



Tonga

ARMS AND AMMUNITION REGULATIONS

Chapter 20.03.1

2016 Revised Edition



ARMS AND AMMUNITION REGULATIONS

Arrangement of Regulations

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ARMS AND AMMUNITION REGULATIONS

Made by the Privy Council¹

Commencement [28th February, 1969]

1 Short title

These Regulations may be cited as the Arms and Ammunition Regulations.

2 Conditions of licences

Every licence to possess, use or carry an arm and ammunition shall be subject to the following conditions —

- (a) that the holder thereof, hereinafter referred to as the Licensee, shall not part with possession of such arm or ammunition except to a person lawfully entitled to possess the same;
- (b) that the Licensee shall not have in his possession any ammunition in excess of the quantity specified in his licence;
- (c) that the Licensee shall observe the provisions made thereunder;
- (d) that the Licensee shall obey all lawful orders of any police officer relating to such arm and ammunition and shall produce such arm and ammunition to any police officer on demand;
- (e) that such arm and ammunition shall not be used for any unlawful purpose.

3 Rifles and shotguns

Where the arm specified in a licence to possess, use and carry an arm and ammunition is a rifle or a shot gun, it shall be a condition of such licence that such rifle or shot gun shall be carried unloaded; and —

- (a) in the case of a rifle, with, if possible, the magazine and bolt removed, or otherwise with the magazine or bolt removed; or
- (b) in the case of a shot gun, either broken or in parts:

Provided that —

- (i) the provisions of this regulation shall not apply when such rifle or shot gun is being carried with the “immediate” intention of discharging the same;
- (ii) the provisions of paragraph (a) or paragraph (b) of this regulation shall not apply if compliance with such paragraph is impossible.

4 Dealers and repairers

It shall be a condition of a licence to deal in and repair arms and ammunition —

- (a) that the holder of such licence (hereinafter referred to as the Licensee), or his servants employed in the ordinary course of business of such holders shall observe the provisions of the Principal Act and of any Regulations made thereunder;
- (b) that the Licensee or his servants employed as aforesaid shall not part with possession of any arm or ammunition except to a person lawfully entitled to the possession thereof;
- (c) that the Licensee or his servants employed as aforesaid shall obey all lawful orders of any police officer relating to any arm or ammunition in his or their possession;
- (d) that the Licensee shall not have in his possession any ammunition in excess of the quantity specified in his licence;
- (e) that any arm and ammunition in the possession of the Licensee shall not be used for any unlawful purpose;
- (f) that the Licensee shall ensure that proper records required under the Principal Act are maintained by him in the prescribed form.

5 Disposal of arms and ammunition

- (1) Any arm or ammunition deposited for safe keeping at any police station in accordance with the provisions of section 33(3) of the Principal Act, if not taken possession of by the lawful owner thereof within 12 months from

the date of such deposit, shall be disposed of by the Minister of Police unless the Minister of Police has reason to believe that the lawful owner intends to take possession of such arm or ammunition.

- (2) Any arm or ammunition detained under sections 25 and 30 of the Principal Act which has to be disposed of under section 34 of the Principal Act, shall be disposed of as the Minister deems fit.
- (3) In either of the above cases if the arm or ammunition is sold, the proceeds of such sale, less expenses, shall be paid to the owner of the arm or ammunition:

Provided that if the whereabouts of the owner cannot be ascertained the proceeds of such sale shall be paid into general revenue.

- (4) The Minister of Police, at least one month prior to such disposal, shall advertise in at least one edition of any newspaper regularly circulating in the Kingdom his intention of disposing of such arm or ammunition, and naming the owner thereof.
- (5) Any arm or ammunition forfeited under the provisions of the Principal Act may be disposed of as directed by the Minister of Police.
- (6) Where under this regulation arms and ammunition are directed to be disposed of, they may, if a suitable purchaser is available, be sold.

6 Fees

The fees set out in the First Schedule to these Regulations are hereby prescribed for the purposes of the Principal Act and shall be paid in respect of the matters therein set out.

7 Forms

The forms set out in the Second Schedule to these Regulations are hereby prescribed for the purposes of the Principal Act.

FIRST SCHEDULE**FEES²***(Regulation 6)*

On the first issue of a licence to possess, use and carry arms and ammunition	\$10.00
On renewal of licence	\$5.00
For licence to replace one lost, destroyed or defaced	\$2.50
For a licence to deal in or to repair arms and ammunition	\$50.00
For a licence to purchase or transfer arms and ammunition	\$10.00
For a licence to import or export arms and ammunition	\$25.00
For an interim licence to import arms and ammunition	\$10.00

SECOND SCHEDULE*(Section 6(1))***APPLICATION FOR LICENCE TO POSSESS, USE OR CARRY ARMS AND AMMUNITION (OR FOR RENEWAL OR TRANSFER THEREOF)**

1. Name in full
2. (a) Address
- (b) Length of period resident at address
3. Age
4. Nationality
5. Occupation
6. Reason for requiring the arm and ammunition
7. Description of arms and ammunition for which licence required
8. (a) Arms —

	Quantity	Calibre and Type
(i) Possessed at date of application.....

