

**N.R.C.D. 9**  
**ARMS AND AMMUNITION ACT, 1972**

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### N.R.C.D. 9 ARMS AND AMMUNITION ACT, 1972(1)

**AN ACT to regulate the possession and use of arms and ammunition, the trade in arms and ammunition and to provide for related matters.**

#### *Possession and Use of Arms and Ammunitions*

##### **1. Registration of arms and ammunition**

(1) A person who owns, possesses or controls arms or ammunition shall forthwith apply to register those arms or ammunition at the nearest police station.

(2) Subsection (1) applies to arms and ammunition although a licence, permit or an authorisation has been granted under any other enactment before the commencement of this Act in respect of those arms and ammunition.

(3) A fee is not payable in respect of a permit issued under subsection (3) of section 2, in respect of a period for which there is in force in relation to the arms or ammunition in question a valid licence issued under an enactment.

(4) This section applies in respect of arms and ammunition within the Republic.2(2)

(5) This section does not apply so as to require the registration of arms or ammunition forming part of the regular equipment of the Armed Forces or the Police Service, but shall apply in respect of the arms and ammunition acquired by the Armed Forces or the Police Service otherwise than as part of that regular equipment.

(6) This section applies in respect of the arms and ammunition held by a department of the Government.

## **2. Method of registration**

(1) A person applying to register arms or ammunition in accordance with section 1 shall complete the form set out in the First Schedule.

(2) An application for registration shall not be accepted unless the arms or ammunition are produced for inspection by the police

(a) where practicable, at the police station at which the application is made, or

(b) where the production is impracticable, at the place at which the arms or ammunition are kept.

(3) Where an application for registration is duly submitted and the arms or ammunition are duly produced and inspected by the police, the police officer authorised to effect the registration shall register the arms or ammunition in accordance with this Act.

(4) On the registration, of the arms or ammunition, the police officer shall issue to the applicant, on payment by the applicant of the fee prescribed in the Second Schedule, a permit entitling the applicant to possess those arms or ammunition for the purposes and subject to the conditions specified in the permit, which may include a condition requiring the person licensed to account for the use of the ammunition.

(5) A permit is valid for six months or for any other period determined by the Inspector-General of Police.

## **3. Registration of change of ownership or possession**

(1) A person who possesses arms or ammunition in accordance with a valid permit granted under section 2, shall not sell, dispose of or part with the possession of those arms or ammunition to any other person unless

(a) that person has applied in writing to the Inspector-General of Police for permission to do so, and

(b) the Inspector-General of Police has granted the permission, subject to the conditions specified by the Inspector-General.

(2) Where the Inspector-General of Police grants permission in accordance with subsection (1), the holder of the permit shall surrender it to the issuing authority who shall re-register the arms or ammunition in the name of the new holder, amend the permit accordingly, and deliver the permit to the new holder.

(3) A permit delivered to a new holder in accordance with subsection (2) shall continue in force in accordance with its original terms and the additional conditions imposed by the Inspector-General of Police and shall continue in force until the date of expiry originally specified in the permit.

## **4. Expiry of permit**

(1) A permit may be renewed for further periods not exceeding six months at a time, or any other period determined by the Inspector-General of Police, on application made to the issuing authority on or before the date of expiry of the permit.

(2) An application to renew a permit shall be accompanied by the renewal fee specified in the Second Schedule.

(3) Where a permit is not renewed before its expiry, the holder of the permit shall immediately

surrender it to the issuing authority and shall also surrender to the issuing authority the arms and ammunition held by the holder in respect of which the permit was granted.

## **5. Control of imports and exports**

(1) A person shall not import or export arms or ammunition without the prior consent in writing of the Minister.

(2) The Minister may issue a permit to a person authorising that person to import or export the arms or ammunition specified in the permit, subject to the conditions and restrictions imposed by the Minister and on payment of the fee prescribed in the Second Schedule.3(3)

## **6. Manufacture of arms and ammunition**

A person shall not, except with the prior written consent of the Minister, and subject to the conditions and restrictions determined by the Minister, manufacture any arms or ammunition.

