

UYANA

No. 1 of 2010

REGULATIONS  
Made Under  
THE FIREARMS ACT

(Cap 16:05)

IN EXERCISE OF THE POWERS CONFERRED UPON ME BY SECTION 45 OF  
THE FIREARMS ACT, I MAKE THE FOLLOWING REGULATIONS:-

ARRANGEMENT OF REGULATIONS

REGULATION

PART 1  
PRELIMINARY

1. Citation
2. Interpretation.

PART 2  
GRANT OF FIREARM LICENCE

3. Application for firearm licence.
4. Commissioner to conduct review.
5. Commissioner to submit report.
6. Firearms Licensing Approval Board.
7. Minister shall advise Commissioner.
8. Minister may refer recommendations for further review.

PART 3  
REGISTRATION OF FIREARMS DEALERS

9. Application for certificate of registration.
10. Commissioner to offer comments.
11. Firearms Licensing Approval Board for review.
12. Minister's decision.
13. Minister may disregard recommendations.

PART 1  
PRELIMINARY

- Citation 1. These Regulations may be cited as the Firearms (Licensing) Regulations 2010.
- Interpretation 2. In these Regulations-
- Cap 16:01 "Commissioner" has the same meaning assigned to it under the Police Act.

PART 2  
GRANT OF FIREARM LICENCE

Application  
for firearm  
licence.

- 3.(1) Where an application is made to the prescribed officer for the grant of a firearm licence by any person, the application shall be accompanied with particulars set out in Form G of the First Schedule to the Act.
- (2) The prescribed officer on receipt of the application shall cause an investigation to be conducted to ascertain if the application satisfies the conditions set out in section 18 of the Act to warrant the grant of a firearm licence.
- (3) The investigator shall ascertain whether or not the applicant –
- (a) is involved in any criminal conduct;
  - (b) has a criminal record;
  - (c) is a threat to the National Security of Guyana; or
  - (d) is involved in any other activity that would render him ineligible for the grant of a firearm licence.
- (4) At the end of the investigation, the prescribed officer shall cause a report on the investigation to be prepared along with a recommendation as to whether or not the applicant should be granted permission to be a licensed firearm holder and submit the report with the recommendation to the Commissioner.

Commissioner  
to conduct  
review.

4. The Commissioner on receipt of the report with the recommendation from the prescribed officer shall conduct a review of the report and the recommendation.

Commissioner  
to submit  
report.

5. The Commissioner shall submit the report with the recommendation received from the prescribed officer to the Minister accompanied with any finding of the review conducted by the said Commissioner.

Firearms  
Licensing  
Approval  
Board.

6.(1) The Minister shall appoint three persons to form the Firearms Licensing Approval Board with clear terms of reference to review all applications received from the Commissioner for the grant of firearm licences and the registration of firearms dealers, under sections 18 and 24 of the Act, respectively.

(2) On receipt of the application from the Minister, the Firearms Licensing Approval Board shall examine it together with the recommendations and submit their own recommendation within one month to the Minister as to whether the application shall be granted or refused.

Minister  
shall  
advise  
Commissioner.

7. (1) The Minister on receipt of the recommendation from the Firearms Licensing Approval Board shall consider the recommendation made and shall accordingly advise the Commissioner.

(2) The Commissioner on receipt of the advice of the Minister shall inform the prescribed officer and the applicant of the decision in writing within a reasonable time.

(3) The prescribed officer shall as soon as practicable after receipt of the authority to issue a firearm licence, arrange for the firearm licence to be issued to the applicant in accordance with section 19 of the Act.

Minister  
may refer  
recommendations  
for further review.

8. Notwithstanding the provisions of these Regulations, the Minister shall have the power to refer the recommendations of the Firearms Licensing Approval Board for further review with such directions he may deem fit.

### PART 3

#### REGISTRATION OF FIREARMS DEALERS

Application  
for certificate  
of  
registration

9.(1) Where an application is made to the Commissioner by a person to become a licensed firearms dealer, the application shall be accompanied by particulars set out in Form J of the First Schedule to the Act.

(2) The Commissioner on receipt of the application shall cause an investigation of the claims of the applicant to be conducted to verify their authenticity, in compliance with section 24 of the Act and shall submit a report to the Minister stating whether or not the applicant –

- (a) has any criminal record;
- (b) is engaged in any illegal activity;
- (c) is a threat to the National Security of Guyana; or
- (d) is engaged in any other activity that would render him ineligible to become a licensed firearms dealer.

Commissioner  
to  
offer  
comments.

10. The Commissioner on receipt of the report on the applicant shall offer his comments as to whether the application shall be granted or refused and submit the report with his comments to the Minister.

Firearms  
Licensing  
Approval  
Board.

11. The Minister on receipt of the report and recommendation from the Commissioner shall transmit same to the Firearms Licensing Approval Board for review.

(2) The Firearms Licensing Approval Board shall submit its recommendation to the Minister as to whether a licensed firearms dealership shall be granted to the applicant.

Minister's  
decision.

12.(1) The Minister on receipt of the recommendation from the Firearms Licensing Approval Board shall make his decision

(2) The Minister shall inform the Commissioner of his decision to grant or refuse the application in writing.

(3) The Commissioner on receipt of the decision of the Minister shall inform the applicant as soon as practical thereafter, informing him whether or not his application has been successful

(4) If the application is successful, the Commissioner shall cause the firearms dealer's certificate of registration to be issued to the applicant in accordance with sections 25 and 26 of the Act.

Minister  
may disregard  
recommendations.

3. Notwithstanding the provisions of these Regulations, the Minister shall have the power to disregard the recommendations of the Firearms Licensing Approval Board and arrive at his decision to grant or refuse the certificate of registration in accordance with his own deliberate judgment.

Made this <sup>15</sup> day of April, 2010.



Minister of Home Affairs.