

CAYMAN ISLANDS.

Amended by Law 39 of 1965
" " " 10 of 1966
" " " 37 of 1966
" " " 9 of 1971

See Revised Law dated 30th Aug. 1976
LAW 17 of 1964

I assent,

[L.S.]

J. A. CUMBER,

Administrator

22nd October, 1964.

The Firearms Law, 1964.

[]

ENACTED by the Legislature of the Cayman Islands.

1 — This Law may be cited as the Firearms Law, 1964, and shall come into operation on a day to be appointed by the Administrator by Government Notice published in the Cayman Islands.

Short title
and commence-
ment.

PART I

2 — (1) In this Law —

Interpreta-
tion.

“appropriate authority” means, in relation to the grant, amendment or revocation of any licence, the appropriate authority specified in section 30 of this Law;

“artillery” means any cannon, howitzer, mortar or flame-thrower except of a type commonly in use before the year one thousand eight hundred and fifty;

“automatic rifle” means any rifle 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

the magazine containing the missiles is empty;

"firearm" means artillery, machine gun, sub-machine gun, rifle, shot gun, pistol, air gun, air pistol, or any lethal barrelled weapon from which any shot, bullet or other missile can be discharged or noxious fumes can be emitted except any air rifle, air gun, or air pistols of a type prescribed by the Administrator in Executive Council, and of a calibre so prescribed, and includes any component part of any such weapon and such accessory to any such weapon designed or adapted to diminish the noise or flash caused by firing the weapon;

*and also includes any
ammunition capable of
being used in any
firearm*

9/71

"Firearm Export Permit" means any permit under paragraph (b) of section 19 of this Law to export any firearms from the Cayman Islands;

"Firearm Import Permit" means any permit under paragraph (a) of section 19 of this Law to import into the Cayman Islands any firearms;

"Firearm User's (General) Licence" means any Firearm User's (General) Licence under paragraph (e) of section 19 of this Law;

"Firearm User's Licence" includes any Firearm User's (General) Licence and any Firearm User's (Restricted) Licence.

"Firearm User's (Restricted) Licence" means any Firearm User's (Restricted) Licence under paragraph (f) of section 19 of this Law;

"Firearm Disposal Permit" means any Firearm Disposal Permit under paragraph (d) of section 19 of this Law;

"Gunsmith's Licence" means a Gunsmith Licence under paragraph (c) of section 19 of this Law;

"prohibited firearm" means any artillery, machine gun, sub-machine gun, automatic rifle, or any weapon of whatsoever description or design, adapted for the discharge of any noxious liquid or gas;

"restricted person" means any person who —

(a) ~~has been convicted and sentenced to imprisonment~~

39/65

~~for any offence; or~~

- Amended by
39/1965*
- (b) has at any time within five years next before the event in relation to which the term is used been convicted of an offence under this Law or under any Law in force before the commencement of this Law in respect of the importation, exportation, possession or use in the Cayman Islands of any firearm, or of any offence involving fraud, or violence;

"traveller" means any person who arrives in the Cayman Islands as an officer or member of the crew or passenger or stow-away upon any vessel or aircraft.

(2) For the purpose of this Law any artillery and any firearm shall be deemed to be of an obsolete type if of a type commonly in use before the year one thousand eight hundred and fifty.

PART II

IMPORTATION, EXPORTATION.

3 — (1) No person shall import into or export from the Cayman Islands any firearm except under and in accordance with the terms of a Firearm Import Permit, or Firearm Export Permit, as the case may be.

Restriction on
importation
and exporta-
tion of
prohibited
Firearms.

(2) Every person who contravenes the provisions of subsection (1) of this section shall be guilty of an offence and shall be liable —

- (a) in the case of an offence relating to a prohibited firearm —
- (i) on summary conviction before the Stipendiary Magistrate to a fine not exceeding five hundred pounds or to be imprisoned for any term not exceeding twelve months; or
- (ii) on conviction on indictment before the Grand Court to be imprisoned for any term not exceeding five years or to a fine not exceeding one thousand pounds.
- (b) in any other case —

- (i) on summary conviction before the Stipendiary Magistrate to a fine not exceeding one hundred pounds or to be imprisoned for any term not exceeding nine months, or to both such fine and such imprisonment; or
- (ii) on conviction on indictment before the Grand Court to be imprisoned for a term not exceeding three years, or to a fine not exceeding four hundred pounds.

Travellers to
make declara-
tion of
firearms.

4 — (1) Every traveller who disembarks in the Cayman Islands shall, on being required so to do by any officer of customs make a declaration in the prescribed form stating whether he has any, and, if so, what, firearms or ammunition in his possession or under his control.