## **7. Control of public display of arms or ammunition**

(1) A person shall not, except in accordance with the terms of a permit granted under this Act or with the prior written consent of the Inspector-General of Police, publicly display any arms or ammunition or discharge a fire-arm or any other weapon in a public place.

(2) Subsection (1) applies to the performance of traditional ceremonies.

## **8. Seizure of arms or ammunition in national interest**

(1) Despite sections 1 to 7 of this Act and the relevant provisions of any other enactment, the Minister may, in the national interest authorise a member of the Police Service or of the Armed Forces to seize any arms or ammunition wherever they may be.

(2) The officer effecting the seizure shall issue a written receipt for the articles seized to the person appearing to that officer to be the owner, or in possession or control, of those articles.

(3) An officer authorised to effect a seizure under this section may, subject to the directions of the Minister,

- (a) enter and search any premises, place or vehicle,
- (b) require that any premises, place, vehicle or article be opened or made available to inspection by that officer, and
- (c) break open or in any other manner gain admittance to any premises place, vehicle, or article, where there is an obstruction to that admittance.

(4) A civil action shall not be brought against an officer acting under this section in respect of an act done by that officer in good faith in the execution or intended execution of a provision of this section.

## **9. Forfeiture**

(1) Unless the Minister otherwise directs, there shall be forfeited to the Republic the arms or ammunition

- (a) used in the commission of a criminal offence;
- (b) surrendered under section 4 (3); or

(c) seized in accordance with section 8.

(2) An article forfeited in accordance with subsection (1) may be disposed of as the Minister may direct.

## **10. Central register**

(1) The Inspector-General of Police shall maintain a central arms and ammunition register of the arms and ammunition registered in accordance with this Act.

(2) The officer in charge of a police station shall, on effecting a registration under this Act as soon as practicable notify the fact of the registration to the Inspector-General of Police for incorporation in the central register.

## **10A. Fees payable**

The fees specified in column 3 of the Schedule to this Act are payable in respect of the matters specified in relation to them in column 2.4(4)

### *Import of Arms and Ammunition*

## **11. Possession of arms or ammunition without authority**

Where any firearms, arms of war, munitions of war or ammunition are, without the proper authority,

- (a) found in the possession of a person,
- (b) kept in a place other than a public warehouse, or
- (c) unlawfully kept in a private warehouse,

that person or the occupier of that place, or the owner of the place or any other person keeping them, commits an offence unless that person, occupier, or owner can prove that they were deposited there without the knowledge or consent of that person, occupier or owner.

## **12. Prescribed ports**

Subject to section 5, firearms, arms of war, munitions of war or ammunition shall not be imported except at a prescribed port.

## **13. Deposit in public warehouse and withdrawal**

(1) Firearms and ammunition imported or purporting to have been imported under this Act shall be deposited by the importer at the importer's own risk and expense in a public warehouse.

(2) The deposit shall not take place unless it has been authorised by the prescribed authority.

(3) Firearms or ammunition shall not be withdrawn from a public warehouse unless authorised by the prescribed authority.

## **14. Restrictions on withdrawals from public warehouse**

The authorisation for withdrawal of firearms and ammunition referred to in subsection (3) of section 13 shall only be granted

- (a) for dispatch to prescribed places in which the inhabitants are allowed to possess firearms under statutory control for the purpose of defence against robbers and rebels,
- (b) for dispatch to prescribed warehouses under statutory control, or
- (c) for individuals who satisfy the prescribed authority that they require the articles for their own legitimate personal use.

### **15. Private warehouses**

(1) A person shall not keep a private warehouse for the storing of firearms, arms of war, munitions of war or ammunitions without a licence granted by the prescribed authority.

(2) A private warehouse kept under subsection (1) shall consist of enclosed premises reserved for that special purpose, having only one entry, which shall be provided with two locks, one of which can be opened only by a public officer.

