

LAWS OF BRUNEI

CHAPTER 58

ARMS AND EXPLOSIVES

Enactment No. 1 of 1927

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CHAPTER 58
ARMS AND EXPLOSIVES
ARRANGEMENT OF SECTIONS

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ARMS AND EXPLOSIVES ACT

An Act to regulate the manufacture, use, sale, storage, transport, importation, exportation and possession of arms and explosives

Commencement: 8th April 1927

Citation

1. This Act may be cited as the Arms and Explosives Act.

Application

2. The provisions of this Act and of any rules made thereunder apply to such arms and explosives as may be declared and defined by His Majesty the Sultan and Yang Di-Pertuan, by notification published in the *Gazette*.

Power to make rules

3. His Majesty the Sultan and Yang Di-Pertuan may make rules for any of the following purposes —

- (a) to regulate the possession of guns or arms;
- (b) to regulate the importation of guns or arms;
- (c) to regulate the exportation of guns, arms, or naval or military stores;
- (d) to regulate the manufacture and dealing in guns or arms and the purchase of arms;
- (e) to regulate the landing and transshipping of guns or arms;
- (f) to provide for the marking of guns or arms for the possession of which a licence is issued;
- (g) to regulate or prohibit, except under or in accordance with the conditions of a licence, the manufacture, possession, use, sale, purchase, storage, transport, importation and exportation of explosives or any specified class of explosives;

(h) to regulate the tests to which various classes or any particular class of explosive may or shall be subjected before permission is granted to land the same in Brunei Darussalam;

(i) to regulate the duties of the Port Master vested with powers under any rules made under this Act;

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(j) to declare what duties may be carried out by subordinate police officers under the direction and control of the licensing officers, and to regulate the conduct of such duties;

(k) to regulate the manner in which application for licences shall be made, and the matters to be specified in such licences;

(l) to regulate the form in which, and the conditions on and subject to which, licences shall be granted, and the matters to be specified in such licences, and the issue of licences generally;

(m) to regulate the period for which licences are to remain in force;

(n) to fix the fees to be charged for any licence which may be issued under this Act and the other sums, if any, to be paid for expenses by applicants for such licences;

(o) to fix the fees to be paid for the use of Government magazines or any portion thereof;

(p) to direct by whom and in what manner fees payable under this Act shall be collected and accounted for;

(q) to authorise any officer, either by name or in virtue of his office —

- (i) to enter, inspect and examine any place, vehicle, aircraft or vessel in which an explosive is being manufactured, possessed, used, sold, transported or imported under a licence granted under this Act, or in which he has reason to believe that an explosive has been or is being manufactured, possessed, used, sold, transported or imported in contravention of this Act or of the rules made thereunder;

- (ii) to search for explosives therein;
- (iii) to take samples of any explosive found therein, on payment of the value thereof; and
- (iv) to seize, detain, remove and, if necessary, destroy any explosive found therein;

(r) to regulate the disposition, destruction or sale of all articles forfeited under this Act;

(s) to prescribe the penalties for any breach of the provisions of any rules made under this Act:

Provided no such penalty shall exceed imprisonment for a term of 15 years, a fine of \$10,000 and 12 strokes of whipping;

(t) to exempt any person or classes of persons from the provisions of any rules made under this Act;

(u) generally to provide for the regulation of the manufacture, use, sale, storage, transport, importation, exportation and possession of arms and explosives.

Jurisdiction of Court of Magistrate

4. Without prejudice to the jurisdiction of the High Court, a Court of a Magistrate shall have jurisdiction to try any offence against this Act and to impose any penalty prescribed therefor not exceeding 7 years imprisonment and a fine of \$10,000.

5. *Omitted.*