such firearm or ammunition to the officer in charge of the police station nearest to the place at which he comes into possession of such firearm or ammunition together with a written statement as to the date on which, and the circumstances in which, he came into possession of such firearm or ammunition.

(2) Where any holder of any Firearm User's Licence is about to leave Trinidad and Tobago and does not desire to take the firearm or ammunition to which such licence relates with him, he shall before leaving Trinidad and Tobago arrange for the storage of such firearm or ammunition at a police station.

(3) A person who holds a Firearm User's Licence and has a firearm in his possession shall, when not carrying such firearm on his person ensure that it is safely stored out of the reach of children.

(4) Subject to subsections (6) and (7), the holder of a Firearm User's Licence may, if he does not desire to retain in his possession the firearm or ammunition to which such licence relates, surrender the licence and deliver the firearm or ammunition to the officer in charge of the police station nearest to the place at which he is ordinarily resident.

(5) Subject to subsections (6) and (7), every firearm and any ammunition received at any police station under this section shall—

- (a) be delivered to any person who produces a Firearm User's Licence granted to him in relation to such firearm or ammunition either before or after the date on which such firearm or ammunition was received at such police station; or
- (b) if not delivered to any person in accordance with paragraph (a) within twelve months of the date

on which it was received at such police station, render the owner thereof liable thereafter for payment of a storage fee in such sum or at such rate as may be prescribed and if such fee is not paid within six months of the expiry of the period of twelve months mentioned above the firearm or ammunition, or both as the case may be, shall be forfeited to the State.

(6) A private security firm or company may, upon payment of a fee of twenty dollars per firearm per month or such other fee as the President may by Order prescribe, store firearms or ammunition at a police station for the duration of the month or part thereof, in respect of which the fee is paid.

(7) A firearm or ammunition received at a police station under subsection (6) shall be delivered to the firm or company upon the production of a Firearm User's Licence issued in relation to it and upon the payment of any arrears accruing under subsection (6).

(8) A person who fails to comply with subsection (1), (2) or (3), is liable on summary conviction to a fine of one hundred thousand dollars and to imprisonment for six years.

40A. (1) Any person who finds or otherwise comes into possession of pepper spray shall, within seven days of finding or otherwise coming into possession of the pepper spray, deliver up the pepper spray to a police station.

Custody of
pepper spray.
[7 of 2021].

(2) A person who holds a Pepper Spray Permit and has pepper spray in his possession shall, when not carrying such pepper spray on his person, ensure that it is safely stored out of the reach of children.

(3) A person who in the absence of lawful excuse, contravenes subsection (1) or (2), commits an offence and is liable on summary conviction to a fine of one hundred thousand dollars and imprisonment for six months.

41. (1) All documents issued by or under the authority of the Commissioner of Police shall be received in evidence in any

Evidence.

proceedings for an offence under this Act, in every case in which the original document would be admissible in evidence by production of a copy or extract purporting to be certified by the Commissioner of Police or by a First Division police officer above the rank of Senior Superintendent as set out in the First Schedule to the Police Service Act.

Ch. 15:01.

(2) Any copy or extract made in pursuance of this section may be in print or in writing, or partly in print and partly in writing.

(3) No proof shall be required of the handwriting or official position of any person certifying in pursuance of this section to the truth of any copy of or extract from any document.

CONSOLIDATION

SCHEDULE I

Section 7(1)(ja).
[3 of 2004
7 of 2021].

- (i) Historic Matchlock;
- (ii) Flintlock;
- (iii) Wheel-Lock;
- (iv) Snaphaunce;
- (v) percussion weapons;
- (vi) old historic arms manufactured or readily available;
- (vii) deactivated firearms and deactivated weapons of war; and
- (viii) replica weapons with solid barrels intended solely for historical display.

SCHEDULE II

16B(1)(c).
[7 of 2021].

**PERSONS PROHIBITED FROM OBTAINING
A PEPPER SPRAY PERMIT**

- (a) Offences under the Offences Against the Person Act, as follows: Ch. 11:08.
 - (i) shooting or wounding with intent to do grievous bodily harm—section 12;
 - (ii) inflicting injury with or without weapon—section 14;
 - (iii) attempting to choke, etc., in order to commit any indictable offence—section 15;
 - (iv) using drugs, etc., with intent to commit offence—section 16; and
 - (v) administering poison, etc., so as to endanger life or inflict grievous bodily harm—section 17;
- (b) An offence of burglary under section 27 of the Larceny Act; Ch. 11:12.
- (c) Offences under the Kidnapping Act, as follows: Ch. 11:26.
 - (i) kidnapping for ransom—section 3;
 - (ii) knowingly receiving ransom—section 4; and
 - (iii) knowingly negotiating to obtain a ransom—section 5;

Ch. 12:10.

(d) Offences under the Trafficking in Persons Act, as follows:

- (i) trafficking in persons—section 16;
- (ii) inciting, organising or directing another person to traffic in persons—section 17;
- (iii) trafficking in children—section 18; and
- (iv) inciting, organising or directing another person to traffic in children—section 19;

Ch. 46:01.

(e) Offences under the Children Act, as follows:

- (i) female genital mutilation—section 9;
- (ii) aiding and abetting, counselling or procuring a girl to engage in female genital mutilation—section 10;
- (iii) allowing children to be in brothels—section 11;
- (iv) causing or encouraging the seduction, prostitution or sexual penetration of a child—section 12;
- (v) paying for sexual services of a child—section 13;
- (vi) causing or inciting prostitution—section 14;
- (vii) Controlling a child prostitute—section 15;
- (viii) Arranging or facilitating child prostitution—section 16;
- (ix) sexual penetration of a child—section 18;
- (x) sexual touching of child—section 19;
- (xi) causing or inciting a child to engage in sexual activity—section 21;
- (xii) causing or inciting a child to engage in sexual activity with an animal—section 22;
- (xiii) engaging in sexual activity in the presence of a child—section 23;
- (xiv) causing a child to watch a sexual act—section 24;
- (xv) meeting a child following sexual grooming—section 25;
- (xvi) abuse of positions of trust and familial relationships—section 29;
- (xvii) child pornography—section 40;
- (xviii) exposing a child to pornography—section 41; and
- (xix) inciting or facilitating child pornography—section 42;

(f) Offences under the Trespass Act, as follows:

- (i) forcible entry—section 5A; and
- (ii) forcible detainer—section 5B.

