

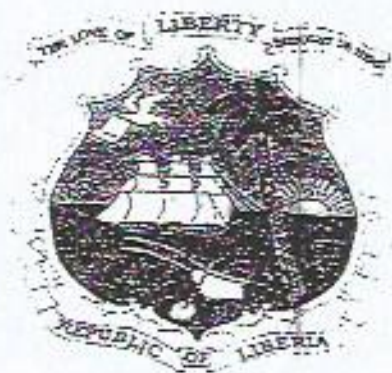


**"AN ACT TO ESTABLISH FIREARMS AND AMMUNITION CONTROL
OF LIBERIA, 2015"**

APPROVED JULY 11, 2016

**PUBLISHED BY AUTHORITY
MINISTRY OF FOREIGN AFFAIRS
MONROVIA, LIBERIA**

PRINTED AUGUST 5, 2016



**AN ACT TO ESTABLISH FIREARMS AND AMMUNITION CONTROL OF LIBERIA,
2015**

AN ACT TO ESTABLISH FIREARMS AND AMMUNITION CONTROL OF LIBERIA, 2015

WHEREAS, Liberia has suffered from years of violent conflict, small arms and light weapons being the major tools used to destabilize peace and security; the number of incidents of armed violence and crime within Liberia and presence of unlicensed small arms continue to present a grave danger to public safety and national security; and

WHEREAS, proliferation of small arms and light weapons constitutes a major destabilizing factor, and poses a serious threat to peace; and

WHEREAS, Liberia, as a signatory to the ECOWAS Convention on Small Arms and Light Weapons, their Ammunition and Other Related Materials ratified on July 4, 2009, is obligated to domesticate said Convention and set in place efficient and accountable mechanisms for registration of small arms and light weapons, their ammunition and other related materials;

Whereas the Liberia National Commission on Small Arms was established to provide, as required, policy guidance, research and monitoring of national efforts to control the flow of arms and prevent, combat and eradicate the illicit trade and proliferation of small arms and light weapons within and across Liberia's borders.

NOW THEREFORE, It is enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled:

SECTION 1: ESTABLISHMENT

That from and immediately upon the passage of this Act, there shall be established the Firearms and Ammunition Act of Liberia, 2015.

SECTION 2: SHORT TITLE

This Act to establish Firearms and Ammunition Control of Liberia, 2015 shall also be cited as "Firearms and Ammunition Control Act."

PART I PRELIMINARY PROVISIONS

- §1.1. Purpose
- §1.2. Definitions
- §1.3. Classification of small arms
- §1.4. Institutional arrangements

PART II REGISTRATION

- §1.5. National Small Arms Registry
- §1.6. Small arms and Light Weapons of Armed Forces and National Security Agencies
- §1.7. Regulations

PART III GENERAL LICENSING PROVISIONS

- §1.8. License not granted as of right
- §1.9. Classification of licenses
- §1.10. Applications for licenses
- §1.11. General restrictions on issue of licenses
- §1.12. Registration of licenses
- §1.13. Requirements for a license
- §1.14. Conditions imposed on a license
- §1.15. Renewal of a license
- §1.16. Termination of a license
- §1.17. Defaced, lost or stolen licenses and permits
- §1.18. Cessation of business

PART IV POSSESSION AND USE

- §1.19. Prohibition of possession of light weapons
- §1.20. Prohibition of possession of small arms
- §1.21. Bona fide reasons for having a possession license
- §1.22. Prohibition of possession of ammunition
- §1.23. Prohibition of possession of other related materials

PART V MANUFACTURE

- §1.24. Prohibition of manufacture of small arms or ammunition
- §1.25. Requirements for manufacturer license
- §1.26. Duties of manufacturer

PART VI REPAIR

- §1.27. Prohibition of repair of small arms
- §1.28. Requirements for repair license
- §1.29. Duties of repairer

PART VII DEALERS

- §1.30. Prohibition of trading in small arms or ammunition
- §1.31. Requirements for dealer license
- §1.32. Duties of dealer
- §1.33. Deactivation of arms

PART VIII BROKERS AND BROKERING

- §1.34. Prohibition on brokering in arms and ammunition
- §1.35. Registry of brokers
- §1.36. Registration application
- §1.37. Registration criteria and process
- §1.38. Cancellation of registration as a broker
- §1.39. Brokering license application
- §1.40. Consideration of the brokering license application
- §1.41. Duties of broker

Part IX IMPORT AND EXPORT

- §1.42. Prohibition of import and export of arms and ammunition
- §1.43. Requirements for an export license
- §1.44. Consideration of export license application/Export assessment
- §1.45. Revocation of an export license
- §1.46. Requirements for an import license
- §1.47. Import and Export through prescribed ports
- §1.48. Declaration

PART X TRANSIT AND TRANSHIPMENT

- §1.49. Prohibition of transit and transshipment of arms and ammunition
- §1.50. Requirements for transit or transshipment license
- §1.51. Provision of information by vessels in transit by sea or air
- §1.52. Failure to produce documents
- §1.53. Seizure warrants for arms, ammunition, and parts and components

PART XI MARKING

- §1.54. Manufacture markings
- §1.55. Transfer markings
- §1.56. Deactivation markings
- §1.57. Arms of the AFL and National security agencies
- §1.58. Tampering with markings