(3) A person to whom a licence is granted under this section shall maintain the warehouse under guard at all times.

### **16. Responsibility of person in charge**

(1) The person in charge of a private warehouse is responsible for the firearms, arms and ammunition deposited in the warehouses and shall account for them on the demand of the prescribed authority.

(2) For the purposes of subsection (1), the deposits and withdrawals shall be entered in a special register, numbered and initialled by the person in charge.

(3) An entry in the register shall be supported by references to the official documents authorising the deposits or withdrawals.

(4) Despite subsections (1) and (2), arms or ammunition may be shipped on a vessel of less than five hundred tons burden, if a licence to ship the arms or ammunition has been previously granted by the Minister.

(5) The licence shall be in the form set out in the Third Schedule.

(6) Subsections (1), (2) and (3) do not apply to firearms or ammunition

- (a) conveyed on behalf of the Government and accompanied by a duly qualified official; or
- (b) in the possession of persons licensed to bear firearms or to whom a permit for the purchase or use of ammunition is granted.

### **17. Withdrawals from private warehouse**

(1) Arms, firearms, or ammunition shall not be withdrawn from a private warehouse except under a licence granted by the prescribed authority.

(2) The application for the licence shall state the purpose for which the arms, firearms or ammunition are required and shall in the case of firearms be supported by an appropriate licence to bear firearms, or in the case of ammunition by a permit for the purchase or use of the ammunition.

### **18. Registration and stamping of firearms**

Each firearm shall, on withdrawal from a public or private warehouse, be registered and stamped by

the prescribed authority, who shall enter on the licence to bear firearms the mark stamped on the weapon.

### **19. Transport of firearms**

Transportation of firearms, arms of war, munitions of war or ammunition in numbers or in quantities greater than those which from time to time may be prescribed shall not take place unless under a licence granted by the prescribed authority.

### **20. Manufacture and assembling of firearms**

The manufacture and the assembling of firearms, arms of war, munitions of war or ammunition are prohibited unless at arsenals established by Government.

### **21. Establishment for repair of firearms**

A person shall not open or carry on an establishment for the purposes of repairing firearms without a licence issued by the prescribed authority who may attach to the licence the conditions determined by the prescribed authority.

## *Maritime Supervision*

### **22. Restriction on shipment by small vessels**

(1) A vessel of less than five hundred tons burden shall not ship, discharge or tranship any firearms or ammunition completely or in parts.

(2) This section does not apply to barges, lighters or to any other small boats duly registered and licenced by a harbour master, or any other proper officer of the Customs, Excise and Preventive Service.

(3) Despite subsection (1), it is lawful for arms or ammunition to be shipped on a vessel of less than five hundred tons burden if a licence to ship the arms or ammunition has been previously granted by the President.

(4) The licence granted by the President shall be in the form specified in the Schedule.

(5) Subsections (1) and (2) do not apply

- (a) to firearms or ammunition conveyed on behalf of the Government and accompanied by a duly qualified official, or
- (b) to firearms or ammunition in the possession of a person licenced to bear firearms or to whom a permit for the purchase of ammunition has been granted.

## *Miscellaneous*

### **23. Licences, not receivable as of right**

(1) A person is not entitled as of right, to the grant of a licence, an authorisation, or a permit under this Act.

(2) A licence may be refused by the prescribed authority without a reason being assigned, subject to an appeal to the Minister.<sup>5(5)</sup>

### **24. Prohibition of dealing in arms and ammunition**

(1) The Minister may, by an executive instrument, prohibit dealing in arms or ammunition, absolutely or subject to the restrictions, limitations, and conditions specified in the instrument.

(2) The Minister may in the instrument declare the towns, places, districts, or areas, to which the instrument shall apply.

## **25. Protection of public officers**

(1) Public officers are hereby authorised and empowered to take the necessary action and to do the things which the efficient execution of this Act, the Regulations or of an instrument made under this Act may reasonably require.

