



**SUPPLEMENT No. 2**  
**TO**  
**THE SOVEREIGN BASE AREAS GAZETTE**  
**No. 1650 of 15th May 2012**  
**LEGISLATION**

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**FIREARMS AND OTHER WEAPONS (AMENDMENT) ORDINANCE 2012**

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An Ordinance to amend the Firearms and Other Weapons Ordinance 2009

**G. E. STACEY**  
**ADMINISTRATOR**

*10th May 2012.*

**BE** it enacted by the Administrator of the Sovereign Base Areas of Akrotiri and Dhekelia as follows:—

**1. Short title and commencement**

This Ordinance may be cited as the Firearms and Other Weapons (Amendment) Ordinance 2012 and comes into force on 11 June 2012.

**2. Amendments to the Firearms and Other Weapons Ordinance 2009**

The Firearms and Other Weapons Ordinance 2009(a) is amended in accordance with sections 3 to 13.

**3. Amendment to section 2 (Interpretation)**

Section 2 is amended as follows—

- (a) in the definition of “airgun” for “but does not include air pistols” substitute “as well as an air pistol or an air revolver”;
- (b) for the definition of “gun dealer” substitute—

““gun dealer” means a person whose trade or business consists wholly or partly in the manufacture, trade, exchange, hiring out, repair or conversion of firearms, parts and ammunition;”;
- (c) insert in the appropriate places—

““ammunition” includes bullets, cartridge cases, primers, propellant powder or projectiles which are used in a firearm;”;

““distance communication” means a transaction to acquire a firearm where the parties to the transaction are not physically present;”;

““part” in relation to a weapon means any element or replacement element specifically designed for a weapon and essential to its operation including a barrel, frame or receiver, slide or cylinder, bolt or breech block, and any device designed or adapted to diminish the sound caused by firing a weapon;”.

#### **4. Insertion of Part 1A**

After Part 1 insert—

##### **“PART 1A**

Acquisition: general

##### **3A. Distant communication**

- (1) Except where subsection (2) applies, a person who is not a gun dealer in possession of a gun dealer’s licence may not acquire a weapon, a part of a weapon, or ammunition by means of distance communication.
- (2) This subsection applies where a person has an import licence.”.

#### **5. Amendment to section 4 (Acquisition and possession of firearms of categories A, B and C and collectable guns)**

In subsections 4(8) and 4(9) for “this section” both times it appears substitute “subsection 4(3)”.

#### **6. Amendment to section 5 (Acquisition and possession of firearms of category D)**

After section 5(3) insert—

“(3A) If the Chief Constable considers that there may be medical reasons why an applicant should not hold a licence, the Chief Constable may require the applicant to obtain a medical certificate from a qualified doctor certifying the applicant’s competence to hold a licence.”.

#### **7. Amendment to section 14 (Notification to the police)**

Section 14 is amended as follows—

- (a) after subsection (2) insert—

“(2A) Where subsection (2B) applies, the identification marks and numbers referred to in subsection (2) must comply with the system for identifying weapons established under corresponding Republican Law.

- (2B) This subsection applies where a weapon—

- (a) is manufactured in the Areas; or
- (b) was manufactured before 1880; and
  - (i) has been deactivated; and
  - (ii) does not have adequate identification marks or numbers rendering it unique.”;

- (b) for subsection(6) substitute—

“(6) A gun dealer must—

- (a) retain the register referred to in subsection (3) for a period of 5 years from the date referred to in that subsection;
- (b) deliver the register referred to in subsection (3) to the Chief Constable within 5 working days of ceasing to carry on the undertaking of a gun dealer.”.

#### **8. Amendment to section 17 (Transport and use of firearms)**

For section 17(2)(d) substitute—

“(d) is transporting the firearm or airgun on a road on the day before a game season starts and—

- (i) the firearm is dismantled; and
- (ii) the person holds a hunting licence issued under the Games and Wild Birds Ordinance 2008**(b)** or under Republican Law which corresponds to that Ordinance; or”.

**9. Amendment to section 18 (Import and export of weapons)**

Section 18(3) is amended as follows—

- (a) in paragraph (a) for “any person” substitute “a natural person”;
- (b) after paragraph (a) insert—
  - “(aa) an import licence permitting the import of a collectable gun to a legal person with a place of business in the Areas;”.

**10. Amendment to section 22 (Certain persons prohibited from possessing weapons)**

In Section 22 (2) after paragraph (m) omit “and” and insert—

- “(ma) unlawful injury of a person with use of a firearm contrary to section 228, 231, 234(a) or 243 of the Criminal Code**(c)**; and”.

