

BELIZE:

FIREARMS (AMENDMENT) ACT, 2023

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No. 43 of 2023

I assent,

(H.E. DAME FROYLA TZALAM)

Governor-General

9th November, 2023.

AN ACT to amend the Firearms Act, Chapter 143 of the Substantive Laws of Belize, Revised Edition 2020; to establish the Firearms and Ammunition Control Board; to empower the Board to issue and revoke firearm licences, certificate or permit; to reform the regulatory structure in respect to firearms and ammunition; and to provide for matters connected therewith or incidental thereto.

(Gazetted 11th November, 2023).

BE IT ENACTED, by and with the advice and consent of the House of Representatives and Senate of Belize and by the authority of the same, as follows:

1. This Act may be cited as the

Short title.

FIREARMS (AMENDMENT) ACT, 2023,

CAP. 143.

and shall be read and construed as one with the Firearms Act, which, as amended, is hereinafter referred to as the principal Act.

Amendment of section 2.

2. The principal Act is amended in section 2 by inserting the following term and its corresponding definition in its proper alphabetical sequence—

““Board” means the Firearms and Ammunition Control Board established under section 2A of this Act;”.

Insertion of new sections.

3. The principal Act is amended by inserting immediately after section 2, the following new sections—

“Establishment of Firearms and Ammunition Control Board.

2A.—(1) A body to be known as the Firearms and Ammunition Control Board is established for the purposes of this Act.

(2) The Board shall be appointed by the Minister and comprised of the following members who have experience, training or expertise in the area of firearms—

- (a) a representative of the Commissioner of Police;
- (b) a representative of the Magistracy; and
- (c) a Chief Executive Officer of the Government of Belize.

Qualifications of members of the Board.

2B. A person shall be eligible for appointment as a member of the Board if the person—

- (a) is a citizen of Belize and is eighteen years of age or older;

- (b) is, in the opinion of the Minister, of high integrity and able to exercise sound judgment in the fulfilment of the responsibilities as a member of the Board; and
- (c) is not the holder of, or concerned with, any license in relation to a firearm shooting range, a firearm dealership, a facility providing training in firearms, gunsmith business, a private security organisation, or any other business in connection with which a firearm authorisation is granted or required.

**Code of
conduct.**

2C. A person who is a member of the Board shall conduct themselves in such a way as not to place themselves in any position in which they have, or could have, or be perceived to have, a conflict of interest.

**Powers and
functions of
the Board.**

2D. The powers and functions of the Board shall include, but are not limited to—

- (a) receiving, screening, and processing firearm applications;
- (b) designating approved Firearm Safety Instructors for the purposes of sections 3(9) and 3(10);
- (c) prescribing the procedures of application for, and considerations relevant to, the designation of Firearm Safety Instructors under paragraph (b);
- (d) receiving and investigating complaints in respect to a breach

of any term or condition of a firearm authorisation;

- (e) ensuring general compliance with the provisions of this Act;
- (f) causing to be conducted audits of firearms and ammunitions;
- (g) causing to be conducted reviews of the issuance and denials of licenses;
- (h) causing to be conducted inquisitions and investigations;
- (i) developing and implementing a digital management of firearms and ammunition system;
- (j) causing the digitization of records for input into a digital management of firearms and ammunition system;
- (k) doing all things that are necessary, incidental or conducive to the attainment of its functions under this Act.

Amendment of section 3.

4. The principal Act is amended in section 3–

- (a) in sub-section (2), by deleting the word “Commissioner” and substituting it with the word “Board”;
- (b) in sub-section (3)(e), by deleting the word “Commissioner” and substituting it with the word “Board”;

- (c) in sub-section (3)(f), by deleting the word “Commissioner” in its two occurrences and substituting them with the word “Board”;
- (d) in sub-section (3)(g), by deleting the word “Commissioner” wherever it occurs and substituting it with the word “Board”.

5. The principal Act is amended in section 3A–

Amendment of
section 3A.

- (a) in sub-section (1), by deleting the word “Commissioner” and substituting it with the word “Board”;
- (b) in sub-section (2), by deleting the word “Commissioner” and substituting it with the word “Board”;
- (c) in sub-section (3), by deleting the word “Commissioner” and substituting it with the word “Board”; and
- (d) by inserting immediately after sub-section (4), the following new sub-sections–

“(5) Every first time applicant and every person applying for the renewal of a gun licence shall submit a certificate of competence from a Firearm Safety Instructor upon application for, or the renewal of, a licence, as the case may be.

(6) Notwithstanding sub-section (5), a person applying for the renewal of a Farmer Gun Licence is exempt from providing a certificate of competence at the time of renewal.

(7) The Minister may–

- (a) make regulations for—
 - (i) the application and licensing of Firearm Safety Instructors;
 - (ii) for the certification of competence of applicants;
 - (iii) the necessary training required of applicants in relation to the type of licence applied for;
 - (iv) prescribing fees for—
 - (aa) licensing of Firearm Safety Instructors;
 - (bb) the issue of a certificate of competence of applicant or license holders; and
 - (cc) any other matter for which fees are required to be prescribed; and
 - (v) any other matter required to give effect to the provisions of this Part; and
- (b) prescribe forms required under this Part.