PART XII PUBLIC ARMORY/STORAGE

§1.59. Establishment of public armory

PART XIII REDUCTION, COLLECTION, DESTRUCTION OF ARMS AND AMMUNITION

§1.60. Evaluation and Examination to determine excess

§1.61. Collection

§1.62. Authority to declare existence of surplus

§1.63. Surplus destruction

PART XIV PENALTY FOR VIOLATIONS

§1.64. Seizure, confiscation and forfeiture

§1.65. Offenses and penalties

PART I

PRELIMINARY PROVISIONS

§1.1. Purpose

The purpose of this Act is to prevent and to reduce the violence caused by small arms and the proliferation of small arms and light weapons, ammunition and other related materials by putting in place a legal framework that regulates the control and tracing of small arms and light weapons, ammunition and other related materials, the control of persons authorized to operate these materials, the control of authorized activities, disposal of surplus small arms, and penalizing the illegal possession, manufacture, distribution, use and trafficking of small arms and light weapons, ammunition and other related materials.

Now herein, the Armed Forces of Liberia and All National Security Agencies that have the right to serve and protect by law are exempt from provisions of this Act, provided that this exemption does not compromise National Security.

§1.2. Definitions

In this Act, unless the context otherwise requires:

"AFL" means Armed Forces of Liberia.

"Ammunition" means the devices destined to be shot or projected through the means of small arms and light weapons including, among others, cartridges, projectiles and missiles for light weapons, mobile containers with missiles or projectiles for anti-aircraft or anti-tank single action systems.

"Break Action" means a kind of shoulder-fired single barrel gun whose chamber has the capacity for only a single round to expel or launch by a single action, and designed to be used by one person.

"Broker" means a Liberian or Liberian entity acting as an intermediary that brings together relevant parties and arranges or facilitates a potential transaction involving shoulder fired single-barrel guns used exclusively for hunting.

"Brokering" means work carried out as an intermediary between any manufacturer, supplier or distributor of small arms and light weapons and any buyer or user; this includes the provision of financial support and the transportation of small arms, light weapons, ammunition or other related materials.

"Business hours" means 8:00AM to 5:00PM during the working week.

"Confiscation" includes forfeiture where applicable, and means the permanent deprivation of property by order of a court, Authorized Government Institution, and vesting of title in the Republic of Liberia.

"Commission" means the Liberia National Commission on Small Arms composed of statutory members identified in the Small Arms Act – Chapter V "Composition, Leadership and Meetings".

"Deactivate" means to render permanently inoperable and "deactivation" has a corresponding meaning.

"Deactivated small arm" or "deactivated light weapon" means a small arm or light weapon that has been rendered permanently inoperable/deactivated.

"Dealer" means any person who trades in, buys, sells, acquires, or purchases small arms and ammunition.

"Director" means the Director of the Liberia National Police pursuant to Section 6, Subsection F of the National Security Reform and Intelligence Act, 2011.

"Dynamite" means a powerful explosive used in blasting, mining and fishing. It typically consists of nitroglycerin absorbed in a porous material (e.g. saw dust) and a nitrate (especially sodium nitrate or ammonium nitrate).

"Entity" means a registered business in the Republic of Liberia licensed by the appropriate Government agency.

"Explosive" means a reactive substance that contains a great amount of potential energy that can produce a sudden, almost instantaneous, release of gas, heat, and pressure, accompanied by light and loud noise when subjected to a certain amount of shock, pressure, or temperature; can be classified into one of three large categories: low, high, and nuclear explosives. Examples of explosives are: Black/Gun powder (low explosives), Dynamites (high explosive), trinitrotoluene or TNT (high explosive).

"Hunting" means the pursuit and killing of wildlife.

"illicit trafficking" means the import, export, purchase, sale, delivery, or transfer of small arms, light weapons, ammunition or other related materials from or across the territory of Liberia and from or across another State if either Liberia or that State does not authorize said import, export, purchase, sale, delivery, or transfer of the small arms, light weapons, ammunition or other related materials or if the small arms, light weapons, ammunition or other related materials are not marked in accordance with this ACT.

"Knockout/Fire Cracker" means a class of explosive pyrotechnic primarily designed to produce a large amount of noise, especially in the form of a loud bang; any visual effect is incidental to this goal. It has fuses and is wrapped in a heavy paper casing to contain the explosive compound, and is mainly used during festive period.

"Light weapon" means any man-portable lethal weapon that expels or launches, is designed to expel or launch, or may be readily converted to expel or launch a shot, bullet or projectile by the action of an explosive, that is designed to be used by two or more persons working together in a team including heavy machine guns, portable grenade launchers mobile or mounted, portable anti-aircraft cannons, portable anti-tank cannons, non-recoil guns, portable anti-tank missile launchers or rocket launchers, portable anti-aircraft missile launchers, and mortars with a caliber of less than 100 millimeters.

"LNP" means Liberia National Police.

"Manufacture" means the development, production, reverse engineering, assembly and production of small arms, light weapons, ammunition or other related materials, as well as the conversion or transformation of something that is not a small arm or light weapon into a small arm or light weapon and the reactivation of a deactivated small arm or light weapon.