SUBSIDIARY LEGISLATION

UNOFFICIAL

FIREARMS (AIR WEAPONS) ORDER

3/1971.

made under section 2

1. This Order may be cited as the Firearms (Air Weapons) Order. Citation.

2. In this Order “air weapon” means an air rifle, air gun or air pistol. Interpretation.

3. For the purposes of the definition of “firearm” occurring in section 2 of the Firearms Act, it is hereby declared that a firearm does not include air weapons of or below 0.177 calibre, unless the barrel thereof is rifled. Air weapons.

CONSOLIDATION

FIREARMS REGULATIONS

ARRANGEMENT OF REGULATIONS

REGULATION

1. Citation.
2. Interpretation.
3. General as to applications for the grant of licences.

FIREARM USER'S LICENCE

4. Form of application for Firearm User's Licence.
- 4A. Duration of Certificate of Competence.
5. Conditions as to licences.
6. Form of Firearm User's Licence.
7. Instructions as to transactions in firearms and ammunition.

FIREARM DEALER'S LICENCE AND GUNSMITH'S LICENCE

8. Particulars to be furnished for Firearm Dealer's Licence or Gunsmith's Licence.
9. Form of Firearm Dealer's Licence or Gunsmith's Licence.
10. Particulars as to register of transactions in firearms.

CERTIFICATES AND PERMITS

11. Application for Firearm User's (Employee's) Certificate.
12. Form of Firearm User's (Employee's) Certificate.
13. Variation of licences, certificates or permits.
14. Firearm Disposal Permit.
15. Firearm Import Permit.
16. Permit to take firearm abroad.
17. Other certificates and permits.
- 17A. Duration and renewal of Pepper Spray Import Permit or Pepper Spray Permit.

REGULATION

- 17B. Lost or stolen Pepper Spray Import Permit, Pepper Spray Permit or pepper spray.
- 17C. Persons authorised to import pepper spray.
- 17D. Persons authorised to buy and sell pepper spray.
- 18. Photographs.
- 19. Appropriate fee.

MISCELLANEOUS

- 20. Public places prescribed under section 8 of the Act.
- 21. Custody of firearms and ammunition by officer of Customs.
- 22. Commissioner to keep records.
- 23. Fee.

FIRST SCHEDULE.

SECOND SCHEDULE.

THIRD SCHEDULE.

FOURTH SCHEDULE.

CONSOLIDATION

31/1971.
[45 of 1979
51/1980
11 of 1988
6/1993
38/1995
10/1999
240/2004
7 of 2021
2 of 2023].

Citation.

Interpretation.

General as to
applications for
the grant of
licences.

First Schedule.

Form of
application for
Firearm User's
Licence.
Form 1.
First Schedule.

Duration of
Certificate of
Competence.
[240/2004].

Conditions as to
licences.

FIREARMS REGULATIONS

made under section 36

1. These Regulations may be cited as the Firearms Regulations.
2. In these Regulations “licensed dealer” means the holder of a Firearm Dealer’s Licence or Gunsmith’s Licence, as the case may be.
3. Subject to these Regulations, any person who desires to obtain the grant of a licence, certificate or permit shall apply to the Commissioner of Police and shall furnish all relevant particulars and make any relevant declaration specified in the forms set out in the First Schedule.

FIREARM USER’S LICENCE

4. Applications for the grant of a Firearm User’s Licence shall be made in the form set out as Form 1 in the First Schedule.
 - 4A. A certificate of competence provided by a licensed firearms instructor shall—
 - (a) state the date on which it was issued; and
 - (b) for the purpose of an application for a Firearm User’s Licence or a renewal thereof, be valid for six months from that date.

5. The Commissioner of Police on granting a licence under Part II of the Act shall grant such licence subject to the following conditions to be observed by the holder thereof in addition to any other conditions subject to which the licence may be granted, that is to say:
 - (a) the firearms and ammunition to which the licence relates shall at all times when not in actual use be kept in a secure place with a view to preventing access to them by unauthorised persons;

- (b) the loss or theft of any of the firearms to which the licence relates shall be at once reported to the nearest police station;
- (c) except the Commissioner otherwise permits, the firearm and ammunition must be kept at the permanent address of the holder of the licence and the Commissioner must be notified in writing within forty-eight hours of any change of such address and of any change in the address at which the holder of the licence is otherwise permitted to keep the firearm and ammunition;
- (d) the holder of the licence shall take all necessary steps to secure compliance with the provisions of regulation 7.

6. (1) Every Firearm User's Licence granted under Part II of the Act shall be—

Form of Firearm User's Licence. [2 of 2023].

- (a) in the form set out as Form 2 in the First Schedule and shall contain forms of the certificate set out in Form 3 of the First Schedule; and
- (b) for the purposes of production to a licensed dealer or police officer, in a form set out as a Firearm User Identification Card and which shall contain—
 - (i) the Firearm User's Licence number;
 - (ii) the name and address of the holder of the Firearm User's Licence;
 - (iii) a photograph of the holder of the Firearm User's Licence;
 - (iv) such electronic security features as the Commissioner of Police may determine;
 - (v) such further particulars as may be stated on the Firearm User's Licence as the Commissioner of Police may determine; and
 - (vi) any other conditions which the Commissioner of Police may determine.

Form 2.

Form 3. First Schedule.

(2) Every firearm and ammunition purchased or acquired under a licence granted under subregulation (1) shall be produced within forty-eight hours of the grant of the licence at the police station nearest to where the holder of the licence resides for the purpose of obtaining the certificate required by Form 2 in the First Schedule.

Form 2.
First Schedule.

(3) Notwithstanding the revocation of subregulation (1), Form 2 and Form 3 as set out in the First Schedule shall continue in force until other forms are made in place of those forms under these Regulations.

Instructions as
to transactions
in firearms and
ammunition.