(2) Every traveller who contravenes the provisions of sub-section (1) of this section shall be guilty of an offence and on summary conviction before the Stipendiary Magistrate shall be liable to a fine not exceeding fifty pounds or to be imprisoned for a term not exceeding six months or to both such fine and imprisonment.

5 — (1) Every traveller who declares under section 4 of this Law that he has any firearm in his possession, unless he is the holder of a permit under section 3 of the Law, authorising the importation of such firearm into the Cayman Islands shall either —

- (a) cause such firearm to be retained upon the vessel or aircraft upon which he arrived into the Cayman Islands until after such vessel or aircraft departs from the Cayman Islands; or
- (b) deliver such firearm to an officer of customs in a sealed packet to be dealt with in accordance with the provisions of section 6 of this Law.

(2) Every person who contravenes the provisions of sub-section (1) of this section shall be guilty of an offence, and on summary conviction before the Stipendiary Magistrate shall be liable to a fine of not exceeding twenty-five pounds or to be imprisoned for a term not exceeding three months.

6 — Every firearm received by any officer of customs under section 6 of this Law shall be retained in the sealed packet in which it is received until either —

Custody of firearms by officer of customs.

- (a) the traveller from whom it was received produces to an officer of customs a permit under this Law authorising the importation of such firearm into the Cayman Islands, and pays the appropriate duty on such firearm, in which event it shall be delivered to the traveller; or
- (b) such traveller gives not less than seven days notice in writing to the Collector of Customs specifying some port at which he intends to embark for some place outside the Cayman Islands and the date, time, and vessel upon which he intends so to embark, in which event the sealed packet containing such firearm shall be delivered to the traveller immediately before he so embarks.

7 — For the purpose of this Part of this Law, a person shall not be deemed to import any firearm into the Cayman Islands merely by reason of such firearm being in his possession or under his control on some vessel within the territorial waters of the Cayman Islands or on some aircraft flying over the Cayman Islands unless he causes or attempts to cause or permit such firearm to be disembarked from such vessel or aircraft in the Cayman Islands otherwise than for the purpose of being delivered to an officer of customs in accordance with the provisions of section 5 of this Law.

Firearms not to be deemed to be imported into the Cayman Islands in certain circumstances.

PART III

SALE, PURCHASE AND REPAIR OF FIREARMS.

8 — (1) No person shall purchase or accept the gift of any firearm from or give away any firearm to any other person if he has reasonable cause to believe such person to be under the age prescribed for that type of firearm by any Regulations made under this Law.

Restrictions upon acquisition or disposal of firearms.

(2) No person shall purchase or accept the gift of any firearm unless —

39/65

(a) he is the holder of a Firearm User's Licence in relation to a firearm of the type so acquired by him; and

(b) the person from whom he purchases or accepts the gift of such firearm is the holder of a Firearm ~~Vendor's~~ ^{Vendor's} Permit in respect of the firearm so sold or given away by such person.

(3) No person shall sell or give away any firearm unless —

(a) he is the holder of a Firearm ~~Vendor's~~ ^{Vendor's} Permit in respect of the firearm so sold or given away by him; and

(b) the person to whom he sells or gives away such firearm is the holder of a Firearm User's Licence in respect of a firearm of the type so sold or given away to such person.

(4) No person shall accept the delivery of any firearm pursuant to any sale or gift of such firearm except in accordance with the provisions of section 9 of this Law.

n in accordance
with

(5) No person shall deliver any fire arm pursuant to any sale or gift of such firearm to any person except ^{in accordance with} the provisions of section 9 of this Law.

9/71

(6) Every person who contravenes the provisions of this section shall be guilty of an offence, and shall be liable —

(a) in the case of the acquisition or disposal of a prohibited firearm by any person or of the acquisition or disposal of an ordinary firearm by a restricted person —

(i) on summary conviction before the Stipendiary Magistrate, to a fine not exceeding five hundred pounds or to imprisonment for a term not exceeding twelve months; or

(ii) on conviction on indictment before the Grand Court, to imprisonment for a term not exceeding three years, or to a fine not exceeding one

thousand pounds; or

- (b) in any other case, on summary conviction before the Stipendiary Magistrate, to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding nine months.

9 — Where any person (in this section referred to as “the purchaser”) purchases or accepts the gift of any firearm from any other person (in this section referred to as “the vendor”) —

Restriction on delivery of firearm.