"Manufacturer" means a person or entity that engages in the development, production, reverse engineering, assembly and production of small arms, ammunition or other related materials, as well as the conversion or transformation of something that is not a small arm and the reactivation of a deactivated small arm.

"National Security Agencies" refers to the AFL, LNP, BIN, NSA, EPS, DEA, LRA or any other Government agency qualified as such by statute.

"National Small Arms Registry" means database and/or records of all shoulder fired single-barrel guns and ammunition used exclusively for hunting in the country.

"Officer" means any senior officer of the National Security Agencies.

"Other related materials" means all components, parts or spare parts for small arms or light weapons or ammunition necessary for its functioning, or any chemical substances such as acid serving as active material used as propelling or explosive agents.

"Owner" means owner of a small arm

"Person" means a natural or legal person, including an entity or group.

"Port of entry" means the Roberts International Airport and the Freeport of Monrovia, or other ports designated as such by regulation of the Commission.

"National Armory" means transitional/temporary storage facility for small arms under custody of the LNP.

Pyrotechnics mean any combustible or explosive composition or manufactured article which when ignited is capable of reacting exothermically to produce light, heat, smoke, sound, or gas. For the military, they are ammunition containing chemicals for producing smoke or light, as for signaling, illuminating, or screening. It can be used as firework.

"Seizure" means prohibiting the transfer, conversion, disposition or movement of property or assuming custody or control of property within the confines of the law.

"Shoulder-fired single barrel gun" means a shotgun or flintlock weapon designed to be fired from the shoulder and that uses the energy of explosion to fire a projectile or number of small ball shot through a smooth-bore with a single pull of the trigger and that has a length of at least 24 inches.

"Small arms" means any man-portable lethal weapon that expels or launches, is designed to expel or launch, or may be readily converted to expel or launch a shot, bullet or projectile by the action of an explosive, that is designed to be used by one person and which includes notably firearms and other destructive arms or devices such as exploding bombs, incendiary bomb, or a gas bomb, a grenade, a rocket launcher, a missile, a missile system or land mine, revolvers and pistols with automatic loading, rifles and carbines, machine guns, assault rifles and light machine guns; for the purpose of this Act, small arms shall refer to shoulder fired single-barrel guns used exclusively for hunting.

"Surplus" means every small arm, light weapon, ammunition and other related material in possession of a National Security Agency that does not respond to a current or future need for realizing functions of the institution, or that does not correlate to the purpose of the institution or other means available for it, or whose accumulation can generate risks for the internal and international security or implies technical, economic and ecological obstacles for peaceful development.

"TCA" means Technical Committee on Arms within the Liberia National Commission on Small Arms and is composed of two (2) representatives from LINCOSA, and two from each of the following institutions: AFL, LNP, EPS, NSA, and additional National Security Agencies authorized to bear arms.

"Trace or tracing" means the systematic tracking of small arms and light weapons and related materials from manufacturer to purchaser or end user for the purpose of assisting competent State authorities in detecting, investigating and analyzing illicit manufacturing and trading.

"Tracking" means the systematic identification and location of weapons and ammunition for state security related purposes i.e. aid in criminal investigation.

"Transfer" includes import, export, transit, trans-shipment and transport or any other movement whatsoever of small arms and light weapons, ammunition and other related materials from or through the territory of a Liberia.

"Transship" or "transshipment" means the conveyance or movement of goods through Liberia to another country, where the goods are transferred from one means of transport to another means of transport while in the territory of Liberia.

"Transit" means the conveyance or movement through the territory of Liberia to another country of small arms and light weapons or other related materials that have been imported.

"Transport" means to transfer or convey SALW and related materials from one location to another.

§1.3. Classification of small arms

Small arms and light weapons, and other related materials are hereby classified according to restrictions of their use, which shall be further specified and prescribed by regulations of the Commission:

- (a) Items of prohibited use including poisoned ammunition and flame-throwers;
- (b) Items of exclusive use by Liberian Government institutions of defense and security including non-portable arms or pieces of heavy artillery and automatic hand guns; and
- (c) Items whose use may be allowed by authorized persons including portable shoulder-fired single barrel gun (**Break Action**).

§1.4. Institutional arrangements

(a) The Liberian National Police, in collaboration with the Commission (Ref: definition of Commission), shall be the sole law enforcement agency responsible for the registration, licensing and control of small arms (Ref: shoulder fired single-barrel guns), ammunition and other related materials in and throughout the Republic of Liberia. For this purpose the Liberia National Police shall create a Small Arms Control Unit in the Liberia National Police with responsibility for the registration, tracking and control of small arms and ammunition. The Small arms Control Unit shall be decentralized and represented in every county for easy access for registration, licensing and tracking.

(b) The Director shall provide the Commission with quarterly reports of activities on the registration and licensing of small arms, ammunition and other related materials.

(c) The Director shall make a detailed monthly report to the Minister of Justice and the Commission (through its Chairman) regarding the import, export, sale, purchase, transfer, manufacture, repair, possession and any crimes linked to the use of small arms and light weapons, ammunition and other related materials to enable the Chairman of the Commission to initiate effective policies for small arms control.

PART II
REGISTRATION

§1.5. National Small Arms Registry

(a) In order to provide accurate and comprehensive records for all marked small arms, ammunition and other related materials within Liberia, the Liberia National Police in collaboration with the Commission, shall establish and maintain a National Small Arms Registry.