7. (1) The following instructions shall be complied with by every licensed dealer from whom the holder of a Firearm User's Licence requires firearms or ammunition:

- (a) every licensed dealer selling or parting with possession of a firearm or ammunition to the holder of a Firearm User's Licence must sign the certificate of the transaction on one of the forms set out as Form 3 in the First Schedule contained in the Firearm User's Licence;
- (b) the licensed dealer must obtain a receipt containing the particulars set out in the certificate from the holder of the Firearm User's Licence for any firearm or ammunition supplied to the holder of such licence and keep it for production if required;
- (c) the licensed dealer from whom the holder of the Firearm User's Licence acquires any firearms or ammunition must within forty-eight hours of the completion of the transaction in respect of which the certificate in Form 3 was given send a copy of the certificate to the Commissioner of Police;
- (d) any other instructions which the Commissioner of Police may see fit to impose.

Form 3.

(2) Every certificate given to the holder of a Firearm User's Licence shall be retained by him for production to the licensed dealer or, if required, to a police officer.

**FIREARM DEALER'S LICENCE AND
GUNSMITH'S LICENCE**

8. Particulars set out in Part I of the Second Schedule shall be furnished to the Commissioner of Police by persons who apply for a Firearm Dealer's Licence or a Gunsmith's Licence as the case may be under Part II of the Act.

Particulars to be furnished for Firearm Dealer's Licence or Gunsmith's Licence. Second Schedule.

9. A Firearm Dealer's Licence or a Gunsmith's Licence as the case may be shall be in the forms respectively set out as Forms 4 and 5 in the First Schedule and shall be subject to the conditions in regulation 5, including in particular paragraph (d) thereof, with respect to a Firearm User's Licence.

Form of Firearm Dealer's Licence or Gunsmith's Licence. Forms 4 and 5.

10. (1) Every licensed dealer shall enter or cause to be entered in the register of transactions required to be kept under section 26(1) of the Act, the following particulars:

Particulars as to register of transactions in firearms.

- (a) the quantities and description of firearms and ammunition purchased or acquired with the names and addresses of the sellers or transferors and the dates of the several transactions;
- (b) the quantities and description of firearms and ammunition sold or transferred with the names and addresses of the purchasers and transferees (except in cases where the purchasers are transferees), the areas in which firearms were sold or transferred and the dates of the several transactions;
- (c) the quantities and description of firearms and ammunition accepted for sale, repair, test, proof, cleaning, storage, destruction or other purpose, with the names and addresses of the transferors and the dates of the several transactions;
- (d) the quantities and description of firearms and ammunition in possession for sale or transfer at

the date of the last stocktaking or such other date in each year as may be specified in the register.

(2) The register shall be kept in two books in the form given as Form 6 in the First Schedule, and every licensed dealer shall make returns to the Commissioner of Police at three-monthly intervals commencing on 1st April in each year containing the particulars set out in Part II of the Second Schedule.

Form 6.
First Schedule.

Second
Schedule.

CERTIFICATES AND PERMITS

Application for Firearm User's (Employee's) Certificate.
Form 7.
First Schedule.

11. Application for the grant of a Firearm User's (Employee's) Certificate shall be made in the form set out as, and shall contain such particulars as are specified in, Form 7 in the First Schedule.

Form of Firearm User's (Employee's) Certificate.
Form 8.
First Schedule.

12. A Firearm User's (Employee's) Certificate shall be in the form set out as Form 8 in the First Schedule and shall be subject to the conditions therein specified.

Variation of licences, certificates or permits.
Form 9.
First Schedule.

13. (1) Application for variation of a licence, certificate or permit may be made by the holder thereof and shall be in the form set out as, and contain such particulars as are specified in, Form 9 in the First Schedule.

(2) The conditions set out in regulation 5 [other than paragraphs (b) and (d) thereof] shall not be subject to variation whether by the Commissioner under section 20(1) of the Act or upon an application under subregulation (1).

Firearm Disposal Permit.

Form 10.

Form 11.

First Schedule.

14. Application for a Firearm Disposal Permit shall be made in the form set out as, and shall contain such particulars as are specified in, Form 10 in the First Schedule and a Firearm Disposal Permit shall be in the form set out as Form 11 in the First Schedule.

Firearm Import Permit.
Form 12.

15. Application for a Firearm Import Permit shall be in the form and contain such particulars as are specified in Form 12 in the First Schedule and a Firearm Import Permit shall be in the

form set out as Form 13 in the First Schedule and the provisions of regulation 6(2) shall apply with such modifications and adaptations as are necessary or expedient.

Form 13.
First Schedule.

16. Application for a written permit to take a firearm abroad in accordance with section 33 of the Act may be made by the holder of a Firearm User's Licence and shall be in the form set out as, and contain such particulars as are specified in, Form 14 in the First Schedule and the written permit to do so shall be in the form set out as Form 15 in the First Schedule.

Permit to take
firearm abroad.

Form 14.
First Schedule.

Form 15.
First Schedule.

17. Applications for all certificates and permits (other than those expressly provided for herein) required to be issued under any provision of the Act shall be made in writing and shall contain such particulars as the Commissioner of Police may require and such certificates and permit shall be in such form as the Commissioner of Police may consider appropriate.

Other
certificates and
permits.

17A. (1) An application for renewal of a Pepper Spray Import Permit or Pepper Spray Permit to—

Duration and
renewal of
Pepper Spray
Import Permit
or Pepper Spray
Permit.
[7 of 2021].

(a) manufacture, produce, import, export, divert, sell, or distribute pepper spray shall be valid for a period of five years; or

(b) purchase, acquire or have in his possession pepper spray shall be valid for a period of three years,

may be submitted to the Commissioner of Police or the police officer authorised by him, as the case may be, no sooner than three months before the date of expiration of the permit together with the fee prescribed in the Third Schedule.

(2) An expired Pepper Spray Import Permit or Pepper Spray Permit to—

(a) manufacture, produce, import, export, divert, sell, or distribute pepper spray; or

(b) purchase, acquire or have in one's possession pepper spray,

may be renewed, no more than three months after the date of expiration of the permit, by submitting the appropriate application to the Commissioner of Police or the police officer

authorised by him as the case may be together with the fee prescribed in the Third Schedule.