- (a) the purchaser shall give notice in writing to the vendor specifying his name and address and that he will be prepared to take delivery of the firearm to which the transaction relates; and
- (b) the vendor shall cause the firearm to which the transaction relates to be delivered in a sealed packet, together with a copy of the notice referred to in paragraph (a) of this section to the Chief of Police; and
- (c) the Chief of Police shall notify the purchaser that he has received such firearm and will deliver such firearm to the purchaser upon his applying in person therefor at such Police Station and producing a Firearm User’s Licence in respect of such firearm.

10 — (1) No person shall repair any firearm for reward except under and in accordance with the terms of a Gunsmith’s Licence.

General restriction on repair of firearms.

(2) Every person who contravenes the provision of subsection (1) of this section shall be guilty of an offence, and on summary conviction before the Stipendiary Magistrate shall be liable to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding six months.

11 — (1) No holder of a Gunsmith’s Licence shall accept delivery of any firearm for the purpose of effecting any alteration or repair thereto —

Restriction re Gunsmith.

- (a) elsewhere than at the premises in respect of which he is licensed as a gunsmith; and

- (b) from any person other than a person who he has reasonable cause to believe is the holder of a Firearm's User's Licence in relation to the firearm so delivered to him.

(2) Every holder of a Gunsmith's Licence who contravenes the provisions of subsection (1) of this section shall be guilty of an offence and on summary conviction before the Stipendiary Magistrate shall be liable to a fine not exceeding twenty-five pounds or to imprisonment for a term not exceeding three months.

Special restrictions on shortening firearms and converting imitation firearms into firearms.

12 — (1) No person other than the holder of a Gunsmith's Licence shall —

- (a) shorten a barrel of any smooth bore gun to a length of less than twenty inches;
- (b) convert into a firearm anything which though having the appearance of being a firearm is so constructed as to be incapable of discharging a missile through the barrel thereof.

(2) No holder of a Gunsmith's Licence shall do either of the things referred to in subsection (1) of this section except with the prior written approval of the Chief of Police.

(3) Every person who contravenes the provisions of this section shall be guilty of an offence and shall be liable on summary conviction before the Stipendiary Magistrate to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding six months.

13 — (1) Every holder of a Gunsmith's Licence shall cause to be affixed and keep affixed over one of the principal entrances of the premises upon which he carried on business as a gunsmith, a board on which shall be printed in legible letters at least two inches in length the name in full of such licence and the words "Licensed as a Gunsmith".

(2) Every person who contravenes the provisions of subsection (1) of this section shall be guilty of an offence and on summary conviction before the Stipendiary Magistrate shall be liable to a fine

not exceeding fifteen pounds or to imprisonment for a term not exceeding three months.

14 — (1) Every holder of a Gunsmith's Licence shall keep such records in such form and containing such particulars as may be prescribed of all transactions relating to his business as a gunsmith. Records and returns.

(2) Every person who is required to keep records under subsection (1) of this section 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.

(3) Every person who contravenes the provisions of this section shall be guilty of an offence and shall be liable on summary conviction before the Stipendiary Magistrate to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding six months.

PART IV

POSSESSION AND USE OF FIREARMS.

15 — (1) Subject to the provisions of subsection (2) of this section, no person shall be in possession of any firearm except under and in accordance with the terms of a Firearm User's Licence. Possession and use of firearms.

(2) The provisions of subsection (1) of this section shall not apply —

- (a) to the holder of any Gunsmith's Licence, in respect of any firearm delivered to him for the purpose of effecting any repair or lawful alterations thereto; or
- (b) to any person who comes into possession of any firearm 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
- (c) to any servant or agent of any of the persons referred to in paragraph (a) and (b) (both inclusive) of

this subsection in respect of any firearm entrusted to him for delivery to the owner thereof in accordance with the provisions of this Law; or

- (d) to any Officer of Customs or to any constable in respect of his possession of any firearm which came into his possession pursuant to the provisions of this Law during such period as such firearm is retained by him pursuant to the provisions of this Law; or
- (e) to any person in respect of the possession by him of any firearm entrusted to him by any constable for transportation pursuant to the provisions of section 9 of this Law, from any place to any other place during such period, not being longer than is reasonably necessary for the transportation of such firearm, as such firearm is contained in a sealed packet; or
- (f) to any person in respect of the possession by him of any firearm delivered to him in accordance with the provisions of paragraph (c) of subsection (2) of section 36 of this Law, during the period of the absence from the Cayman Islands of the owner of such firearm and two weeks thereafter, or the departure of such owner from the Cayman Islands, whichever shall be the shorter.