**11. Substitution of section 30 (Use of weapons by unlicensed persons)**

For section 30 substitute—

**“30. Licence for use of weapon owned by another person**

- (1) A relative (“R”) of the first or second degree of a person (“P”) who owns a weapon of a type specified in subsection (2) may use the weapon providing—
  - (a) both R and P hold an acquisition and possession licence for the weapon; and
  - (b) P has given consent to the use of the weapon by R.
- (2) The types of weapons specified in this subsection are—
  - (a) a firearm of Category D;
  - (b) an airgun;
  - (c) a type of gun or article specified in section 10(2).
- (3) If R is charged with an offence specified in section 22(2), the licence for R’s use of the weapon is deemed to be suspended until the end criminal proceedings, and R must surrender that licence to the Chief Constable.
- (4) If R is not convicted of the offence the deemed suspension of R’s licence ceases, and the Chief Constable is to return the licence to R.
- (5) If R is convicted of the offence R’s licence ceases to be valid.”.

**12. Amendment to Schedule 1 (Categories of firearms)**

Schedule 1 is amended as follows—

- (a) for the unnumbered paragraph at the beginning of Part 1 substitute—
  - ““Firearm” means any portable barrelled weapon falling within Part 2 or 3 that expels, is designed to expel or may be converted to a expel a shot, bullet or projectile by the action of a combustible propellant, but does not include a gun referred to in Part 4.”;
- (b) for paragraph (h) of Part 1 substitute—
  - “(h) “short firearm” means a firearm with a barrel not exceeding 60 cm”;
- (c) In Part 2, in the unnumbered paragraph relating to a Category D firearm, add at the end of the paragraph, “, and the length of the barrels is not shorter than 60 cm”.

### **13. Amendment to Schedule 2 (Forms)**

For Forms B1, E1, H, I and J2 in Schedule 2 substitute the forms with the same references in the Schedule to the Ordinance.

### **14. Revocation**

The Notice (Public Instrument 63/74) dated 16 December 1974 made under section 3(2) of the Recognition of Republican Licences Ordinance 1969(d) is revoked.

## **SCHEDULE**

(section 13)

### **Forms to be substituted for the forms in Schedule 2**

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#### **Notes**

- (a) Ordinance 21/09.
- (b) Ordinance 21/08; to which there are amendments but not related to licences.
- (c) Cap 153 Statute Laws of Cyprus revised edition 1959, as applied to and adapted in the Areas by the Sovereign Base Areas of Akrotiri and Dhekelia Order in Council 1960 (S.I. 1960/139, United Kingdom). The Criminal Code has been amended, but the amendments are not relevant to this Ordinance.
- (d) Ordinance 1/69.



SOVEREIGN BASE AREAS OF AKROTIRI AND DHEKELIA

No .....

APPLICATION FOR THE ISSUE OF A LICENCE TO ACQUIRE/POSSESS OR A CERTIFICATE OF REGISTRATION FOR A CATEGORY D FIREARM

(The Firearms and Other Weapons Ordinance 2009 section 5(2))

Chief Constable,

I wish to be granted a licence to acquire/posses and/or a certificate of registration of the weapon referred to below:

(delete as applicable)

Firearm of category D

Serial number: ..... Place of manufacture: .....

Make: ..... Type: .....

(1) Name and Surname: .....

(2) Date of birth: .....

(3) Identity card number: .....

Passport number: .....

Name and registration no. of body corporate if application made in the name of a body corporate. ....

(4) Address: ..... No: .....

Post code: ..... Home tel. number: ..... Mobile phone number: .....

(5) Father's name: ..... Mother's name: .....

(6) I possess/ do not possess\* other firearms:

Details about other firearms: .....

(7) Where application is made in the name of a legal person, details of firearms or other weapons possessed by that person must also be provided.

Details about other firearms: .....

Signature

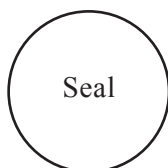
For official use only

The application is approved/ not approved

Date: .....

Signature .....

For Chief Constable



Name, surname, rank, number

Note: (1) The applicant must attend a police station to register the weapon within 48 hours of acquiring or importing it.

(2) The approval must be sealed.

\* Delete as appropriate.



SOVEREIGN BASE AREAS OF AKROTIRI AND DHEKELIA

No .....