(3) A person issued with a Pepper Spray Permit to purchase, acquire or have in his possession pepper spray is authorised to purchase and have in his possession one canister of pepper spray and may only purchase another canister of pepper spray where the pepper spray is—

- (a) expired and the expired canister of pepper spray is provided at the time of purchase; or
- (b) lost or stolen and appropriate authorisation is provided from the police station at which the report of the lost or stolen canister of pepper spray was made.

Lost or stolen Pepper Spray Import Permit, Pepper Spray Permit or pepper spray. [7 of 2021].

17B. (1) Where a Pepper Spray Import Permit or Pepper Spray Permit or pepper spray is lost or stolen, the holder of the permit or the owner of the pepper spray as the case may be shall, within twenty-four hours after the holder of the permit or owner of the pepper spray discovers that his permit or pepper spray was lost or stolen, report the lost or stolen permit or pepper spray at a police station.

(2) Where a permit for pepper spray is lost or stolen, the holder of the permit may, after providing satisfactory proof that the permit was lost or stolen, apply to the Commissioner or the police officer authorised by him as the case may be for a duplicate Pepper Spray Permit.

(3) A duplicate Pepper Spray Import Permit or Pepper Spray Permit issued under subregulation (1) shall only be valid for the unexpired duration of the original Pepper Spray Permit.

Persons authorised to import pepper spray. [7 of 2021].

17C. A person authorised to import pepper spray under section 6A(2)(a) shall—

- (a) ensure that appropriate records are established and maintained in relation to—
 - (i) the manufacture, production, importation, diversion, sale and distribution of pepper spray;

- (ii) the source from which the pepper spray was imported;
 - (iii) the quantity of pepper spray imported;
 - (iv) names and addresses and other important information of all persons purchasing pepper spray and the quantity of pepper spray purchased; or
 - (v) any other matter as the Commissioner of Police may require; and
- (b) submit a return, to the Commissioner of Police in such form, as approved by the Commissioner, quarterly or for such other period as the Commissioner may prescribe.

17D. A person authorised to buy and sell pepper spray under section 6A(2)(a) shall—

Persons authorised to buy and sell pepper spray. [7 of 2021].

- (a) ensure that appropriate records are established and maintained in relation to—
 - (i) the source from which the pepper spray was bought;
 - (ii) the quantity of pepper spray bought;
 - (iii) names and addresses and other important information of all persons who purchased pepper spray; or
 - (iv) any other matter as the Commissioner of Police may require; and
- (b) submit a return to the Commissioner of Police in such form, as approved by the Commissioner, quarterly or for such other period as the Commissioner may prescribe.

18. (1) Every application for a licence or a Firearm User's (Employee's) Certificate shall be accompanied by two copies of a recent photograph of the applicant, taken full face and bareheaded.

Photographs.

(2) The size of the photograph shall not be more than two and one-half inches by two inches or less than two inches by one and one-half inches.

(3) A copy of the photograph shall be mounted upon every licence or Firearm User's (Employee's) Certificate and immediately below such photograph the application shall bear a specimen of the signature (or where such person cannot write, the thumbprint) of the person to whom the licence or certificate is granted.

Appropriate fee.

Third Schedule.

19. (1) The appropriate fee payable in respect of a licence, certificate or permit shall be the fees respectively set out in the Third Schedule and shall be paid to the Commissioner and form part of the general revenue.

(2) Any fee payable on the grant of a licence, certificate or permit under these Regulations by virtue of section 39 of the Act shall be paid before the applicant is granted the licence.

MISCELLANEOUS

Public places prescribed under section 8 of the Act. [2 of 2023]. Fourth Schedule.

20. For the purposes of section 8 of the Act (which establishes an offence of carrying firearms or ammunition in any public place prescribed by the Minister), the public places set out in the Fourth Schedule shall be prescribed public places.

Custody of firearms and ammunition by officer of Customs. [38/1995].

21. (1) Subject to subsection (2), every firearm or ammunition received by any officer of Customs pursuant to section 32 of the Act shall be placed and retained in a sealed packet and delivered to the Commissioner of Police who shall keep the same until either—

- (a) the traveller from whom it was received or some other person obtains a Firearm Import Permit in respect of such firearm or ammunition and a licence or certificate authorising him to be in possession of such firearm or ammunition and pays the appropriate Customs duty and fee on such firearm or ammunition, in which event it shall be delivered to the traveller; or
- (b) such traveller gives reasonable notice in writing to the Commissioner specifying some port at

which he intends to embark for some place outside of Trinidad and Tobago, and the date, time and vessel or aircraft upon which he intends to embark, in which event the sealed packet containing such firearm or ammunition shall be delivered to the traveller immediately before he so embarks.

(2) Where any firearm or ammunition is to be lodged at the Carenage Police Station it shall be retained at that Station and not delivered to the Commissioner of Police.

22. The Commissioner of Police shall keep books and records respecting all licences, certificates and permits granted by him under the Act in such form as he considers appropriate for the purpose of securing the proper administration of the provisions of the Act.

Commissioner
to keep records.

23. The fee for musketry training shall be two hundred dollars for the training of a group of ten persons or less.

Fee.
[6 of 1993].

CONSOLIDATION

FIRST SCHEDULE
FORMS
FORM 1

THE FIREARMS REGULATIONS

**FORM OF APPLICATION FOR THE GRANT OF A
FIREARM USER'S LICENCE**

First Issue

Renewal

Applicant's title and surname
(Mr., Mrs. or Miss) Surname

Christian or forename in full

Full postal address

Telephone:

Home Work Mobile

Details of firearms possessed at the date of this application. If none, write NONE here

Calibre	Maker's Name	Type	Details

Date of Issue

Details of firearms desired to be purchased or acquired:

Dealer's Name	Maker's Name	Calibre	Type	Serial No.