(3) Every person who contravenes the provisions of this section shall be guilty of an offence, and shall be liable on conviction before the Stipendiary Magistrate —

- (a) if such person is a restricted person, to imprisonment for a term not exceeding nine months, and in addition to such imprisonment to a fine not exceeding one hundred pounds; and
- (b) if any other case —
 - (i) if such offence relates to the possession of a prohibited firearm, to a fine not exceeding one hundred pounds, or to imprisonment for a term not exceeding nine months; or
 - (ii) if such offence relates to the possession of any

firearm, other than a prohibited firearm, to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding six months.

16 — (1) No person shall carry any firearm in any public place unless at the time when he carries such firearm he has about his person a Firearm User's Licence, authorising him to carry such firearm in such place, ~~and, if such place is a place to which the provisions of section 17 of this Law apply, a Firearm User's (Special) Permit authorising him to carry such firearm in such place on such occasion.~~

General restriction upon carrying firearms in public.

10/66

(2) Any person found carrying a firearm in any public place in contravention of subsection (1) may be arrested without warrant by any constable and such firearm may be empounded.

(3) Every person who contravenes the provisions of subsection (1) of this section shall be guilty of an offence against this Law, and on summary conviction before the Stipendiary Magistrate shall be liable to a fine not exceeding ten pounds or to imprisonment for a term not exceeding thirty days.

17 — (1) The Administrator in Executive Council may by Proclamation apply the provisions of this section to any district, town or village specified in such Proclamation.

Special restriction on carrying of firearms in public places.

(2) Every Proclamation under subsection (1) of this section —

- (a) shall remain in force for a period of not more than one month (without prejudice to the power to issue a further Proclamation at or before the end of such period);
- (b) shall be published as a Government Notice; and
- (c) may at any time be varied, altered, amended or revoked by the Administrator in Executive Council.

(3) Subject to the provisions of subsection (6) of this section, no person shall carry any firearm in any public place within any area, district, town or village to which this section applies, except in accordance with the terms of a Firearm User's (Special) Permit.

(4) Every person who contravenes the provisions of this section shall be guilty of an offence and on summary conviction before the Stipendiary Magistrate shall be liable to imprisonment for a term not exceeding twelve months, or to a fine not exceeding five hundred pounds.

(5) Where any person is arrested for, or legal proceedings are instituted against any person in respect of, the contravention of any of the provisions of this section, any firearm found upon such person at the time of his arrest or at the time of the alleged contravention of the provisions of this section shall be retained by the Police until such time as any legal proceedings against such person in respect of such contravention are finally disposed of.

(6) The provisions of this section shall not apply to any officer, warrant officer, non-commissioned officer or men of any of Her Majesty's Forces or to any constable or to any special constable of the Cayman Islands Police Force.

Restriction
relating to
the discharge
of firearms.

18 — (1) No person shall discharge any firearm on or within forty yards of any public road or in any public place except —

- (a) in the lawful protection of his person or property, or of the person or property of some other person; or
- (b) under the direction of some civil or military authority authorised to give such discharge; or
- (c) with the permission of the Administrator.

(2) Where any contravention of subsection (1) of this section occurs, any Justice of the Peace or constable may enter any premises on which he has reasonable cause to believe such contravention was committed and seize any firearms there found which he has reasonable cause to believe were used in such contravention or are about to be used in the commission of some other contravention of subsection (1) of this section.

(3) Every person who contravenes the provisions of subsection (1) of this section shall be guilty of an offence, and on sum-

mary conviction before the Stipendiary Magistrate shall be liable to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding six months.

(4) Where any person is charged with a contravention of the provisions of subsection (1) of this section, the burden of proving that the discharge of the firearm in respect of which the contravention is alleged to have occurred was a lawful discharge shall lie upon the person asserting the same.

(5) Where any contravention of the provisions of subsection (1) of this section occurs upon any enclosed premises, the occupier of the premises shall be deemed to have incited the person by whom such contravention was committed to commit such contravention, unless he proves affirmatively that such contravention was committed against his will.

PART V

LICENCES AND PERMITS.

19 — Subject to the provisions of section 17 of this Law and of this Part of this Law, the appropriate authority may grant the following licences or permits —

Types of
licences
and permits.