(2) A civil proceeding shall not, without the written consent of the Attorney-General, be brought against a person in a court for damages or compensation in respect of the measures or acts which may be taken or done in the performance or intended performance of the functions of a public officer under this Act or the Regulations or under an instrument made under this Act.

(3) On convicting a person of an offence against this Act, the Court may by order, suspend or revoke a licence, permit or an authorisation which that person holds under this Act, or under the Regulations.

## **26. Offences**

(1) A person commits an offence and is liable on summary conviction to a fine not exceeding one thousand penalty units or to a term of imprisonment not exceeding five years or to both the fine and imprisonment, if that person

- (a) contravenes a provision of this Act or a condition or restriction imposed in respect of a permit granted to that person,
- (b) obstructs a member of the Police Service or of the Armed Forces in the performance of a function conferred on that member by this Act,
- (c) wilfully makes a false statement in connection with an application under this Act,
- (d) forges, alters or defaces a permit granted under this Act,
- (e) has in that person's possession, without lawful authority, a permit granted under this Act,
- (f) makes or knowingly has in that person's possession or control an explosive, including gunpowder or fuses under circumstances which give rise to a reasonable suspicion that that person is not making it, or does not have it in possession or control, for a lawful reason.

(2) A person commits a misdemeanour if that person

- (a) contravenes a provision of this Act, or of an instrument made under section 24 or of a condition in a licence or permit,
- (b) does an act with intent to contravene this Act, or an instrument made under section 24 or a condition in a licence or permit, or
- (c) does an act which is, in this Act or in an instrument issued under section 24, declared to be an offence.

(3) Where an offence under this Act or under the Regulations is committed by a body of persons

- (a) in the case of a body corporate, every director or officer of that body corporate shall be deemed to have committed that offence; and



- (b) in the case of a firm, every partner of that firm shall be deemed to have committed that offence.

## 27. Public services excepted

This Act does not apply to firearms, arms or ammunition intended for use by the Armed Forces or the Police Service.

## 28. Regulations

(1) The Minister may, by legislative instrument, make Regulations

- (a) amending a provision of the Schedules;
- (b) exempting a person or class of persons from all or any of the provisions of this Act;
- (c) regulating the conveyance, storage, possession and use of arms and ammunition;
- (d) prohibiting the import, export or possession of any specified kind of arms or ammunition; and
- (e) generally for giving effect to this Act.

(2) The Regulations may be of a nature that renders more strict the operation of a provision of this Act.

## 29. Interpretation

In this Act, unless the context otherwise requires,

“**ammunition**” includes explosives, munitions of war, and the materials for loading firearms;

“**arms**” includes firearms and offensive weapons of any description, artillery, apparatus for the discharge of any kind of projectiles, explosive or gas-diffusing, flamethrowers, bombs, grenades, machine-guns and rifled small-bore breech-loading weapons of any kind, and the parts of any of those arms;

“**cap gun**” includes a cap pistol;

“**Convention**” means the Convention for the control of the trade in arms and ammunition which was signed at Saint-Germain-en-Laye on the 10th day of September, 1919;

“**court**” means a court of competent jurisdiction;

“**deal in**” includes disposal or transfer by sale, barter, exchange, gift, or in any other manner, whether with or without valuable consideration;

“**explosives**” includes gunpowder, nitro-glycerine, dynamite, or any other nitro-glycerine admixture, gun cotton, blasting power, detonators, and any other substance used to produce a practical effect by explosion;

“**firearms**” includes a gun, rifle, machine-gun, cap-gun, flint-lock gun or pistol, revolver, pistol, cannon or any other fire-arm, and an air gun, air rifle, or air pistol whether whole or in detached pieces;

“**First class arms and ammunition dealer**” means a person whose annual importation of shot guns and ammunition is more than 1 000 pieces but not more than 2 000 pieces;6(6)