Details of ammunition desired to be purchased or acquired:

Dealer's Name	Quantity	Calibre	Type

Amount possessed at date of this Application

Maximum amount desired to be purchased at any one time

Total amount desired to be purchased or acquired in one year

Height Nationality

Occupation

Business Address

Postal address if different from above

Do you suffer from any form of mental disorder or defect? Yes No

If yes, give details

.....

.....

Have you been convicted of any offence, other than minor traffic offences?

Yes

No

If yes, give details

.....

.....

Reasons for requiring each of the firearms and the ammunition specified:

.....

.....

Where do you intend to use each of the firearms specified?

.....

.....

Where, if a Firearm User's Licence is granted, will each of the firearms and the ammunition specified be kept when in use and what arrangements have been made for their safe custody?

.....

.....

.....

I hereby apply to the Commissioner of Police for a Firearm User's Licence in respect of the firearm(s) and ammunition and for the reasons specified.

.....

.....

.....

I declare that the statements made on this form are true.

Date Usual Signature of applicant

To be accompanied by two copies of a recent photograph of the applicant taken full face and bareheaded, not more than 2 1/2" x 2" or less than 2" x 1 1/2".

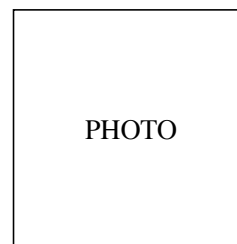
70 **Chap. 16:01** *Firearms*
[Subsidiary] *Firearms Regulations*

Regulation 6.

FORM 2

THE FIREARMS REGULATIONS
FIREARM USER'S LICENCE

Licence No.



.....
Signature

This Licence is granted to
of and relates to the firearms and ammunition
specified hereunder—

(1) Firearms:

Authorised to keep or to acquire (a).....

(2) Ammunition:

Authority to possess

(i) Maximum amount authorised to be
possessed at any time (b).....

Authority to acquire

(ii) Total amount authorised to be acquired in
one year (c)

(iii) Maximum amount authorised to be acquired
at any one time

.....
Date

.....
Commissioner of Police

UNOFFICIAL

CONSOLIDATION

I, Police Officer hereby certify that I have examined the firearm and ammunition to which this licence relates and that I am satisfied that the firearm and ammunition are in conformity with this licence.

Dated:

Police Station:

.....
Police Officer

- Notes: (a) State type, quantity, make, calibre, identification numbers and any other distinguishing marks.
(b) State type, quantity and calibre.
(c) State type and quantity.

The following conditions shall be observed by the holder of this licence:

(1) The firearms and ammunition to which this licence relates shall at all times when not in actual use be kept in a secure place with a view to preventing access to them by unauthorised persons;

(2) The loss or theft of any of the firearms to which this licence relates shall be reported at once to the nearest police station;

(3) Except the Commissioner otherwise permits, the firearm and ammunition must be kept at the permanent address of the holder of the licence and the Commissioner must be notified in writing within forty-eight (48) hours of any change of such address and of the address at which the holder of the licence is otherwise permitted to keep the firearm or ammunition;

(4) The holder of this licence shall take all necessary steps to secure that regulation 7 of the Firearms Regulations (which relates to instructions concerning the sale or transfer of firearms and ammunition by licensed dealers) is complied with;

(5) Every firearm purchased or acquired under this licence shall be produced within forty-eight (48) hours at the nearest police station for the purpose of obtaining the certificate of the police officer.

(Here insert any other conditions subject to which the Commissioner of Police may grant this licence).

CONSOLIDATION

Regulations 6 and 7.

FORM 3

THE FIREARMS REGULATIONS

CERTIFICATE OF LICENSED DEALER FROM WHOM THE HOLDER OF A FIREARM USER'S LICENCE OR A FIREARM DEALER'S LICENCE PURCHASES OR ACQUIRES FIREARMS OR AMMUNITION

Every person selling a firearm or ammunition to the holder of a licence must—

1. Make an appropriate entry in each column of TABLE 1 (FIREARMS) or TABLE 2 (AMMUNITION).
2. Complete the certificate by giving his signature and the date in column D or E, respectively.
3. Obtain a receipt for any firearm supplied and keep it for production if required.
4. In the case of a firearm, within 48 hours from the transaction, send by registered post or the recorded delivery service, a copy of this certificate of the transaction to the Commissioner.
5. In any case report in writing within 48 hours to the Commissioner of Police any circumstances attending the transaction which appear to require investigation.

(Here the Commissioner of Police may insert other instructions).

TABLE 1 (FIREARMS)

A	B	C	D
Date of sale or transfer	Name and address of person selling or transferring firearm	Quantity, calibre, make and type of firearm, identification number or other mark	I certify that the entries in columns A to C are correct and relate to a transaction with the holder of this licence, that I have inspected this licence and the record of previous transactions and I have satisfied myself that the transaction will not place the holder of the licence in possession of firearms in excess of or otherwise than as authorised by the licence. Signature and date

TABLE 2 (AMMUNITION)

A Date of sale or transfer	B Name and address of person selling or transferring ammunition	C Quantity of ammunition	D Calibre and description of ammunition	E Certificate I certify that the entries in columns A to D are correct and relate to a transaction with the holder of this licence, that I have inspected this licence and the record of previous transactions and I have satisfied myself that the transaction will not place the holder of the licence in possession of ammunition in excess of or otherwise than as authorised by the licence. Signature and date
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UNOFFICIAL

CONSOLIDATION

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Chap. 16:01

Firearms

[Subsidiary]

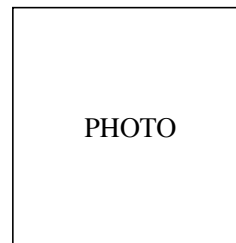
Firearms Regulations

Regulation 9.

FORM 4

THE FIREARMS REGULATIONS
FIREARM DEALER'S LICENCE

Licence No.



..... of
is hereby licensed to buy or sell or buy and sell *firearms and ammunition
under the provisions of the Firearms Act, at the premises known as

.....
situated at

Dated this day of 20.....

.....
Commissioner of Police

*Delete whichever is inapplicable.

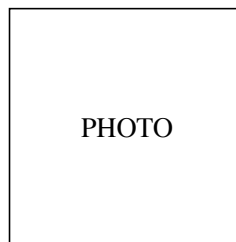
FORM 5

Regulation 9.