 (b) Ammunition —

(i) Maximum amount desired to be purchased, acquired or possessed at any one time
(ii) Total amount desired to be purchased or acquired in one year
9. (a) Whether a licence or permit has previously been held, or applied for by applicant. If so, give dates of all previous applications
- (b) Date and place of issue of any licence or permit to possess arms or ammunition held during previous 12 months

DECLARATION

10. I hereby apply for a licence (renewal of any existing licence) in respect of the arms and ammunition specified above, and I declare that the statements made above are true and complete in all respects.

Date Signature

Serial No

(Section 4(1))

LICENCE TO POSSESS, USE OR CARRY ARMS AND AMMUNITION

This licence authorizes of

(hereinafter referred to as the licensee) in the Kingdom of Tonga to possess, use and carry the arms and ammunition specified hereunder until the 31st day of December next following the day on which this licence is issued and is subject to the conditions hereinafter set out. Any breach of the conditions may result in this licence being cancelled or suspended or in being prosecuted.

Maker	Calibre and Type	Identification No	Amount and Type of Ammunition

- (a) The licensee shall not part with possession of such arm and ammunition except to a person lawfully entitled to possess the same;
- (b) The licensee shall not have in his possession any ammunition in excess of the quantity specified in this licence;
- (c) The licensee shall observe the provisions of the Arms and Ammunition Act and of any Regulations made thereunder;
- (d) The licensee shall obey all lawful orders of any police officer relating to such arm and ammunition and shall produce such arm and ammunition to any police officer on demand;
- (e) Such arm and ammunition shall not be used for any unlawful purpose;
- (f) If the arm or arms specified above include a rifle or shot gun, such rifle or shot gun shall be carried unloaded; and
 - (i) in the case of a rifle, with, if possible, the magazine and bolt removed, or otherwise with the magazine or bolt removed, or
 - (ii) in the case of a shot gun, either broken or in parts: Provided that —
 - (a) This condition shall not apply when such rifle or shot gun is being carried with the immediate intention of discharging the same;

- (b) the provisions of paragraph (f)(i) or paragraph (f)(ii) abovementioned shall not apply if compliance with this condition is impossible.

Issued this.....day of....., 20..... at.....

and Revenue Receipt No.....dated.....was issued

.....

Licensing Officer.

NOTICE

Notwithstanding the fact that this licence is in force in relation to the above arms and ammunition it is an offence to carry arms and ammunition in a prohibited area unless exemption has been given. Full details of any prohibited area may be obtained at any police station and all licence holders are advised to discover the boundaries of such areas.

Serial No

(Section 10(2))

ARMS AND AMMUNITION DEALER'S LICENCE

This licence authorises of

(hereinafter referred to as the Licensee) in the Kingdom of Tonga in his business as a licensed arms and ammunition dealer —

- (a) to assemble or disassemble, clean, repair, test or approve an arm or ammunition;
- (b) to manufacture any component part of an arm or ammunition;
- (c) to sell, transfer or expose for sale any arm or ammunition;
- (d) to keep or have in their possession any arm or ammunition for any of the aforesaid purposes at the following place(s) and subject to the following conditions —
 - (i) that the Licensee or his servants employed in the ordinary course of business as a licensed arms and ammunition dealer, shall observe the provisions of the Arms and Ammunition Act and of any Regulations made thereunder;
 - (ii) that the Licensee or his servants, employed as aforesaid, shall not part with possession of any arm or ammunition except to a person lawfully entitled to possess the same;
 - (iii) that the Licensee or his servants employed as aforesaid shall obey all lawful orders of any police officer relating to any arm or ammunition in their possession;
 - (iv) that the Licensee shall not have in his possession any ammunition in excess of the quantity specified in his licence;
 - (v) that any arm and ammunition in the possession of the Licensee shall not be used for any unlawful purpose;
 - (vi) that the Licensee shall ensure that proper records required under the Arms and Ammunition Act and any regulations made thereunder are maintained by him in the prescribed form.

Issued this.....day of....., 20..... at.....

FEE Paid \$50

Licensing Officer.

Serial No...../Year

(Section 14(1))

LICENCE TO PURCHASE OR OBTAIN ON TRANSFER ARMS AND AMMUNITION

..... of, is hereby licensed to purchase (obtain on transfer) from of the arms and ammunition described hereunder within one month of the date hereof.