APPLICATION FOR THE ISSUE OF A LICENCE TO ACQUIRE/POSSESS OR A CERTIFICATE OF REGISTRATION FOR A COLLECTABLE GUN OR A WEAPON OTHER THAN A FIREARM

(The Firearms and Other Weapons Ordinance 2009 sections 4(7), 8(3), 9(3) and 10(3) and 20(1))

Chief Constable,

I wish to be granted a licence to acquire/posses and/or a certificate of registration of the weapon referred to below:

(delete as applicable)

Type of weapon: .....

Serial number: ..... Place of manufacture: .....

Make: ..... Type: .....

(1) Name and surname: .....

(2) Date of birth: .....

(3) Identity card number: .....

Passport number : .....

Name and registration no. of body corporate if application made in the name of a legal person.

.....

(4) Address: .....Street:..... No. : .....

Post code: ..... Home tel.number: ..... Mobile phone: .....

(5) Father's name ..... Mother's name .....

(6) I possess/ do not possess\* other firearms/other weapons.

Details about other firearms: .....

.....

(7) Where application is made in the name of a legal person, details of firearms or other weapons possessed by that person must also be provided.

Details about other firearms: .....

.....

.....

Signature

For official use only

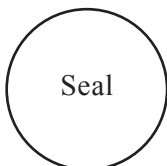
The application is approved/ not approved

Date: .....

Signature

.....

For Chief Constable



.....

Name, surname, rank, number

Note: (1) The applicant must attend a police station to register the weapon within 48 hours of acquiring or importing it.

(2) The approval must be sealed.

\* Delete as appropriate.





**SOVEREIGN BASE AREAS OF AKROTIRI AND DHEKELIA**

No .....

**LICENCE TO IMPORT/EXPORT A FIREARM/OTHER WEAPON/ COLLECTABLE GUN**  
(The Firearms and Other Weapons Ordinance 2009 section 18(4))

Name and address of applicant	Identity card number	Name and number of body corporate*	Weapon serial number	Description/ category/ type

The above person is hereby authorised to import/export the firearm described above.

Where the weapon is imported it must be furnished to the Police for registration within 48 hours from its customs clearance as provided for by the Firearms and Other Weapons Ordinance 2009.

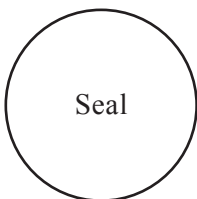
Validity of licence ( not to exceed three months ): .....

Fee paid (import licence only): .....

Date: .....

Signature .....

For Fiscal Officer



.....

Name, surname, grade

**Note:** (1) The Fiscal Officer has the power on giving 1 month's notice to the holder to revoke this licence.

(2) The licence must be sealed.

*\*Where licence is issued to a body corporate.*



SOVEREIGN BASE AREAS OF AKROTIRI AND DHEKELIA

No .....

APPLICATION FOR THE IMPORT/EXPORT OF A FIREARM/ OTHER WEAPON/ COLLECTABLE GUN
The Firearms and Other Weapons Ordinance 2009 (section 18(6))

Fiscal Officer,

I .....

Address .....

Apply for a licence to import/ and / export a firearm/other weapon\* Type ..... through the port/
airport \* ..... which is intended for my personal use.

My details are as follows:

Identity card or passport no. ....

Place of birth ..... District .....

Date of birth .....

Profession ..... Tel. ....

Father's name ..... Surname .....

Mother's name ..... Surname (maiden) .....

Name and registration no. of body corporate if application made in the name of a legal person.\*\* .....

Position in body corporate (chairman/secretary etc) .....

I declare that I am not/ am\* holder of another registered firearm/ other weapon\*.

Details about other firearms: .....

I further declare that I am aware of the legal obligations as regards the taking of safety measures by persons
holding or using guns.

Date.....

Applicant's signature .....

\* Delete as appropriate.

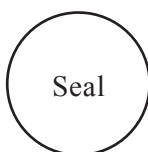
\*\*Where application made in the name of a legal person the applicant must provide details of any
firearms/other weapons held by that person.

Approved/ Not approved

Date: .....

Signature .....

For Fiscal Officer



.....

Name, surname, grade

Note: The approval must be sealed.



SOVEREIGN BASE AREAS OF AKROTIRI AND DHEKELIA

Reg. no .....

LICENCE TO POSSESS A COLLECTABLE GUN

The Firearms and Other Weapons Ordinance 2009 (section 4(7))

It is certified that the collectable gun under certificate no .....

Serial no ..... Place of manufacture .....

Make ..... Type .....

Other characteristics ..... has been registered today in the name of

.....

Identity card or passport no. ....