THE FIREARMS REGULATIONS
GUNSMITH'S LICENCE

UNOFFICIAL

Licence No.



..... of
is hereby licensed to carry on the business of repairing, testing or proving firearms
or ammunition and such other business incidental to the foregoing as is specified
below under the provisions of the Firearms Act, at the premises known as

.....
situated at

Incidental Business

Dated this day of 20.....

.....
Commissioner of Police

CONSOLIDATION

THE FIREARMS REGULATIONS

FORM OF REGISTER OF TRANSACTIONS TO BE
KEPT BY A LICENSED DEALER

1. FIREARMS AND AMMUNITION

RECEIPT BOOK

Date of Receipt	Persons from whom received	Address of persons from whom received	Number and nature of licence	*Description of Firearm or ammunition	†Remarks

*Description to be full and accurate—specifying whether rifle, gun, etc., Serial No., number of barrels or chambers in case of revolvers, bore, whether magazine or repeating, maker's name, if known, etc. Total at date of last stocktaking or other specified date.

†Remarks to specify whether for sale, repair, etc.

2. FIREARMS AND AMMUNITION

DELIVERY BOOK

Date of delivery	Persons to whom delivered	Address of persons to whom delivered	Number of licence	Nature of licence	*Description of firearms or ammunition	†Remarks

*Description to be full and accurate—specifying whether rifle, gun, etc., Serial No., number of barrels or chambers in case of revolvers, bore, whether magazine or repeating, maker's name, if known, etc., quantity, type and calibre of ammunition.

†Remarks to specify whether for sale, repair, etc.

CONSOLIDATION

Regulation 11.

FORM 7

THE FIREARMS REGULATIONS

**APPLICATION FOR THE GRANT OF A FIREARM
USER'S (EMPLOYEE'S) CERTIFICATE**

To: the Commissioner of Police,

Application is hereby made under the above-mentioned Act for the grant of a Firearm User's (Employee's) Certificate and the following particulars are supplied:

1. Surname
2. Full given names
3. Permanent address in Trinidad and Tobago
.....
4. Nature of employment with holder of a Firearm User's Licence
.....
5. Age
6. Are you a restricted person disqualified from holding or obtaining a licence, certificate or permit?
7. Have you ever been refused a licence, certificate, or permit or had one revoked?
8. Do you suffer from epilepsy, or from sudden attacks of disabling giddiness or fainting?
9. Are you suffering from any other disease, mental or physical, or disability which would be likely to cause the possession of a firearm or ammunition by you to be a source of danger to the public?
.....

I declare that to the best of my knowledge and belief the answers given above are true.

Date

.....
Usual signature of applicant

UNOFFICIAL

I, of
being the holder of a Firearm User's Licence No. and
desiring the applicant who is my employee to obtain a Firearm User's
(Employee's) Certificate for the reasons set out below, hereby consent to the
making of this application.

Reason

Dated

.....
Signature of Firearm User's Licence

CONSOLIDATION

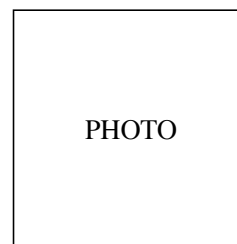
Regulation 12.

FORM 8

THE FIREARMS REGULATIONS

FIREARM USER'S (EMPLOYEE'S) CERTIFICATE

Certificate No.



..... of
is by this certificate authorised to keep, carry and use in connection with the
business of

the holder of a Firearm User's Licence No.
the firearm and ammunition specified hereunder—

(1) Firearm—

Authorised to be kept, carried and used (a)

(2) Ammunition—

Maximum amount authorised to be possessed at any
time (b)

Date
Commissioner of Police

Notes:

(a) State type, quantity, make, calibre, identification number and
other distinguishing marks.

(b) State type, quantity and calibre.

The following conditions shall be observed by the holder of this Certificate:

(1) The firearm and ammunition to which this certificate relates shall be
kept, carried and used by the holder thereof only on such occasion as he is
actually in the course of the performance of his duties in connection with
the business of his employer and shall immediately thereafter be returned to
the employer.

(2) (Insert any other condition).

FORM 9

THE FIREARMS REGULATIONS

**APPLICATION FOR VARIATION OF A LICENCE
OR CERTIFICATE**

Name in full
(Block Capitals)

Address in full
(Block Capitals)

.....
If above address is temporary only, state permanent address:

.....
Nationality

.....
Details of licence or certificate to be varied:

.....
Details of firearms desired to be purchased or acquired:

.....
Type Serial Number

.....
Dealer's Name, Calibre, Make:

.....
Details of ammunition desired to be purchased or acquired:

.....
Dealer's Name, Quantity, Calibre, Type:

.....
Amount possessed at date of this application

.....
Maximum amount desired to be possessed at any one time

.....
Total amount desired to be possessed in any one year

Maximum amount desired to be purchased or acquired at any one time
.....

Any conditions desired to be varied

.....

Licence or Certificate No. Date of Licence or Certificate

Reason for variation

I hereby apply to the Commissioner of Police for the variation of the licence or certificate specified above, and I declare that the statements made on this form are true in all respects.

Date Signature

Regulation 14.

FORM 10

THE FIREARMS REGULATIONS

APPLICATION FOR A FIREARM DISPOSAL PERMIT

Application is hereby made for a Firearm Disposal Permit for the purpose of disposing by way of sale or gift* the firearm or ammunition in respect of which I am the holder of a Firearm User's Licence hereto attached.

Name and address of person to whom it is proposed to dispose of firearm or ammunition, if known

.....

Date Applicant

Applicant

*Delete whichever is inapplicable.

FORM 11

Regulation 14.

THE FIREARMS REGULATIONS

FIREARMS DISPOSAL PERMIT

Permit No.