- open such firearms
may be so specified
9/71*
- (a) a Firearm Import Permit authorising the holder thereof during such period as may be specified in the Permit to import into the Cayman Islands from such source as may be specified; or
 - (b) a Firearm Export Permit authorising the holder thereof during such period as may be specified in the Permit to export from the Cayman Islands to such destination and in such manner such firearm of such type as may be specified in the Permit; or
 - (c) a Gunsmith's Licence authorising the holder thereof to carry on the business of repairing firearms at such premises as may be specified in the Licence; or
 - (d) a Firearm Disposal Permit authorising the holder thereof to dispose of the firearm specified in such Permit; or

- (e) a Firearm User's (General) Licence authorising the holder thereof, subject to the provisions of section 17 of this Law, to be in possession of the firearm specified in such licence anywhere in the Cayman Islands; or
- (f) a Firearm User's (Restricted) Licence authorising the holder thereof, subject to the provisions of section 17 of this Law, to be in possession of the firearm specified in such Licence —
 - (i) upon any premises owned or occupied by the holder thereof and such portion of any public road as passes through any such premises; and
 - (ii) upon such other premises as may be specified in the Licence and such portion of any public road as passes through any premises so specified; or
- (g) a Firearm User's (Special) Permit authorising the holder thereof to be in possession of the firearm specified in such Permit within any area so specified to which the provisions of section 17 of this Law apply upon such occasions as may be so specified.

Applications
for licences
and permits.

20 — Every application for any licence or permit under this Law shall —

- (a) be addressed to the appropriate authority; and
- (b) be in the prescribed form; and
- (c) contain the prescribed particulars; and
- (d) be accompanied by the prescribed number (if any) of photographs of the prescribed dimensions of the person to whom the licence or permit applied for is desired to be granted; and
- (e) bear upon it, if so prescribed, a specimen of the signature of the person to whom the licence or permit applied for is desired to be granted; and
- (f) be signed by the applicant; and

- (g) be accompanied by the prescribed application fee (if any) and by such documents, if any, as may be prescribed.

39/65

21 — (1) Subject to the provisions of section 20 of this Law and of subsections^(1A) (2), (3) and (4) of this section and of section 29 of this Law, the grant of any licence or permit under this Law shall be in the absolute discretion of the appropriate authority.

General provisions as to grant and issue of licences and permits.

(2) No licence or permit under this Law shall be granted —

- (a) in relation to any prohibited firearm; or
(b) to any restricted person,

except with the prior approval of the Administrator in Executive Council:

Provided that this subsection shall not apply to the grant to any restricted person of a Firearm Disposal Permit.

(3) No Gunsmith's Licence shall be granted unless the appropriate authority is satisfied that not less than seven days' notice of the intention to apply for the grant of such Licence has been given to the Chief of Police.

(4) The provisions of subsection (1) of this section shall not apply to the grant —

- (a) of any Firearm Disposal Permit.

(5) No licence under this Law shall be issued to any person until the appropriate authority is satisfied that the appropriate fee has been paid.

22 — (1) Subject to the provisions of section 20 of this Law the appropriate authority, on the payment of the appropriate fee and on the surrender to him of the appropriate application, shall grant a Firearm User's (General) Licence or a Firearm User's (Restricted) Licence, as the case may be, in respect of the firearm specified in such application, or if no firearm is so specified, a firearm of the type specified in such application.

Special provisions relating to Firearm User's Licence.

(2) Every Firearm User's (Restricted) Licence under this section shall specify the premises specified in the application pursuant to which such Licence is granted as being the premises, other than premises owned or occupied by the Licensee, upon which he may be in possession of the firearm to which the Licence relates.

Special provisions relating to Firearm User's (Special) Licence.

23 — (1) Subject to the provisions of section 29 of this Law, the appropriate authority on the application of any person who is the holder of a Firearm User's (General) Licence may, in his absolute discretion, grant to such person a Firearm User's (Special) Permit authorising such person during the continuance in force of any Proclamation under section 17 of this Law to carry the firearm in respect of which he is the holder of a Firearm User's (General) Licence in any public place within the area, district, town or village to which such Proclamation applies upon the occasions and subject to the conditions specified in such Permit.

(2) Every Permit under subsection (1) of this section shall specify the area, district, town or village to which it relates.

Special provisions relating to Firearm Disposal Permit.

24 — The appropriate authority, on the application of any person who he is satisfied is the owner or is acting with the authority of the owner of any firearm, shall grant to such applicant a Firearm Disposal Permit authorising the holder thereof within thirty days of the grant of such Permit to give away or to sell, subject to the provisions of this Law, the firearm specified in such Permit.

General provisions as to licences and permits.

25 — (1) Every licence or permit under this Law shall be in the prescribed form and shall contain the prescribed particulars, 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 the provisions of subsection (1) of this section, every licence or permit under this Law shall be subject to the prescribed conditions.

(3) Every licence or permit under this Law —

- (a) in respect of the grant of which the Administrator in Executive Council is the appropriate authority; or
- (b) in respect of the grant of which the prior approval of the Administrator in Executive Council is required by this Law; or
- (c) which is granted pursuant to any direction of the Administrator in Executive Council under section 29 of this Law,

shall be subject to such conditions as the Administrator in Executive Council in his discretion may direct to be specified therein.