(b) The National Small Arms Registry shall contain accurate computerized and manual records of such information as may be prescribed concerning:

- (I) Licenses, and permits granted under this Act, as well as renewals and cancellations thereof;
- (II) All original documentation submitted in support of all applications made under this Act;
- (III) Transfers, transit or trans-shipment of small arms, light weapons, ammunition and other related materials effected in accordance with this Act;
- (IV) Imports and exports of small arms, light weapons, ammunition and other related materials in accordance with this Act;
- (V) The transport of small arms, light weapons, ammunition and other related materials in accordance with this Act;
- (VI) All licensed dealers, manufacturers, repairers, importers and exporters, transporters and all small arms, light weapons, ammunition and other related materials in their possession;
- (VII) All persons who have been granted a possession license under this Act;
- (VIII) Every small arm/ shoulder-fired single barrel gun held under a possession license granted under this Act;
- (IX) All small arms, light weapons, ammunition and other related materials recovered, forfeited to the Republic of Liberia or destroyed; and
- (X) Any other documentation and information as may be prescribed by regulation.

(c) The Commission shall issue regulations establishing and governing the National Small Arms Registry.

(d) Information recorded in the National Small Arms Registry shall be kept permanently.

§1.6. Small arms and light weapons of Armed Forces of Liberia and National Security Agencies

(a) The AFL and National Security Agencies shall establish and maintain accurate, computerized and manual records of information as may be prescribed concerning:

- (i) all small arms, light weapons, ammunition and other related materials in the possession of the national security agencies;
 - (ii) the acquisition, transfer, loss, theft or destruction in respect of small arms, light weapons, ammunition and other related materials in the possession of the national security agencies; and
 - (iii) Small arms, light weapons, ammunition and other related materials used by the National Security Agencies in peacekeeping operations.
- (b) The Commission shall establish and maintain a Registry of all SALW in the country;
 - (c) All information from the National Security Agencies captured by the Commission with respect to the registration of their small arms and light weapons shall be classified.
 - (d) The National Security Agencies shall adopt rigorous internal control measures or regulations providing for specific registration, marking, tracing and disposal procedures for those weapons imported or manufactured in Liberia, and made available to them for the performance of their activities and classified for their exclusive use as Liberian Government institutions for defense and security.

§1.7. Regulations

The provisions of this Act shall be further implemented through regulations of the Commission imposing fees and ensuring that small arms or other related materials are subjected to efficient and effective administrative procedures for manufacturing, marking, record-keeping, tracing, importing, exporting, selling, buying, repairing, possessing, transferring, deactivating whether temporarily or permanently to achieve an accurate registration system provided that such regulations shall be issued in a timely manner and made public.

PART III GENERAL LICENSING PROVISIONS

§1.8. License not granted as of right

No person shall, as of right, be entitled to the grant of any license or permit under this Act, or have in his possession or under his control any small arm, or other related material except in accordance with a license issued by the Liberia National Police and the Commission. No license or permit shall be granted by the Liberia National Police and the Commission if it is substantiated that the applicant is disqualified by law or under regulations of the Commission. All classes of licenses or permits shall require submission of an application that shall meet criteria prescribed by the Commission.

- (a) All persons shall be prohibited from possessing, using or selling light weapons.

§1.9. Classification of licenses

Licenses granted under this Act shall be classified and requirements established pursuant to regulations of the Commission. The classification shall include: broker license, dealer license, manufacturer license, possession license, repair license, shooting instructor license, transport license, and international transfer licenses such as import, export, transit and trans-shipment licenses.

§1.10. Applications for licenses

(a) The Commission shall establish, from time to time, regulations and procedures for licensing, vetting, and granting or refusal of applications. The Commission in collaboration with local/County Authority – Town/Clan Chief/Superintendent – shall receive the application and submit same to the county attorney for vetting.

(b) The LNP and the Commission may issue a license in respect of an application, or refuse any such application.

(c) No license or permit shall be issued to an applicant who is a natural person unless the applicant:

- (i) Is a citizen or legal resident of Liberia;
- (ii) Is over 18 years of age;
- (iii) has not been convicted of any criminal offense including an offense involving violence or threat of violence including domestic violence;
- (iv) Is not in the custody, care or supervision of a mental institution or facility, and is not of unsound mind;
- (v) Is not addicted to, or is a habitual user of any controlled drug or substance, or in the custody or care or under the supervision of any medical or mental facility for such condition;
- (vi) Is not generally known to have engaged in intemperate conduct or to have committed human rights abuses;
- (vii) Has submitted to a background check as prescribed by regulations of the Commission;
and
- (viii) Is permitted by law to obtain such license.

(d) An applicant, at the time of applying for a license, shall provide subject to regulations:

- (i) Proof of the applicant's identity;
- (ii) Proof that he or she has undergone the safety and competency training and certification required pursuant to regulations of the Commission;

(III) Proof that the small arms, ammunition and other related materials will be stored in a safe place and that any small arm will be stored separately from its ammunition pursuant to regulations of the Commission; and

(IV) Such other particulars or documents as may be prescribed by the regulations of the Commission.