Name and registration No. (Where licence is issued to a body corporate) .....

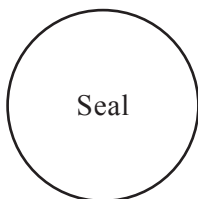
Address .....

.....

Tel.....

Fee paid: .....

Signature .....  
For Chief Constable



.....  
Name, surname, rank, number

Police Division .....

Date: .....

Conditions:

- 1. (a) This licence may be amended, suspended or revoked by the Chief Constable.
- (b) The present licence is personal and it ceases to have effect if:
  - (i) the licensee ceases to be the owner of the firearm;
  - (ii) the licensee dies;
  - (iii) a body corporate is dissolved; or
  - (iv) the firearm is destroyed or lost.
- 2. Any person who possesses a firearm other than a weapon must keep it in a safe place at all times and in a safe condition, take all reasonable precautions to ensure that the weapon cannot be lost or stolen or be accessible to any person who is not legally entitled to possess or use it.
- 3. It is unlawful to transport a collectable gun unless the Chief Constable is notified in advance.

Note: The licence must be sealed.

## EXPLANATORY NOTE

**(This note is not part of the Ordinance)**

### Introduction

1. This explanatory note relates to the Firearms and Other Weapons (Amendment) Ordinance 2012 (“the Ordinance”). It has been prepared by the Office of the Attorney General and Legal Adviser in order to assist the reader of the Ordinance. It does not form part of the Ordinance.
2. This note should be read in conjunction with the Ordinance. It is not, and is not meant to be, a comprehensive description of the Ordinance. So, when a section or part of a section does not seem to require any explanation or comment, none is given.

### Background

3. The Ordinance amends the Firearms and Other Weapons Ordinance 2009 (“the principal Ordinance”). It replicates the effect of amendments made to the Republican Firearms and Other Weapons Laws of 2004 to 2011 (“corresponding Republican Law”) made by the-
  - a. the Firearms and Other Weapons (Amendment) Law 2011 (Law 32(I)/2011), which implements EC Directive 2008/51;
  - b. the Firearms and Other Weapons (Amendment No. 2) Law 2011 (Law 178(I)/2011); and
  - c. an order made under section 5(4) of corresponding Republican Law (P.I. 488/2011).

### Particular points

4. Section 3 amends interpretation provisions in the principal Ordinance. The definition of an airgun is amended so as to include an air pistol. There is a new definition of a gun dealer so as to include a person who hires out weapons. Definitions of ammunition and a part of a weapon are inserted for the first time.
5. A new Part 1A to the principal Ordinance, inserted by section 4, prohibits trading of weapons by means of distant communication (e.g. over the internet), except by licensed gun dealers.
6. By an amendment to section 5 of the principal Ordinance, made by section 6, the Chief Constable is given an express power to obtain a medical certificate for a person applying for an acquisition and possession licence for a category D firearm.
7. Sections 7 amends provisions in the principal Ordinance relating to gun dealers. In particular the amendments require a gun dealer to keep a register of trade in weapons for 5 years, and provide that the system of identification and marking of a weapon manufactured in the Areas, and for deactivated weapons manufactured before 1880, is to replicate the system in the Republic.
8. An amendment to section 17 of the principal Ordinance made by section 8 allows a dismantled gun to be transported the day before the start of the hunting season, providing the owner has hunting licence.
9. Section 18 of the principal Ordinance is amended by section 9 to put beyond doubt that the import of weapons by persons (other than gun dealers) is permitted only by natural persons and only if the weapon is for personal use. An exception to this provision is that a body corporate may import a collectable gun.
10. A person convicted of an offence specified in section 22 of the principal Ordinance is prohibited from holding a firearms licence. Section 10 amends section 22 by adding a number of specified offences relating to unlawful injury with a firearm.
11. Section 11 substitutes section 30 of the principal Ordinance. A person using a relative’s weapon is required to have a licence, and that licence ceases to be valid if the person is convicted of a criminal offence specified in section 22.
12. Section 12 amends the definition of a firearm in Schedule 1 of the principal Ordinance. The definition of a firearm covers any portable barrelled weapon falling within Part 2 or 3 which could be converted to expel bullets, shots or projectiles of Schedule 1.
13. The new forms in the Schedule make provision to record the name and registration details of a company where a licence or an application for a licence is made by a person acting in the name of a company.
14. Section 14 revokes a notice which is no longer required. The notice provided for recognition of licences issued under the Republic’s Firearms Law 1974, which has been repealed.