- “**flint-lock gun**” includes a flint-lock pistol;
- “**importer**” includes an owner or any other person for the time being possessed of or beneficially interested in imported firearms or ammunition;
- “**magazine**” means a store for arms, ammunition, cartridges and explosives;7(7)
- “**Minister**” means the Minister to whom functions under this Act are assigned by the President;
- “**munitions of war**” includes all ammunition and parts of ammunition serviceable for use with an arm of war, but does not include lead;
- “**occupier**” includes owner;
- “**prescribed**” means prescribed by Regulations;
- “**private warehouse**” means any place or building licensed under section 15;
- “**public warehouse**” means any place or building prescribed as a public warehouse for any of the purposes of this Act;
- “**Regulations**” means the Regulations made under a provision of this Act;
- “**second class arms and ammunition dealer**” means a person whose annual importation of arms and ammunition is less than 1 000 pieces.8(8)

**30. Repeals and savings**

*Spent.*9(9)

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SCHEDULES

**First Schedule**

APPLICATION TO REGISTER ARMS OR AMMUNITION INCLUDING EXPLOSIVES

[Section 2 (1)]

1. Full names of applicant .....
2. Address of applicant .....
- .....
3. Nationality .....
4. Date of birth .....
5. Place of birth .....
6. Description and quantity of arms and ammunition .....
- .....
- .....
7. Date on which arms and ammunition were acquired.....
8. Person from whom arms and ammunition were acquired
  - (a) Full names .....

- (b) Address .....
9. Particulars of last permit or other authorisation to possess the arms and ammunition to which this application relates—
- (a) Number of permit, etc. ....
- (b) Date of issue or permit, etc. ....
- (c) Date of expiry of permit, etc. ....
- .....
10. Purpose for which the applicant requires arms and ammunition—
- .....
- .....
11. Full particulars of any other arms and ammunition held by the applicant .....
- .....
- .....

I, .....(name of applicant)

Declare that the statements made by me in this application are true and that I have not concealed a fact material to this application. I undertake that if this application is granted, I shall use the arms and ammunition to which it relates for the purposes specified in paragraph 10 of this application and not for any other purpose, and that I shall observe the conditions attached to a permit which may be granted to me.

Signed/marked .....

*Applicant*

before me .....

*Authorised officer*

Date of application ....., 20.....

Place of application .....

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**Second Schedule**  
**FEES PAYABLE**  
 [Sections 2 (4), 4 (2), 5 (2) and 10A]

Fire-arms other than revolvers and pistols .....	¢400.00
Revolvers and pistols .....	¢500.00
Air pistol, air rifle, air gun and gas diffusing arms .....	¢300.00
Other arms .....	¢200.00
Gunpowder for firearms .....	Free

Ammunition (including explosives) other than gunpowder for firearms .....	¢25.00 in respect of each application
Renewal fee for permit relating to revolvers and pistols .....	¢50.00
Renewal fee in any other case; except, air pistol, air rifle, air gun and gas diffusing arms .....	¢20.00
Permit to import arms or ammunition (including explosives)—	
(a) Individual .....	¢50.00
(b) First class dealer .....	¢2,000.00
(c) Second class dealer .....	¢1,000.00

No fees shall be payable in respect of arms or ammunition acquired by the Armed Forces or the Police Service, or held by any Department of Government.

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(10)

**Third Schedule**  
**LICENCE**  
[Section 22 (2)]

Name and address of applicant

Licence is hereby granted to .....  
of .....to ship a cargo  
of .....consisting  
of .....

Nature and quantity of shipment

.....consigned  
to .....  
of .....

Name of vessel

Port of loading .....

Port of discharge .....

Name and address of consignee

Dated at ..... this ..... day of ....., 20 .....