§1.11. General restrictions on issue of licenses

(a) A license shall not be issued under this Act unless the LNP, through its Director, and the Commission, through its Chairman, are satisfied that:

(I) The applicant is a fit person and proper person pursuant to regulation who can be trusted to have possession of small arms without danger to public safety or to the peace based on a background check pursuant to regulations;

(II) The storage and safety requirements prescribed by regulations of the Commission shall be met by the applicant.

(b) Despite any other provision of this section, the LNP and the Commission may refuse to issue a license if they consider that issuance of the license would be contrary to the public interest.

(c) The regulations of the Commission may provide other grounds for refusing the issuance of a license.

§1.12. Registration of licenses

The particulars of every license granted, expired, revoked, suspended, lost, damaged or renewed shall be entered in the National Small Arms Registry. **The registration of Shoulder-fired Single Barrel Guns shall be done in the respective counties.**

§1.13. Requirements for a license

A license granted under this Act shall specify:

(a) The period for which it is valid;

(b) The conditions which are to apply;

(c) Where it is a possession license:

(I) The identification markings on the shoulder-fired single barrel gun; and

(II) The quantity of ammunition authorized to be held at any one time;

(d) Where it is a manufacturer license, repair license, or dealer license, the premises in respect of which the license is issued;

(e) Such other information as may be prescribed by regulations of the Commission.

§1.14. Conditions imposed on a license

(a) The Commission shall prescribe by regulations:

- (I) Conditions in respect of the issuance of a license granted under this Act; and
- (II) Specifications in respect of the business premises of a licensed manufacturer, repairer or dealer;
- (III) Specifications in respect of the safe-storage of arms and ammunition by persons who are licensed to possess, manufacture, repair, deal in, broker or transport such items under this ACT.

(b) A license granted under this Act shall be subject to any conditions imposed on the license by the Commission.

(c) The holder of a license granted under this Act shall comply with any condition to which the license is subject.

§1.15. Renewal of a license

(a) The holder of a license granted under this Act who wishes to renew the license must apply to the LNP or local County authority for its renewal in the prescribed form at least 90 days before the date of expiry of the license.

(b) If an application for the renewal of a license has been lodged within the period provided for in subsection (a), the license remains valid until the application is decided.

§1.16. Termination of a license

(a) A license granted under this Act terminates immediately:

- (I) upon the expiry of three years from the date on which it was issued;
- (II) if surrendered by the holder of the license to the LNP;
- (III) if the holder of the license becomes or is declared unfit to possess a small arm pursuant to regulations of the Commission; or
- (IV) if cancelled under this Act.

(b) The LNP and the Commission shall, by written notice, cancel a license granted under this Act:

- (I) if false or misleading information has been provided in order to obtain the license;
- (II) if the holder of the license no longer qualifies to hold the license;
- (III) if the holder of the license has contravened or failed to comply with any provision of this Act or any condition specified in the license; or

(IV) In any other circumstances that the Director and the Chairman of the Commission consider appropriate pursuant to regulations.

(c) The LNP shall inform the license holder of the cancellation.

(d) If a license terminates or is cancelled in accordance with subsection (a) or (b), the former holder of the license shall surrender any small arm and ammunition in his or her, or an entity's possession to the officer in charge of the nearest Liberia National Police station, who shall deliver such arms and ammunition to the office of the Director who shall deposit said arms and ammunition in the public armory pursuant to regulations.

(e) Said surrender must take place within 72 hours after receipt of the notice of the cancellation or the arms and ammunition involved shall be subject to seizure by the Liberia National Police pursuant to regulations.

§1.17. Defaced, lost or stolen licenses and permits/Death of License-Holder

(a) If a license or permit issued under this Act is lost or stolen, the holder of the license or permit shall inform the Liberia National Police of such loss or theft within 24 hours of the discovery of the loss or theft. All rights granted under said license is immediately suspended until final investigation;

(b) If a license or permit issued under this Act is defaced, lost or stolen, the holder of the license or permit shall within seven days of the discovery of the defacement, loss or theft, apply to the LNP and the Commission in the prescribed form for a copy of the license or permit;

(c) In the event of death of a license holder, the license is automatically terminated; weapon and ammunition are required to be immediately surrendered to the LNP or local/County authority. Failure to surrender is punishable by law.

§1.18. Cessation of business

If persons who hold a manufacturer license, repair license, dealer license or broker license cease to carry on business, such persons shall immediately:

(a) Forward all relevant records pertaining to the business to the LNP; and

(b) Surrender any arms and ammunition in their possession to the officer in charge of the nearest police station, who shall deliver such arms and ammunition to the LNP for deposit in the public armory.

**PART IV
POSSESSION AND USE**

§1.19. Prohibition of possession of light weapons

(a) No natural person shall have in his/her possession or under his/her control any light weapon.

(b) Subsection (a) shall not apply to a person employed by the AFL or National Security Agencies, acting in the course of his or her employment.

§1.20. Prohibition of possession of small arms

(a) No natural person shall have in his/her possession or under his/her control any small arm other than a shoulder-fired single barrel gun for which a possession license has been issued by the LNP and the Commission in accordance with this Act.

(b) A person may not possess more than one (1) shoulder-fired single-barrel gun for which a possession license has been issued by the LNP and the Commission in accordance with this Act.