Permission is hereby granted to
(Name)

of
(Address)

to have the firearms and ammunition described below in possession for sale or gift or for sale by auction and to expose them for sale by auction, and to give or sell them or sell them by auction at

.....
on the terms that—

- (1) The person to whom this permit is granted shall—
 - (a) give or sell the firearms or ammunition only to persons who have obtained a Firearm User's Licence or a Firearm Dealer's Licence;
 - (b) if the sale is by auction, shall inform the Commissioner of Police at once of the name and address of any person purchasing or acquiring the firearm or ammunition from the holder of this permit and shall deliver the firearms or ammunition, only if the person purchasing or acquiring the same obtains a Firearm User's Licence.
- (2) Any theft or loss shall be reported at once to the Commissioner of Police.
- (3) This permit shall be returned to the Commissioner of Police on or before the date on which it expires.

Description of Firearm and Ammunition

- (a) State type, quantity, make, calibre, identification numbers and any other distinguishing marks.
- (b) State type, quantity and calibre.
- (c) State type and quantity.

This permit expires on
(Date)

.....
Commissioner of Police

NOTE:—It is an offence under section 9 of the Firearms Act, to sell or transfer a firearm or ammunition to a person, who does not hold a Firearm User's Licence with respect to such firearm or ammunition.

Regulation 15.

FORM 12

THE FIREARMS REGULATIONS

APPLICATION FOR A FIREARM IMPORT PERMIT

To: the Commissioner of Police,

Application is hereby made for the grant of a Firearm Import Permit for the purpose of importing the firearms and ammunition specified hereunder. I am the holder of a Firearm Dealer's /User's* Licence No.

1. FIREARMS

Quantity	Barrel Length	Overall Length	Action Double/Single	No. of Shots	Calibre

Manufacturer

Model

Country of Manufacture

2. AMMUNITION

Quantity	Calibre	Type of Ammunition	Other Distinguishing Marks

Manufacturer

Country of Manufacture

3. Name of Exporter
Address
Telephone Fax

4. Reasons for requiring Firearm(s) and Ammunition specified above	Final Recipient Name
	Address
	Resident of
	Telephone Fax

Name of Applicant Resident of

Address

Telephone Fax

.....
Signature of Applicant

.....
Date

**Delete as applicable.*

CONSOLIDATION

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Chap. 16:01

Firearms

[Subsidiary]

Firearms Regulations

Regulation 15.

FORM 13

REPUBLIC OF TRINIDAD AND TOBAGO

THE FIREARMS REGULATIONS

FIREARM IMPORT PERMIT

Commissioner's Office
Police Administration Building
Corner Edward and Sackville Streets
Port-of-Spain
Tel: (868) 623-8420
Fax: (868) 623-2585

Permit No.

Permission is hereby granted to of

.....

Telephone Fax being a resident of

..... and a holder of a Firearm Dealer's/User's*

Licence No. to import the firearms and ammunition

specified hereunder from of

.....

..... Telephone Fax

for of

..... Telephone Fax

1. DETAILS OF FIREARMS TO BE IMPORTED

CONSOLIDATION

2. AMMUNITION

QUANTITY	TYPE
Maximum amount authorised to be imported at any one time	

Dated
.....
Commissioner of Police

Expiry Date

I, Police Officer hereby certify that I have examined the firearms and ammunition to which this permit relates and that I am satisfied that the firearms and ammunition are in conformity with this permit.

Dated
.....
Police Officer

Police Station

**Delete as applicable.*

CONSOLIDATION

Regulation 16.

FORM 14

THE FIREARMS REGULATIONS

APPLICATION TO TAKE FIREARM ABROAD

To the Commissioner of Police,

Application is hereby made for the permission to take with me outside Trinidad and Tobago *the firearms and ammunition specified hereunder—

- (a) Firearms desired to be taken abroad†
- (b) Ammunition maximum amount desired to be taken abroad‡

Reasons:

Destination:

Dated

Applicant

NOTES:— *Insert here description of vessel, ship or aircraft.
 †State type, quantity, make, calibre, identification number and any other distinguishing marks.
 ‡State type, quantity and calibre.

Regulation 16.

FORM 15

THE FIREARMS REGULATIONS

PERMIT TO TAKE FIREARMS ABROAD

Permit No.

Permission is hereby granted to of to take with him outside Trinidad and Tobago*the firearms and ammunition specified hereunder:

- (a) Firearms authorised to be taken abroad†
- (b) Ammunition maximum amount authorised to be taken abroad‡

Dated

Commissioner of Police

NOTES:— *Insert here description of vessel, ship or aircraft.
 †State type, quantity, maker's name, calibre, identification number and any other distinguishing marks.
 ‡State type, quantity and calibre.

FORM 16
THE FIREARMS REGULATIONS
APPLICATION FOR THE GRANT OF A PROVISIONAL LICENCE

Applicant's title and surname
(Mr, Mrs. or Miss) Surname

Christian or forename in full

Permanent address
.....

Details of firearm(s) desired to be used:

Dealer's Name	Make	Calibre	Type	Serial No.

Reasons for requiring the firearms and the ammunition specified:
.....
.....
.....

Height Age Nationality

Occupation

Business Address
.....

Do you suffer from any form of mental/physical disability? Yes No

If yes, give details
.....

Have you been convicted of any offence, other than a minor traffic offence?

Yes No

If yes, give details
.....

Have you ever had a Restraining Order issued against you under the Domestic Violence Act?

Yes

No

If yes, give details

Declaration of Recommender:

I, a citizen of Trinidad and Tobago declare that to the best of my knowledge and belief all the statements made in this application are true. I make this declaration from my knowledge of the applicant whose name is:

.....
Surname *First Name*

whom I have known personally for and whose photograph I have certified on the reverse side. *(State No. of Years)*

My occupation is

Firm or Organisation

Business address in full

Dated

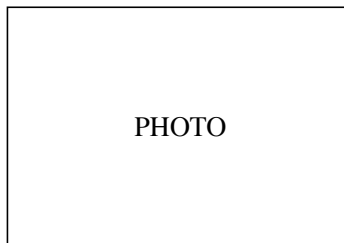
Signature of Recommender

Your recommender must be a citizen of Trinidad and Tobago and identified from one of the following groups:

- (a) Minister of Religion registered under law to perform marriages;
- (b) Notary Public/Justice of the Peace/Commissioner of Affidavits;
- (c) Senior Public Servant (above Range 46);
- (d) Police Officer (the rank of sergeant and above);
- (e) the rank of Fire Sub-Officer and above;
- (f) the rank of Prison Cadet Officer and above;
- (g) Member of Defence Force (the rank of Staff Sergeant/Leading Seaman and above); or
- (h) a graduate of a recognised university.

