

**BILLS SUPPLEMENT**

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**Bill No. 14**      *Firearms (Amendment) Bill*

**2004**

**THE FIREARMS (AMENDMENT) BILL, 2004.**

**MEMORANDUM.**

The object of this Bill is to make miscellaneous amendments in the Firearms Act, (Cap. 299) in order to strengthen the penalties in that Act with a view to combating and providing a sufficient deterrent against offences involving possession and use and of firearms.

Finally, references in the Bill to Acts and sections of Acts in existence before the year 2001 which are now contained in the Revised Edition of the Laws of Uganda which was brought into force on 1st October, 2003 by Statutory Instrument No. 69 of 2003 issued by the Attorney General, are now adapted to read as references to the corresponding sections and chapters as contained in the new Revised Edition.

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**HON. RUHAKANA RUGUNDA,**  
*Minister of Internal Affairs.*

ARRANGEMENT OF CLAUSES.

*Clause.*

1. Short title.
2. Amendment of section 1 of the principal Act.
3. Amendment of the principal Act.
4. Amendment of section 4 of the principal Act.
5. Amendment of section 5 of principal Act.
6. Amendment of section 10 (2) of the principal Act.
7. Amendment of section 12 of the principal Act.
8. Amendment of section 13 of the principal Act.
9. Amendment of section 14 of the principal Act.
10. Amendment of section 16 (3).
11. Amendment of section 17 (6) of the principal Act.
12. Amendment of section 18 of the principal Act.
13. Amendment of section 20 of the principal Act.
14. Amendment to section 21 of the principal Act.
15. Amendment to section 25 of the principal Act.
16. Amendment to section 26 of the principal Act.
17. Amendment of section 27.
18. Amendment of section 28 (2) of the principal Act.
19. Amendment of section 30 of the principal Act.
20. Amendment of section 31 of the principal Act.
21. Amendment of section 32 of the principal Act.

22. Amendment of section 33 (4) of the principal Act.
23. Amendment of section 36 of the principal Act.
24. Amendment of section 41 of the principal Act.
25. Amendment of section 42 of the principal Act.
26. Power of a Minister to amend the value of currency point.
28. Introduction of new Schedule to principal Act.

SCHEDULE  
CURRENCY POINT.

A Bill for an Act

ENTITLED

**THE FIREARMS (AMENDMENT) ACT, 2004**

**An Act to amend the Firearms Act.**

Be it enacted by Parliament as follows:

1. This Act may be cited as the Firearms (Amendment) Act, 2004. Short title.
2. Section 1 of the Firearms Act, in this Act referred to as the principal Act, is amended by the insertion immediately after the definition of "chief licensing officer", of the following new definition— Amendment of section 1 of the Firearms Act.

"currency point" has the value assigned to it in the Schedule to this Act".
3. The principal Act is amended in section 3— Amendment of section 3 of Principal Act.

(a) in subsection (2), by substituting for the words "a fine not exceeding twenty thousand shillings or both" the words "a fine not exceeding six hundred currency points or both"; and

90c

(b) by substituting for subsection (4) the following—

“(4) Any person who contravenes subsection (3), commits an offence and is liable on conviction, to imprisonment not exceeding one year or a fine not exceeding sixty currency points or both”.

4. Subsection (10) of section 4 of the principal Act is amended by substituting for the words “to a fine not exceeding twenty thousand shillings or both” the words “to a fine not exceeding two hundred and fifty currency points or both”.

5. Subsection (2) of section 5 of the principal Act is amended by substituting for the words “a fine not exceeding one thousand shillings”, the words “imprisonment not exceeding one year or a fine not exceeding sixty currency points or both”.

6. Section 10 of the principal Act is amended by substituting for subsection (2) the following—

“(2) Any person who fails to comply with a demand made under subsection (1) commits an offence and is liable on conviction, to imprisonment not exceeding one year or a fine not exceeding sixty currency points or both.

7. For subsection (3) of section 12 of the principal Act there is substituted the following new subsection—

“(3) Any person who contravenes any of the provisions of subsection (1) commits an offence and on conviction, is liable to imprisonment not exceeding five years or a fine not exceeding three hundred currency points or both”.

8. Subsection (4) of section 13 of the principal Act is amended by substituting for the words “to a fine not exceeding twenty thousand shillings or both” the words “to a fine not exceeding three hundred currency points or both”.

9. Subsection (4) of section 14 of the principal Act is amended by substituting for the words “to a fine not exceeding twenty thousand shillings or to both” the words “to a fine not exceeding three hundred currency points or both”.

10. Subsection (3) of section 16 of the principal Act is amended by substituting for the words “a fine not exceeding one thousand shillings”, the words “imprisonment not exceeding one year or a fine not exceeding sixty currency points or both”.

11. Subsection (5) of section 17 of the principal Act is amended by substituting for the words “six months or to a fine not exceeding two thousand shillings or both”, the words “two years or a fine not exceeding one hundred and twenty currency points or both”.

12. Section 18 of the principal Act is amended by substituting for subsection (4) the following—

“(4) Any person who fails to comply with any of the provisions of this section commits an offence and is liable on conviction to imprisonment not exceeding one year or a fine not exceeding sixty currency points or both”.