(c) The holder of a possession license shall use the shoulder-fired single barrel gun the subject of the license solely for the purpose of hunting as a profession and not for recreational purposes.

(d) Subsections (a) to (c) shall not apply to personnel authorized by the AFL or National Security Agencies to obtain a license by regulation of the Commission acting in the course of his or her duty.

(e) Private security agencies or non-state actors, not defined under this ACT as National Security Agencies, shall be prohibited from arming their employees.

§1.21. Bona fide reasons for having a possession license

(a) The LNP shall not issue a license that authorizes the possession and use of a shoulder-fired single barrel gun unless the LNP and the Commission are satisfied that the applicant has a bona fide reason for possessing or using the shoulder-fired single barrel gun in keeping with section 1.20(c).

(b) An applicant for a possession license has a bona fide reason for possessing or using a shoulder-fired single barrel gun if the applicant:

(c) states under oath that he or she intends to possess or use the shoulder-fired single barrel gun for hunting as a profession and not for recreational purposes; and

(d) is able to produce evidence to the LNP and the Commission that he or she intends to use the gun for hunting by providing two (2) letters of recommendation, one of which shall be written by the applicant's town chief or any other local public official residing and working within the county within which the applicant works, which confirm that the applicant is engaged in hunting as a profession not for recreational purposes.

(e) If an application for a possession license is approved by the LNP and the Commission:

(i) The particulars of the weapon including a full description, serial number and identity markings shall be entered in the National Small Arms Registry;

(ii) The particulars of the license and the license holder shall be entered in the National Small Arms Registry; and

(iii) The holder of the possession license shall be fingerprinted by the Liberian National Police.

(f) The owner of the shoulder-fired single barrel gun for which the license has been issued in accordance with the provisions of this Act shall be responsible for the safe custody and storage of the gun to which the license relates. Negligence or reckless handling of the gun shall subject its owner to liability for any injury due to such negligence or reckless conduct pursuant to the laws of Liberia.

(g) Where a shoulder-fired single barrel gun for which a license has been issued is lost, stolen or destroyed, its owner shall within 72 hours notify the Liberian National Police of the circumstances regarding such loss, theft or destruction.

(h) Immediately following the death of the holder of a possession license, a person in possession of the shoulder-fired single-barrel gun or ammunition in respect of which the deceased person held a license shall immediately inform the Liberia National Police for the purpose of disposition or transfer pursuant to regulations.

§1.22. Prohibition of possession of ammunition

(a) No person shall be in possession or control of any ammunition unless that person:

(i) Holds a license to possess a shoulder-fired single barrel gun capable of discharging that ammunition and possesses the ammunition in accordance with the terms and conditions of the possession license;

(ii) Holds a dealer license, manufacturer license, repair license, import license, export license, transit or transshipment license or transport license issued under this Act; or

(iii) Is otherwise authorized by regulations to do so.

§1.23. Prohibition of possession of other related materials

No person may possess any other related materials unless he or she:

(a) Holds a license in respect of a small arm capable of bearing that material including a shoulder-fired single barrel gun;

(b) Holds a dealer license, manufacturer license, repair license, import license, export license, transit or transshipment license or transport license issued under this Act; or

(c) Is otherwise authorized by regulations to do so.

**PART V
MANUFACTURE**

§1.24. Prohibition of manufacture of small arms or ammunition

(a) No person shall manufacture any small arm, ammunition or other related materials except with a license duly granted by the LNP and the Commission.

§1.25. Requirements for manufacturer license

(a) A person who desires to manufacture small arms, ammunition or other related materials must apply to the LNP in the prescribed manner pursuant to regulations of the Commission for a manufacturer license.

(b) The LNP and the Commission shall only issue a manufacturer license to a person who is a fit and proper person to manufacture small arms, ammunition or other related materials as determined by regulations.

(c) The granting and renewal of a manufacture license shall be authenticated by the Office of the National Security Advisor on behalf of the President.

(d) If an application for a license is approved by the LNP and the Commission:

(i) the particulars of the license and the license holder shall be entered in the National Small Arms Registry; and

(ii) The holder of the license shall be fingerprinted by the LNP.

§1.26. Duties of manufacturer

Every licensed manufacturer shall:

(a) Manufacture small arms or ammunition only at authorized premises as determined by regulations of the Commission;

(b) Only sell small arms, ammunition and other related materials to a licensed dealer or to the Government of Liberia;

(c) Comply with the relevant marking requirements in section 1.54;

(d) Keep records of all small arms, ammunition or other related materials manufactured pursuant to regulations of the Commission;

(e) Submit quarterly reports, or pursuant to regulations, completed in the prescribed form, to the Director and the Chairman of the Commission;

(f) Keep his or her or the entity's manufacturer license on the premises specified in the license;

(g) At the request of an LNP, produce for inspection:

(i) Any arms or ammunition that the manufacturer may have in stock;

(ii) His or her or the entity's manufacturer license; and

- (iii) Any records kept by the manufacturer;
- (h) Comply with the conditions specified in the manufacturer license.

**PART VI
REPAIR**

§1.27. Prohibition of repair of small arms

(a) No person shall modify or repair any small arm or other related materials except with a license duly granted by the LNP and the Commission.