Dated Usual Signature of Applicant

FORM 17
THE FIREARMS REGULATIONS
PROVISIONAL LICENCE



Licence No.

.....
Signature

.....
of
is hereby licensed to discharge firearm
for the purpose of training at the premises known as
.....
situated at
.....

Details of Firearm(s)

Make	Calibre	Type	Serial No.

Date

Expiry Date

Dated this day of 20.....

.....
Commissioner of Police

Regulation 8.

SECOND SCHEDULE

THE FIREARMS REGULATIONS

PART I

**PARTICULARS TO BE FURNISHED TO THE
COMMISSIONER OF POLICE BY A PERSON WHO
APPLIES TO BE A LICENSED DEALER UNDER PART II
OF THE FIREARMS ACT**

Name of applicant, in full:

Nationality of applicant:

Place of residence of applicant:

Address of every place of business at which the applicant proposes to carry on business as a licensed dealer, and name under which the business will be carried on.

Nature of the firearms business to be carried on at each address, i.e., whether repair, test or proof, or sale, wholesale or retail, and whether the business will be confined to any particular type of firearm or ammunition.

Other business, if any, which will be carried on by the applicant or any other person at each address, and the name under which such business will be carried on.

Facts indicating that the applicant can be permitted to carry on business as a licensed dealer without danger to the public safety or to the peace.

Name and address of a person who can testify concerning the applicant, if required and who must not be a member of the applicant's family, and who must be—

- (a) a citizen of Trinidad and Tobago; and
- (b) a member of Parliament, justice of the peace, minister of religion, doctor, lawyer, bank officer or person of similar standing,

and have known the applicant personally for at least two years.

Address to which certificate of registration, if granted, is to be sent.

PART II

Section 15(2).

**PARTICULARS OF RETURNS OF TRANSACTIONS TO BE
FURNISHED TO THE COMMISSIONER OF POLICE BY
LICENSED DEALERS ONCE EVERY QUARTER**

1. Extracts showing—

- (a) Type of firearms purchased, sold or otherwise transferred;
- (b) Name and address of person from whom the firearm was purchased or to whom transferred;
- (c) The number of the Firearm User's Licence or Firearm Dealer's Licence of the person mentioned in subparagraph (b) above.

2. A return of the quantity, type and calibre of all ammunition imported, on hand and sold.

3. In the case of the holder of a Gunsmith's Licence, full particulars of all transactions for which the written approval of the Commissioner of Police is required under section 15(2) of the Act, together with the written approval in each case.

THIRD SCHEDULE

APPROPRIATE FEE

Regulation 19.
[11/1988
6/1993
7 of 2021
*21 of 2022].

DESCRIPTION OF LICENCE, CERTIFICATE OR PERMIT

	<i>Fee</i>
	\$
1. Firearm User's Licence	300.00
2. Firearm User's Licence (Member of Rifle Association approval by President)	40.00
3. Firearm User's Licence (Shotgun)	240.00
4. Firearm User's (Employee's) Certificate	160.00
5. Firearm User's (Employee's) Certificate (Shotgun)	100.00
6. Firearm User's (Employee's) Certificate (Revenue Officer or other public officer)	Nil
7. Firearm Dealer's Licence	1,000.00
8. Gunsmith's Licence	200.00
9. Firearm Disposal Permit	Nil
10. Firearm Import Permit (per firearm)	10.00

*Amendments made by Act No. 21 of 2022 took effect from 1st January 2023.

UNOFFICIAL

APPROPRIATE FEE

DESCRIPTION OF LICENCE, CERTIFICATE OR PERMIT—Continued

	<i>Fee</i>
	\$
11. Permit to take firearm abroad (per firearm)	10.00
12. Variation of Licence, Certificate or Permit	20.00
13. Permit under section 7(2) of the Act	Nil
14. Duplicate copy of any Licence, Certificate or Permit for which a fee is payable	40.00
15. Renewal of Firearms User's Licence	500.00
16. Pepper Spray Import Permit	100.00
17. Pepper Spray Permit	100.00

Regulation 20.

FOURTH SCHEDULE

Prescribed Public Places under section 8 of the Act.

1. All ordinary Courts of Law.
 2. The Senate and the House of Representatives.
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CONSOLIDATION

FIREARMS (USE OF PEPPER SPRAY) ORDER

203/2021.

made under section 6A(1)

1. This Order may be cited as the Firearms (Use of Pepper Spray) Order. Citation.

2. The type and strength of pepper spray specified in the First and Second Columns of the Schedule and the volumetric content permitted in a canister of pepper spray as specified in the Third Column of the Schedule are approved. Approval for use of pepper spray. Schedule.

SCHEDULE

(Clause 2)

FIRST COLUMN	SECOND COLUMN	THIRD COLUMN
<i>No. Type of Pepper Spray</i>	<i>Strength of Pepper Spray</i>	<i>Volumetric Content per Canister of Pepper Spray</i>
1. Pepper Spray (Fogger or Stream) containing Oleoresin Capsicum (OC) and not containing Chloroacetaphenone (CN) or Orthochloro-benzalmalononitrile (CS).	Concentration of OC of not less than 5% and not exceeding 10% or not exceeding 5,000,000 Scoville Heat Units (SHUs).	Not less than 2 ounces (60 ml) and not exceeding 5 ounces (150 ml).
2. Pepper Spray (Fogger or Stream) containing Major Capsaicinoids (MC) and not containing Chloroacetaphenone (CN) or Orthochloro-benzalmalononitrile (CS).	Concentration of MC of not less than 0.8% and not exceeding 1.4% or not exceeding 5,000,000 Scoville Heat Units (SHUs).	Not less than 2 ounces (60 ml) and not exceeding 5 ounces (150 ml).