(Here specify the number and description of arms)

Issued this.....day of....., 20..... at.....

FEE Paid \$10

Minister of Police.

Serial No...../Year

(Section 15(2))

LICENCE TO IMPORT ARMS/AMMUNITION

License is hereby granted to: —

Name

Address

to import into the Kingdom of Tonga the arms/ammunition specified hereunder.

Arms.

Type.	Make.	Number.	Description.
1.			
2.			
3.			
4.			

Ammunition.

Type.	Make.	Quantity.
1.		
2.		
3.		
4.		

Fee \$ (paid/unpaid)

Date:

Minister of Police.

NOTE: This licence covers only the importation of arms and ammunition. Private persons (not being licensed dealers) must obtain the relevant Arms Licence before the arm/ammunition can be withdrawn from Customs.

Serial No...../Year

(Section 17(2))

LICENCE TO EXPORT ARMS/AMMUNITION

PART I

Licence is hereby granted to —

Name

of

to export from the Kingdom of Tonga the arms and/or ammunition specified hereunder. This Licence is valid fordays from the date of its issue.

Arms.

Type.	Make.	Calibre & Number	Description.	Current LicenceNo.
1.				
2.				
3.				
4.				

Ammunition.

Calibre.	Make.	Quantity.
1.		
2.		
3.		
4.		

Fee \$ (paid/unpaid)

Date:

Minister of Police.

cc. Controller of Customs.

PART II

TO the Minister of Police,

I certify that I have exported from the Kingdom of Tonga the arms
and/or ammunition specified in Export Licence No

Method.....

Date

Signature.....

Date.....

NOTE: Part II is to be completed by the Licence Holder or his Agent and is to be handed to a Police, Customs, or Immigration Office at the port of exit.

TABULAR RECORD

Date	Details of Transaction	Firearm Serial No.	.25"		.32"		9mm		Others		.32"		.38"		.45"		Others		12 bore		16 bore		Others		Rifles		Combini-Goose Firearms		Other Firearms		
			No.	Bal.	No.	Bal.	No.	Bal.	No.	Bal.	No.	Bal.	No.	Bal.	No.	Bal.	No.	Bal.	No.	Bal.	No.	Bal.	No.	Bal.	No.	Bal.	No.	Bal.	No.	Bal.	

LICENSED DEALERS REGISTER OF TRANSACTIONS AND STOCK
 COMPONENT PARTS

(i.e. belts, barrels, chambers or magazines—a separate folio to be used for each)

Nature of Part.....

Date	From whom acquired or to whom issued (full name and address)	Description (Make, Calibre, etc.)	Quantity	No. and date of import/export licence (if any)	Firearm licence No. (if any) of person with whom transaction made	Balance in Stock

LICENSED DEALERS REGISTER OF TRANSACTIONS & STOCK

AMMUNITION

(A separate folio to be used for each calibre of ammunition)

Calibre.....

Receipts			Issues					
Date	From whom received (full particulars)	Quantity	Date	Name & address of recipient	Export Import Licence No. & Date	Arms Licence No. & Date	Quantity	Balance in Stock

LICENSED DEALERS REGISTER OF TRANSACTION AND STOCK
 REPAIRS, ALTERATIONS, STORAGE, TESTING, ETC.

1	2	3	4	5	6	7	8	9
Date	Full name and address of depositor	Reason for depositing	Make, type, calibre and identification No. of firearm or component part deposited	Quantity and Calibre of ammunition deposited	Date removed	By whom removed (full name address)	Firearm licence No. or other authority of person removing	REMARKS

(Section 10(4))

DEALER'S REGISTER OF TRANSACTIONS & STOCK

FIREARMS

(A separate folio to be used for each type of firearms, i.e. pistols/revolvers/shotguns/rifles/combination firearms/others)

Type

Acquisition					Disposal			
1	2	3	4	5	6	7	8	9
Serial No. (to be commenced afresh each year) and date of acquisition	Source (in case of import state country), name and address of firm or person from whom acquired	Make, calibre and identity No.	No. and date of import Licence (if any)	Firearm licence (if any) of person from whom acquired	Date	Name and address of person to whom issued	Firearm licence or other authority of person to whom issued	Remarks and additional information

LICENSED DEALERS REGISTER OF TRANSACTIONS AND STOCK
 COMPONENT PARTS

(i.e. belts, barrels, chambers or magazines—a separate folio to be used for each)

Nature of Part.....

Date	From whom acquired or to whom issued (full name and address)	Description (Make, Calibre, etc.)	Quantity	No. and date of import/export licence (if any)	Firearm licence No. (if any) of person with whom transaction made	Balance in Stock

ENDNOTES

¹ 1988 Revised Edition Cap. 39 — GS 2/69, GS 167/86

² Substituted by GS 167/86