§1.28. Requirements for repair license

(a) A person who desires to repair small arms must apply to the LNP in the prescribed manner pursuant to regulations of the Commission for a repair license.

(b) The Director and the Commission may only issue a repair license to a person who is a fit and proper person to repair small arms, or other related materials pursuant to regulations.

(c) The LNP and the Commission may deny a license to any person to carry on the business of repairing small arms, ammunition or other related materials, including but not limited to excessive applications for such licenses or pursuant to regulations.

(d) If an application for a repair license is approved by the LNP and the Commission:

(i) the particulars of the license and the license holder shall be entered in the National Small Arms Registry;

(ii) The particulars of each repaired small arm shall be entered in the National Small Arms Registry; and

(iii) The holder of the license shall be fingerprinted by the Liberian National Police.

§1.29. Duties of repairer

Every licensed repairer shall:

(a) Repair arms or ammunition only at premises authorized by regulations of the Commission;

(b) Keep records of all small arms, ammunition or other related materials repaired pursuant to regulations of the Commission;

(c) Submit quarterly reports, completed in the prescribed form, to the Director;

(d) Keep his or her or the entity's repairer license on the premises specified in the license;

(e) At the request of any police officer, produce for inspection:

- (I) any arms or ammunition that the repairer may have in stock;
- (II) His or her or the entity's repairer license; and
- (III) Any records kept by the repairer;

(f) Comply with the conditions specified in the repairer license.

PART VII DEALERS

§1.30. Prohibition of trading in small arms or ammunition

(a) No person shall trade in any small arms, ammunition or other related materials without a dealer license granted by the LNP and the Commission.

(b) A person who is not a dealer shall sell or dispose of a small arm or ammunition only through a licensed dealer with notification to the LNP or as prescribed by regulations of the Commission.

§1.31. Requirements for dealer license

(a) A person who desires to trade in small arms, ammunition or other related materials must apply to the LNP and the Commission in the prescribed manner for a dealer license.

(b) The LNP and the Commission may only issue a dealer license:

- (I) to a person who is fit and proper to deal in small arms, ammunition or other related materials pursuant to regulations;
- (II) if they are satisfied that the place where the small arms, ammunition or other related materials are to be traded is reasonably secure or suitable/appropriate.

(c) The granting and renewal of a dealer license shall be authenticated by the Office of the National Security Advisor on behalf of the President.

(d) If an application for a dealer license is approved by the LNP and the Commission:

- (I) the particulars of the license and the license holder shall be entered in the National Small Arms Registry; and
- (II) The holder of the license shall be fingerprinted by the Liberian National Police.

(e) Regulations of the Commission shall establish the maximum quantity of small arms, ammunition and other related materials a licensed dealer may have in his possession at any one time.

§1.32. Duties of dealer

Every licensed dealer shall:

- (a) Trade small arms or ammunition only on premises specified in the dealer license;
- (b) Only sell small arms, ammunition and other related materials to a person who holds a license or to the Government of Liberia;
- (c) Keep records of all small arms, ammunition or other related materials manufactured pursuant to regulations of the Commission, at the premises specified in the dealer license;
- (d) Submit quarterly reports, completed in the prescribed form, to the Director;
- (e) Display a copy of the dealer license on the premises specified in the license;
- (f) At the request of an authorized police officer, produce for inspection:
 - (i) any arms or ammunition that the dealer may have in stock;
 - (ii) His or her or the entity's dealer license; and
 - (iii) Any records kept by the dealer;
- (g) Comply with the conditions specified in the dealer license.

§1.33. Deactivation of arms and weapons

- (a) No person shall deactivate a small arm without written authorization of the Commission.
- (b) A person who desires to deactivate a small arm must apply to the LNP in the manner prescribed by the regulations of the Commission for a deactivation permit.
- (c) A deactivation permit issued by the LNP and the Commission shall specify:
 - (i) the methods of deactivation; and
 - (ii) The requirements for verification that the arm or weapon has been deactivated.
- (d) Upon completion of the deactivation process:
 - (i) the Commission shall issue a deactivation certificate;
 - (ii) the weapon shall be marked in accordance with Section 1.57; and
 - (iii) the deactivated arm, or weapon shall be immediately surrendered to the LNP for deposit in the public armory. Anyone who violates this provision shall be prosecuted by law.

**PART VIII
BROKERS AND BROKERING**

§1.34. Prohibition on brokering in arms and ammunition

Any engagement in brokering activities in Liberia shall be prohibited, unless a person is a registered broker and the person has obtained a brokering license for the brokering activity from the Lapland the Commission under section 1.39.

§1.35. Registry of Brokers

(a) The LNP and the Commission shall maintain a registry with the following details for each registered broker:

- (I) the name and contact details of the broker;
- (II) The date on which the broker's registration is due to end;
- (III) Details of any conditions that apply to the broker's registration; and
- (IV) Details of each license issued in accordance with section 1.39.

(b) The Registry shall be made publicly available upon request.

§1.36. Registration application

(a) A person who desires to engage in brokering activities must apply to the Director to be registered as a broker in the prescribed manner.

(b) Subject to section 1.37, the Commission may grant or refuse to register the applicant mentioned in subsection (a) as a broker, and shall inform the applicant of its decision.