.....  
*Minister*

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**Fourth Schedule 11(11)**

**FEES PAYABLE**

[Section 10]

(i) First class private arms and ammunition magazine dealer (first licensing) .....	¢1,000,000.00
(ii) Renewal fee for first class private arms and ammunition magazine dealer (renewal licence) .....	¢500,000.00
(iii) Second class private arms and ammunition magazine dealer (first licensing) .....	¢500,000.00
(iv) Renewal fee for second class private arms and ammunition magazine dealer (renewal licence) .....	¢300,000.00
(v) Revolvers and pistols (first licence) (individuals) .....	¢250,000.00
(vi) Renewals for revolvers and pistols (first licence) (individuals) (annually) .....	¢100,000.00
(vii) Air pistol, air rifle, air gun and gas diffusing arms licensing for life .....	¢50,000.00
(viii) Other arms e.g. cap guns and flint lock guns licensing for life .....	¢10,000.00
(ix) Fee for private magazine withdrawals permit for explosives (Form C) (annually) .....	¢100,000.00
(x) Fee for private magazine withdrawals permit for arms and ammunition (Form C) annually—1st class .....	¢100,000.00
2nd class .....	¢50,000.00
(xi) Commercial magazine dealer in explosives (first licence).....	¢5,000,000.00
(xii) Commercial magazine dealer (annual renewal) fee .....	¢1,000,000.00.

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## Endnotes

### 1 (Popup - Footnote)

1. This Act consolidates the Arms and Ammunition Act, 1962 (Act 118) assented to on 12th June, 1962 and the Arms and Ammunition Decree, 1972 ([N.R.C.D. 9](#)) made on 29th January, 1972 and notified in the *Gazette* on the 1st day of February, 1972.

### 2 (Popup - Footnote)

2. The Republic includes the territorial waters. See [article 4](#) of [the Constitution](#).

### 3 (Popup - Footnote)

3. Substituted by [section 1](#) of the Ammunition (Amendment) Law, 1983 (P.N.D.C. L. 710). The [subsection \(2\)](#) reads,

“(2) The National Redemption Council may issue a permit to any person authorising him to import or export the arms or ammunition (including explosives) specified therein, subject to such conditions and restrictions as the National Redemption Council may think fit to impose.”

### 4 (Popup - Footnote)

4. Inserted by section 1 of the Arms and Ammunition (Amendment) Act, 1996 (Act 579).

### 5 (Popup - Footnote)

5. The words, “whose decision shall be final” have been omitted as offending [clause \(3\)](#) of [article 125](#) of [the Constitution](#).

### 6 (Popup - Footnote)

6. Inserted by section 3 of the Arms and Ammunition (Amendment) Act, 1996 (Act 579).

### 7 (Popup - Footnote)

7. Inserted by section 3 of the Arms and Ammunition (Amendment) Act, 1996 (Act 579).

### 8 (Popup - Footnote)

8. Inserted by section 3 of the Arms and Ammunition (Amendment) Act, 1996 (Act 579).

### 9 (Popup - Footnote)

9. The section provides that,

“(1) The following enactments are hereby repealed: (a) Explosives Ordinance (Cap. 254); (b) Explosives (Amendment) Ordinance, 1956 (No. 9).

(2) Notwithstanding the repeal of the Explosives Ordinance (Cap. 254), the Explosives Regulations, 1970 (L.I. 666) as subsequently amended shall continue in force as if made under [section 12](#) of this Decree, until modified, amended or revoked.”

### 10 (Popup - Footnote)

10. Substituted by section 1 of the Ammunition (Amendment) Law, 1983 (P.N.D.C.L. 91). The [Second Schedule](#) reads—

“Fire-arms other than revolvers and pistols .....	N¢1.00 for each fire-arm.
Revolvers and pistols .....	N¢3.00 for each revolver or pistol.
Other arms .....	N¢2.00 for each item.
Gunpowder for fire-arms .....	Free.
Ammunition (including explosives) other than in powder for fire-arms.....	N¢200 in respect of each application.
Renewal fee for permit relating to revolvers and Pistol..	
	N¢3.00.
Renewal fee in any other case .....	N¢1.00.” <sup>10</sup>

### 11 (Popup - Footnote)

11. Inserted by section 1 of the Arms and Ammunition (Amendment) Act, 1996 (Act 519).