26 — (1) Subject to the provisions of section 28 of this Law every licence under this Law shall expire on the first day of January next after the day on which it is granted, so, however, that any licence granted in the month of December in any year shall be dated the 1st of January ^{following} such year and shall come into force on such day and shall continue in force until the 1st ^{of} January ^{of} the succeeding year.

Duration of
licence or
permit.

(2) Subject to the provisions of section 28 of this Law, every Permit under this Law, except a Firearm User's (Special) Permit, shall continue in force until the act authorised to be done by such permit has been done or the expiration of the period specified in such permit, whichever shall first happen.

(3) Subject to the provisions of section 28 of this Law, every Firearm User's (Special) Permit shall continue in force until the revocation or expiration of the Proclamation applying the provisions of section 17 of this Law to the area, district, town or village to which such Permit relates.

27 — (1) Subject to the provisions of section 29 of this Law, the appropriate authority on being satisfied that —

Amendment
of licences.

- (a) the holder of any licence or permit under this Law has changed his name or address shall; or
- (b) the owner of any firearm to which any Firearm User's (Restricted) Licence relates has ceased to be the

owner or occupier of any premises specified in such licence shall; or

- (c) the owner of any such firearm has become the owner or occupier of any premises not specified in such Licence may, in his absolute discretion,

amend such licence in such manner as may be appropriate:

(2) Where the appropriate authority desires to amend any licence or permit under this section, he may give notice in writing to the holder of such licence —

- (a) specifying the nature of the amendment which he desires to make to such licence; and
- (b) requiring the holder thereof to cause such licence to be delivered to him on or before some day (not being less than three days after the receipt by the holder of such notice) specified in such notice for the purpose of such amendment being effected thereto.

(3) Every person on being required so to do by notice under subsection (1) of this section, fails to cause any licence to be delivered to the appropriate authority, on or before the day specified in such notice shall be guilty of an offence and shall be liable on summary conviction before the Stipendiary Magistrate to a fine not exceeding ten pounds or to imprisonment for a term not exceeding thirty days.

Revocation
of licence.

28 — (1) Subject to the provisions of section 29 of this Law, and of subsection (2) of this section, the appropriate authority may in his absolute discretion revoke any licence or permit under this Law.

(2) The appropriate authority shall upon being required so to do by any person who he is satisfied is the owner of any firearm in respect of which any Firearm User's Licence has been granted to any other person, revoke such Firearm User's Licence.

(3) Where the appropriate authority revokes any Licence or permit under this section, he shall give notice in writing to the holder thereof —

- (a) specifying that he has revoked such licence or permit;
- (b) requiring such person to deliver up such licence or permit to him on or before the day (not being less than three days after the date of the receipt of such notice by such person) specified in such licence.

(4) Every person who on being required so to do under paragraph (b) of subsection (3) of this section fails to deliver to the appropriate authority such licence or permit on or before the day specified in such notice shall be guilty of an offence and shall be liable on summary conviction before the Stipendiary Magistrate to a fine not exceeding ten pounds or to imprisonment for a term not exceeding thirty days.

29 — (1) Subject to the provisions of this section, any aggrieved party may appeal to the Administrator in Executive Council against any decision of an appropriate authority — Appeals.

- (a) refusing to grant any licence or permit under this Law; or
- (b) amending or refusing to amend any licence or permit under this Law; or
- (c) revoking or refusing to revoke any licence or permit under this Law.

(2) Notice of Appeal under this section shall be given to the Administrator in Executive Council in the prescribed form within twenty-one days of the date on which the aggrieved party first has notice of the decision against which he desires to appeal and shall be accompanied by the prescribed fee.

(3) Every appeal under this section shall be considered by the Administrator in Executive Council at such time and in such manner (whether in the presence or in the absence of the aggrieved party) as the Administrator in Executive Council may, in his absolute discretion think fit.

(4) Upon the determination of any appeal under this section the Administrator in Executive Council shall give to the appropriate authority against whose decision such appeal is taken such directions

as the Administrator in Executive Council may, in his absolute discretion, think fit.

(5) In this section the expression "aggrieved party" means the applicant for or the holder of any licence or permit in respect of the refusal to grant, the amendment or the revocation of which any appeal is taken and the owner of the firearm to which such application, licence or permit relates.

(6) The provisions of this section shall not apply to any licence or permit —

- (a) the appropriate authority for the grant of which is the Administrator in Executive Council; or
- (b) the grant of which is subject under this Law to the prior approval of the Administrator in Executive Council.

Appropriate
authority.