6. The principal Act is amended in section 3B–
- Amendment of
section 3B.
- (a) in sub-section (1), by deleting the word “Commissioner” and substituting it with the word “Board”; and
- (b) in sub-section (3), by deleting the word “Commissioner” and substituting it with the word “Board”.
7. The principal Act is amended in section 3C by deleting the word “Commissioner” and substituting it with the word “Board”.
- Amendment of
section 3C.
8. The principal Act is amended in section 4A–
- Amendment of
section 4A.
- (a) in sub-section (1), by deleting the word “Commissioner” and substituting it with the word “Board”;
- (b) in sub-section (3), by deleting the word “Commissioner” and substituting it with the word “Board”; and
- (c) in sub-section (8), by deleting the word “Commissioner” and substituting it with the word “Board”.
9. The principal Act is amended in section 7–
- Amendment of
section 7.
- (a) in sub-section (1), by deleting the words “Commissioner of Police” and substituting it with the word “Board”;
- (b) in sub-section (2)–
- (i) in paragraph (d), by deleting the words “Commissioner of Police” and substituting it with the word “Board”;

- (ii) in paragraph (f), by deleting the words “Commissioner of Police” and substituting it with the word “Board”; and
 - (iii) in paragraph (g), by deleting the words “Commissioner of Police” and substituting it with the word “Board”;
- (c) in sub-section (3)–
 - (i) in the chapeau, by deleting the words “Commissioner of Police” in its two occurrences and substituting them with the word “Board”;
 - (ii) in paragraph (a), by deleting the words “Commissioner of Police” and substituting it with the word “Board”; and
 - (iii) in paragraph (b), by deleting the words “Commissioner of Police” and substituting it with the word “Board”;
- (d) in sub-section (4), by deleting the words “Commissioner of Police” and substituting it with the word “Board”; and
- (e) in sub-section (6), by deleting the words “Commissioner of Police” and substituting it with the word “Board”.

10. The principal Act is amended in section 8(1) by deleting the word “Commissioner” and substituting it with the word “Board”.

Amendment of section 8.

11. The principal Act is amended in section 9(2) by deleting the words “Commissioner of Police” in its first occurrence and substituting it with the word “Board”.

Amendment of section 9.

Amendment of
section 10.

12. The principal Act is amended in section 10–

- (a) by deleting the words “Commissioner of Police” and substituting it with the word “Board”; and
- (b) by deleting the word “him” and substituting it with the word “it”.

Amendment of
section 11.

13. The principal Act is amended in section 11–

- (a) in sub-section (1), by deleting the words “Commissioner of Police” and substituting it with the word “Board”; and
- (b) in sub-section (2), by deleting the words “Commissioner of Police” and substituting it with the word “Board”.

Amendment of
section 14.

14. The principal Act is amended in section 14(1) by deleting the word “Commissioner of Police” and substituting it with the word “Board”.

Amendment of
section 20A.

15. The principal Act is amended in section 20A–

- (a) in sub-section (1), by deleting the words “Commissioner of Police” and substituting it with the word “Board”;
- (b) in sub-section (2)(f), by deleting the words “Commissioner of Police” and substituting it with the word “Board”; and
- (c) in sub-section (4), by deleting the words “Commissioner of Police” and substituting it with the word “Board”.

Amendment of
section 20B.

16. The principal Act is amended in section 20B–

- (a) in sub-section (1)–
 - (i) in paragraph (b), by deleting the word “Commissioner” and substituting it with the word “Board”; and
 - (ii) in paragraph (d), by deleting the word “Commissioner” and substituting it with the word “Board”; and
- (b) in sub-section (2)–
 - (i) in the chapeau, by deleting the word “Commissioner” in its two occurrences and substituting them with the word “Board”;
 - (ii) in paragraph (a), by deleting the word “Commissioner” and substituting it with the word “Board”; and
 - (iii) in paragraph (b), by deleting the words “Commissioner” and substituting it with the word “Board”.

Amendment of
section 26.

17. The principal Act is amended in section 26 in the chapeau by deleting the words “Commissioner of Police” and substituting it with the word “Board”.

Amendment of
section 27.

18. The principal Act is amended in section 27–

- (a) in sub-section (1)–
 - (i) by deleting the word “Commissioner” and substituting it with the word “Board”;
 - (ii) by deleting the word “him” and substituting it with the word “it”;

(b) in sub-section (2)–

(i) by deleting the word “Commissioner” and substituting it with the word “Board”; and

(ii) by deleting the word “him” and substituting it with the word “it”.

19. The principal Act is amended in section 27A by deleting the word “Commissioner” and substituting it with the word “Board”.

Amendment of section 27A.

20. The principal Act is amended in section 31C(2) by deleting the word “Commissioner” and substituting it with the word “Board”.

Amendment of section 31C.

21. The principal Act is amended in section 34(1) by deleting the word “Commissioner” and substituting it with the word “Board”.

Amendment of section 34.

22. The principal Act is amended in section 36(1) by deleting the words “Commissioner of Police” and substituting it with the word “Board”.

Amendment of section 36.

23. The principal Act is amended in section 37–

Amendment of section 37.

(a) in sub-section (1), by deleting the words “Commissioner of Police” and substituting it with the word “Board”; and

(b) in sub-section (3), by deleting the words “Commissioner of Police” and substituting it with the word “Board”.

24. The principal Act is amended in section 40(1)(c) by deleting the words “Commissioner of Police” and substituting it with the word “Board”.

Amendment of section 40.

Amendment
of section
41.

25. The principal Act is amended in section 41(1) by deleting the words “Commissioner of Police” and substituting it with the word “Board”.