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PUBLISHED BY AUTHORITY

THE ARMS AND AMMUNITION (AMENDMENT) (NO. 2) BILL, 1988

(Bill No.10 of 1988)

(To be presented by the Prime Minister)

MEMORANDUM OF OBJECTS AND REASONS

The purpose of this Bill is to provide for a general increase in penalties in respect of offences relating to arms and ammunitions.

D.P. MAKANZA
Attorney—General

A BILL

entitled

An Act to amend the Arms and Ammunition Act, 1964.

ENACTED by the King and the Parliament of Swaziland.

Short title.

1. This Act may be cited as the Arms and Ammunition (Amendment) (No. 2) Act, 1988, shall be read as one with the Arms and Ammunition Act, 1964 (hereinafter referred to as "the principal Act") and shall be deemed to have come into operation on the 18th March, 1988.

Amendment of section 11.

2. Section 11 of the principal Act is amended—

- (a) in subsections (4) and (5) by replacing the words "sixteen years" with the words "eighteen years";
- (b) by replacing subsection (8) with the following—

"(8) A person who—

- (a) contravenes subsection (1) in relation to a firearm ; or
- (b) contrary to subsection (3), is in possession of any part of a firearm or of an arm of war or of any essential component part thereof; or
- (c) fails to comply with any condition of a licence or permit granted under this Act

shall be guilty of an offence and, on conviction, liable to—

- (i) in respect of an offence under paragraph (a) or (b), to the penalties provided for in section 14(2); or
- (ii) in respect of an offence under paragraph (c), to a fine not exceeding E2,000 or to a term of imprisonment not exceeding two years or both."

Amendment of section 15.

3. Section 15 of the principal Act is amended in subsection (6) by replacing the words "imprisonment not exceeding two years or a fine not exceeding one thousand rand" with the words "imprisonment not exceeding three years or a fine not exceeding E3,000".

Amendment of section 16.

4. Section 16 of the principal Act is amended by replacing the words "imprisonment not exceeding six months or a fine not exceeding two hundred rand" with the words "imprisonment not exceeding twelve months or a fine not exceeding E500".

Amendment of section 17.

5. Section 17 of the principal Act is amended in subsection (2) by replacing the words "imprisonment not exceeding five years or a fine not exceeding two thousand rand" with the words "imprisonment for a term not less than ten years or a fine of not less than E10,000".

Amendment of section 18.

6. Section 18 of the principal Act is amended—

- (a) by deleting therefrom all references to "district commissioner"; and
- (b) by replacing subsection (4) with the following—

"(4) A person against whom a declaration has been made under this section shall, if he fails or refuses to comply with an order under subsection (1), be guilty of an offence and on conviction shall be liable to a fine not exceeding E5,000 or a term of imprisonment not exceeding five years or both."

Amendment of section 19.

7. Section 19 of the principal Act is amended—

- (a) in subsection (1) by adding at the end of that subsection the following words—
"and such directive shall not be questioned in any court and shall be valid for a period not exceeding five years and subject to renewal thereafter."
- (b) in subsection (5) by replacing the words "imprisonment not exceeding two years or a fine not exceeding one thousand rand" with the words "imprisonment not exceeding five years or a fine not exceeding E5,000".

Amendment of section 20.

8. Section 20 of the principal Act is amended in subsection (2) by replacing the words "fifty rand or, in default of payment thereof, imprisonment not exceeding three months" with the words "a fine not exceeding E500 or imprisonment not exceeding twelve months".

Amendment of section 21.

9. Section 21 of the principal Act is amended in subsection (1) by replacing the words "imprisonment not exceeding fourteen years" with the words "imprisonment for a term of not less than ten years without the option of a fine.

Amendment of section 22.

10. Section 22 of the principal Act is amended in subsection (2) by replacing the words "imprisonment not exceeding one year or a fine not exceeding five hundred rand" with the words "imprisonment not exceeding two years or a fine not exceeding E2,000".

Amendment of section 23.

11. Section 23 of the principal Act is amended in subsections (2) and (3) by replacing the words "imprisonment not exceeding one year or a fine not exceeding five hundred rand" and imprisonment for two years or a fine of one thousand rand" respectively with the words "imprisonment not exceeding two years or a fine not exceeding E2,000" in both subsections.

Amendment of section 24.

12. Section 24 of the principal Act is amended in subsection (2) by replacing the words "imprisonment not exceeding six months or a fine not exceeding six hundred rand" with the words "imprisonment not exceeding twelve months or a fine not exceeding E1,000".

Amendment of section 25.

13. Section 25 of the principal Act is amended in subsection (4) by replacing the words "a fine not exceeding two hundred rand or imprisonment not exceeding six months" with the words "a fine not exceeding E1,000 or imprisonment not exceeding twelve months".

Amendment of section 26.

14. Section 26 of the principal Act is amended in subsection (1) by replacing the words "imprisonment for two years or a fine of one thousand rand" with the words "a fine not exceeding E3,000 or a term of imprisonment not exceeding three years".

Amendment of section 29.

15. Section 29 of the principal Act is amended by replacing the words "imprisonment not exceeding six months or a fine not exceeding two hundred rand" with the words "a fine not exceeding E1,000 or imprisonment not exceeding twelve months".

Amendment of section 30.

16. Section 30 of the principal Act is amended in subsection (2) by replacing the words "not exceeding three months or a fine not exceeding one hundred rand" with the words "a fine not exceeding E500 or imprisonment not exceeding six months".

Amendment of section 32.

17. Section 32 of the principal Act is amended in subsections (3) and (4) by deleting all references to "district commissioner".

THE CIVIL SERVICE ORDER, 1973

(Order No. 16 of 1973)

REVOCATION OF APPOINTMENT OF PRINCIPAL SECRETARY

(Under Section 3)

In exercise of the powers conferred upon me by Section 3 of the Civil Service Order, 1973, I, MSWATI III, KING OF SWAZILAND, hereby revoke the appointment of—

SAMSON JOHN MAGAGULA

from the post of Principal Secretary with effect from 17th Day of August, 1988.

THUS DONE AT LUDZIDZINI THIS 16TH DAY OF AUGUST, 1988.

**MSWATI III
KING OF SWAZILAND**