30 — (1) The appropriate authority for the grant, amendment or revocation of any Gunsmith's Licence shall be the Administrator in Executive Council.

(2) The appropriate authority in Grand Cayman Island for the grant, amendment or revocation of any Firearm Import Permit, or Firearm Export Permit, or Firearm User's (Special) Permit shall be the Chief of Police and the appropriate authority in the Lesser Islands shall be the District Commissioner.

(3) The appropriate authority in Grand Cayman Island for the grant, amendment or revocation of any Firearm User's Licence shall be the Chief of Police and the appropriate authority in the Lesser Islands shall be the District Commissioner.

(4) The appropriate authority in Grand Cayman Island for the grant, amendment or revocation of any permit not specified in subsection (1) to (3) (both inclusive) of this section shall be the Chief of Police and in the Lesser Islands the District Commissioner.

PART VI

POWER OF SEARCH AND TO OBTAIN INFORMATION.

31 — Any constable may at any time during which any premises upon which any person carries on business as a gunsmith are open for business enter such premises for the purpose of inspecting any records required to be kept by such person under this Law and of verifying the accuracy of such records by inspecting or taking an inventory of the stock of firearms possessed by such person or otherwise.

Further
power of
inspection.

32 — (1) Any constable who sees any person carrying any firearm in any public place may require such person to produce to him his Firearm User's Licence in relation to such firearm and if such place is within any area to which the provisions of section 17 of this Law apply to produce his special permit in relation to such firearm.

Power of
constable to
require pro-
duction of
Firearm User's
Licence.

(2) Every person who upon being required so to do fails to produce either of the documents referred to in subsection (1) of this section or to permit the constable to inspect such documents and to examine the firearm to which such documents relate for the purpose of verifying the particulars in such documents shall be guilty of an offence and shall on summary conviction before the Stipendiary Magistrate be liable to a fine not exceeding ten pounds or to imprisonment for a term not exceeding thirty days.

33 — (1) Where any constable suspects that any person is carrying any firearm concealed about his person he may —

Further pro-
visions rela-
ting to
production of
Firearm User's
Licence.

- (a) ask such person if he is carrying a firearm; and
- (b) if such person admits that he is carrying a firearm require such person to produce such firearm and his Firearm User's Licence in respect thereof and if the place in which such person is carrying such firearm is within any area to which the provisions of section 17 of this Law applies require him to produce his special permit in relation to such firearm.

(2) If any person ~~denies~~ that he is carrying any firearm about his person the constable may require such person to accompany

10/66

him to a Police Station or to a Justice of the Peace for the purpose of being searched with a view to ascertaining if he is carrying any firearm about his person.

(3) Every person who upon being required so to do under this section fails to produce any firearm which he admits he is carrying concealed about his person or to produce either of the documents referred to in this section in relation to such firearm or ~~to accompany any constable to a Police Station or to a Justice of the Peace for the purpose of being searched under this section~~ shall be guilty of an offence and shall upon summary conviction thereof before the Stipendiary Magistrate be liable to a fine not exceeding ten pounds or to imprisonment for a term not exceeding thirty days.

Search
warrants.

34 — Any Justice of the Peace may on being satisfied by information upon oath that there is reasonable cause to believe that any person is in possession of any firearm in contravention of this Law and that such firearm is in any place specified in such information may grant a search warrant in the prescribed form authorising the person to whom such warrant is addressed to enter such place (using force to effect entry thereof if entry cannot otherwise be effected) for the purpose of searching for such firearms.

PART VII

FINANCIAL AND MISCELLANEOUS.

Appropriate
fee.

35 — (1) Subject to the provisions of subsection (2) and (3) of this section, the appropriate fee —

- (a) on every Gunsmith's Licence, shall be ten pounds; and
- (b) on every Firearm User's (General) Licence, in respect of —
 - (i) a shot gun, air pistol ^{air gun} or air rifle — 15/-; 10/66
 - or
 - (ii) a revolver, pistol or any other firearm — four pounds;
- (c) on any Firearm User's (Restricted) Licence, in res-

1975 Amendment

pect of —

- (i) a shot gun, air pistol or ^{air gun} air rifle — 10/-; or
- (ii) a revolver, pistol or any other firearm — two pounds.

10/66

(2) Notwithstanding anything to the contrary, no licence fee shall be payable —

- (a) by the member of any rifle club recognised by the Administrator in respect of a Firearm User's Licence in relation to any rifle, pistol, air gun, air rifle or air pistol;
- (b) by the owner of any firearm to which the provisions of subsection (3) of this section apply.