13. Section 20 of the principal Act is amended by substituting for subsection (2) the following—

“(2) Any person who contravenes the provisions of this section commits an offence and is liable on conviction to imprisonment not exceeding ten years or a fine not exceeding six hundred currency points or both”.

14. Subsection (4) of section 21 of the principal Act is amended by substituting for the words “to a fine not exceeding twenty thousand shillings or to both”, the words “to a fine not exceeding three hundred currency points or both”.

Amendment of section 14 of the principal Act

Amendment of section 16 (3).

Amendment of section 17 (6) of the principal Act.

Amendment of section 18 of the principal Act.

Amendment of section 20 of the principal Act.

Amendment to section 21 of the principal Act.

Amendment of section 4 of the principal Act.

Amendment of section 5 of principal Act.

Amendment of section 10 (2) of the principal Act.

Amendment of section 12 of the principal Act.

Amendment of section 13 of the principal Act.

190d

Amendment to section 25 of the principal Act.

15. Section 25 of the principal Act is amended—

(a) by substituting for subsection (2) the following new subsection—

(2) Any person who contravenes subsection (1) commits an offence and is liable on conviction to imprisonment not exceeding five years or a fine not exceeding three hundred currency points or both; and

(b) in subsection (7) by substituting for the words “six months or to a fine not exceeding two thousand shillings or both”, the words “two years or a fine not exceeding one hundred twenty currency points or both”.

Amendment to section 26 of the principal Act.

16. Subsection (7) of section 26 of the principal Act is amended by substituting for the words “to a fine not exceeding twenty thousand shillings or to both”, the words “to a fine not exceeding three hundred currency points or both”.

Amendment of section 27.

17. Section 27 of the principal Act is amended by substituting for subsection (4) the following—

“(4) Any person who contravenes any of the provisions of this section commits an offence and is liable on conviction, to imprisonment not exceeding one year or a fine not exceeding sixty currency points or both”.

Amendment of section 28 (2) of the principal Act.

18. Subsection (2) of section 28 of the principal Act is amended by substituting for the words “for a term not exceeding six months or a fine not exceeding two thousand shillings or both”, the words “not exceeding one year or a fine not exceeding sixty currency points or both”.

Amendment of section 30 of the principal Act.

19. Section 30 of the principal Act is amended by substituting for subsection (3) the following—

“(3) Any person who contravenes any of the provisions of this section commits an offence and is liable on conviction to imprisonment not exceeding two years or a fine not exceeding one hundred and twenty currency points or both”.

20. For section 31 of the principal Act there is substituted the following—

Replacement of section 31 of the principal Act.

“Carrying firearm while drunk or disorderly

31. Any person who, whether by reason of intoxication or otherwise, while carrying a firearm, acts in a dangerous or disorderly manner commits an offence and is liable on conviction to imprisonment not exceeding two years or a fine not exceeding one hundred and twenty currency points or both”.

21. Section 32 of the principal Act is amended by substituting for subsections (2) and (3) the following—

Amendment of section 32 of the principal Act.

“(2) Any person who displays or attempts to display any firearm or imitation firearm in a public place in such manner as to cause alarm to any member of the public, commits an offence and is liable on conviction, to imprisonment not exceeding one year or a fine not exceeding sixty currency points or both.

(3) Any person who discharges any firearm deliberately or negligently in a public place thereby causing alarm to any member of the public commits an offence and is liable on conviction, to imprisonment not exceeding five years or a fine not exceeding three hundred currency points or both”.

90e

Amendment of section 33 (4) of the principal Act.

22. Subsection (4) of section 33 is amended by substituting for the words "to a fine not exceeding one thousand shillings", the words "on conviction to imprisonment not exceeding one year or a fine not exceeding sixty currency points or both".

Amendment of section 36 of the principal Act.

22. Section 36 of the principal Act is amended by substituting for the words "to a fine not exceeding ten thousand shillings or both" the words "to a fine not exceeding one hundred and twenty currency points or both".

Amendment of section 41 of the principal Act.

24. Section 41 of the principal Act is amended by substituting for subsection (2) the following—

"(2) Any person who contravenes, refuses or neglects to comply with any order made under subsection (1) commits an offence and is liable on conviction, to imprisonment not exceeding five years or a fine not exceeding three hundred currency points or both".

Amendment of section 42 of the principal Act.


25. Section 42 of principal Act is amended by inserting immediately after subsection (2) the following new subsection—

"(3) Regulations made under this section may prescribe in relation to the contravention of any provision of the regulations—

- (a) a penalty not exceeding three years imprisonment or a fine not exceeding one hundred and eighty currency points or both;
- (b) in the case of a second or subsequent offence a fine not exceeding two hundred and fifty currency points or imprisonment not exceeding four years or both;

(c) a requirement that the court convicting the offender shall order the forfeiture to the state of anything used for or in connection with the offence".

26. The principal Act is amended by inserting immediately after section 43 the following new section—

 "Power of the Minister to amend Schedule

43A. The Minister may, with approval of the Cabinet and in consultation with the Minister responsible for finance, by statutory instrument, amend the Schedule to this Act".

Power of a Minister to amend the value of currency point.

27. The principal Act is amended by inserting at the end, the following new Schedule—

"SCHEDULE

Sections 41 and 43A  
CURRENCY POINT.

A currency point is equivalent to twenty thousand Uganda shillings".

Introduction of new Schedule to principal Act.

9/10/04