(3) The provisions of this section apply to any firearm in respect of which the Chief of Police certifies that he is satisfied that such firearm is of an obsolete type and is not intended by the owner to be used by himself or by any other persons.

Custody of
firearms.

36 — (1) Every person who comes into possession of any firearm in the circumstances specified in paragraph (b) of subsection (2) of section 15 of this Law shall, within thirty days of coming into possession of such firearm, unless he has obtained a Firearm User's Licence in respect of such firearm within such period, deliver such firearm to the officer in charge of the Police Station nearest to the place at which he came into possession of such firearm together with a written statement as to the date on which, and the circumstances in which he came into possession of such firearm.

(2) Where any holder of any Firearm User's Licence is about to leave the Cayman Islands and does not desire to take the firearm to which such licence relates with him, he shall before leaving the Cayman Islands deliver such firearm either —

- (a) to some person who is the holder of a Firearm User's Licence in respect of such firearm; or
- (b) to the officer in charge of the Police Station nearest to the place at which he is ordinarily resident; or

- (c) with the written approval of the Chief of Police to some holder of a Firearm User's (General) Licence in respect of a firearm of similar type to such firearm, such person being specified in such approval.

+ (3) Every person who contravenes the provisions of subsection (1) and (2) of this section, shall be guilty of an offence and shall be liable on summary conviction before the Stipendiary Magistrate to a fine not exceeding ten pounds or to imprisonment for a term not exceeding one month.

(4) Every firearm received at any Police Station under this Section shall —

- (a) on the production of any person of a Firearm User's Licence granted to him in relation to such firearm either before or after the date on which such firearm was received at such Police Station, be delivered to such person; or
- (b) if not delivered to any person in accordance with the provisions of paragraph (a) of this subsection within twelve months of the date on which it was received at such Police Station, shall be forfeited to the Crown.

Forfeiture
of firearms.

37 — Where any person is convicted of any offence under this Law in relation to —

- (a) the importation, exportation, purchase, sale or alteration of any firearm; or
- (b) the possession or use of any firearm in respect of which he is not the holder of a Licence under this Law; or
- (c) the possession in any area to which the provisions of Section 17 of this Law apply of any firearm otherwise than in accordance with the terms of a Firearm User's (Special) Permit,

10/66 such firearm shall be forfeited to the Crown unless the Court by whom such person is convicted —

- (i) is satisfied that such person was, at the time of

the commission of such offence, not the owner and not acting with the authority of the owner of such firearm; and

- (ii) directs that such firearm shall not be so forfeited.

38 — Where any firearm is carried in parts by two or more persons in company each of such persons shall be deemed to carry a firearm.

Carrying firearms in parts.

39 — (1) The Administrator in Executive Council may make regulations, for the better carrying out of this Law, and in particular, but without prejudice to the generality of the foregoing, for prescribing anything required or permitted by this Law to be prescribed.

Regulations.

(2) Any regulation made under this section shall come into force on publication as a Government Notice.

40 — The provisions of this Law shall not apply —

When provisions shall not apply.

- (a) to any firearm the property of Her Majesty or the Government of these Islands, except at a time when such firearm is in the possession of some person other than a person authorised by or on behalf of Her Majesty or the Government of these Islands, as the case may be, to be in possession of such firearm; or
- (b) to any firearm forming part of the equipment of any ship or aircraft or of any aerodrome at any time when such firearm is on board of such ship or aircraft or at such aerodrome, as the case may be; or
- (c) to any humane killer the property of the Government of these Islands or of any prescribed person; or
- (d) to any member of the armed forces of Her Majesty, or of the Cayman Islands Police Force in respect of any firearm in his possession in his capacity as a member of the armed forces of Her Majesty, or for the Cayman Islands Police Force, as the case may be; or
- (e) to any officer or member of the crew of any ship or aircraft or any employee of any aerodrome in respect

of his possession on board of such ship or aircraft or at such aerodrome, and in his capacity as an officer or member of the crew of such ship or aircraft or an employee of such aerodrome, as the case may be, of any firearm referred to in paragraph (b) of this section; or

- (f) to any employee of the Government of these Islands or of any prescribed person in respect of his possession in his capacity as such employee of any humane killer; or
- (g) to any obsolete firearm forming part of any collection owned for museum purposes; or
- (h) to any spring gun or spring pistol, spear guns used for the purpose of fishing, bows and arrows, catapults or sling shots, pea-shooters or popguns.

Repeal of Law
9 of 1925.

41 — The Firearm Law 1925 is hereby repealed.

Passed the Assembly this 17th day of July, 1964.

J. A. CUMBER,
President.

SYBIL McLAUGHLIN,
Clerk of the Legislative Assembly.

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