(c) A broker's registration shall be subject to any conditions specified.

(d) Registration of a person as a broker is valid for a period of one year, unless cancelled earlier.

§1.37. Registration criteria and process

(a) The Commission shall establish regulations and procedures to govern the processing and registration of brokers.

(b) In determining whether the person is a fit and proper person, the LNP and the Commission shall have regard to:

- (i) if the person has been previously registered as a broker—whether the person breached a condition of that registration or whether that registration was cancelled;

(II) If the person has been given a license under section 1.39— whether the person has breached a condition of that license;

(III) The financial position of the person or, where the person is a body corporate, the financial position of the director, manager or responsible officer; and

(IV) Any criminal record of the person or, where the person is a body corporate, the criminal record of the director, manager or responsible officer; and

(V) Any other matters that the Commission consider appropriate.

§1.38. Cancellation of registration as a broker

(a) The Commission shall cancel the registration of a registered broker:

(I) If false or misleading information has been supplied in order to obtain the registration;

(II) If the conditions on the registration or a brokering license granted under section 19, subsection (a) are not fully complied with;

(III) If the broker is convicted of a criminal offence; or

(IV) In any other circumstances that the Commission consider appropriate.

(b) The Commission shall inform the broker of the cancellation, which takes effect immediately.

(c) If the Commission cancels the registration of any brokering license held by the person under section 1.39, the license shall be taken to be revoked at the time that cancellation takes effect.

§1.39. Brokering license application

(a) A registered broker may apply to the Commission in the prescribed manner for a license to conduct one or more brokering activities.

(b) Subject to section 1.40, the Commission may issue or refuse to issue a brokering license for any activity covered by the application, and shall inform the applicant of their decision.

(c) A brokering license shall be subject to any conditions specified.

§1.40. Consideration of the brokering license application

(a) The Commission shall refuse an application for a brokering license if:

(i) the brokering activity relates to a transfer that would violate Liberia's International obligations.

(ii) The brokering activity relates to a transfer that would contravene Liberia's other international obligations; or

(iii) They have knowledge at the time of considering the application for the brokering license that the small arms, ammunition or other related materials would be used in the commission of genocide, crimes against humanity or war crimes.

(b) If the brokering license is not refused under subsection (a), the Commission shall assess the risk that small arms, ammunition or other related materials that are the subject of the brokering license application:

- (i) would undermine peace and security; or
- (ii) Could be used to commit or facilitate:
 - (1) A violation of international humanitarian law;
 - (2) An act constituting an offence under international conventions or protocols relating to terrorism to which Liberia is a Party;
 - (3) An act constituting an offence under international conventions or protocols relating to transnational organized crime to which Liberia is a Party; or
 - (4) Serious acts of gender-based violence or serious acts of violence against women and children under Liberian laws; or
- (iii) Could be diverted prior to, or after, delivery to their intended end-user.

(c) If on the basis of the assessment conducted under subsection (b) the LNP and the Commission determine that there is a substantial risk of one or more of the consequences in subsection (b) and the risk cannot be mitigated, the LNP and the Commission shall refuse the application for a brokering license.

§1.41. Duties of broker

Every registered broker shall:

- (a) Keep records of all brokering transactions pursuant to regulations of the Commission, at the broker's premises specified during the registration process.
- (b) Submit monthly reports, completed in the prescribed form, to the LNP;
- (c) Display his or her or the entity's broker license on the premises specified in the license;
- (d) At the request of any police officer, produce for inspection:
 - (i) any small arms or ammunition that the broker may have in stock;
 - (ii) His or her or the entity's broker's registration and license; and
 - (iii) Any records kept by the broker;

- (e) Comply with the conditions specified in the broker's registration or brokering license.

**PART IX
IMPORT AND EXPORT**

§1.42. Prohibition of Import and export of arms and ammunition

(b) No Liberian or Liberian entity shall import or export from Liberia any small arms, ammunition or other related materials without the appropriate license issued by the Commission in keeping with regulations and procedures.

§1.43. Requirements for an export license

(a) A person who desires to export any small arms, ammunition or other related materials must apply to the LNP in the prescribed manner for an export license.

(b) Subject to section 1.44, the Commission may issue or refuse to issue an export license, and shall inform the applicant of its decision.

(c) An export license shall be subject to conditions specified in the license.

§1.44. Consideration of export license application/Export assessment

(a) The Commission shall refuse an application for a license to export small arms, ammunition, or other related materials if:

(I) The export would violate Liberia's obligations under measures adopted by the United Nations Security Council acting under Chapter VII of the Charter of the United Nations, including arms embargoes;

(II) The export would contravene Liberia's other international obligations; or

(III) They have knowledge at the time of considering the application for the export license that the small arms, ammunition, or other related materials would be used in the commission of genocide, crimes against humanity or war crimes.

(b) If the application is not refused under subsection (a), the LNP in collaboration with the Commission shall assess the risk that small arms, ammunition, or other related materials to be exported:

(i) would undermine peace and security; or

(ii) Could be used to commit or facilitate:

(1) A violation of international humanitarian law;

(2) An act constituting an offence under international conventions or protocols relating to terrorism to which Liberia is a Party;

(3) An act constituting an offence under international conventions or protocols relating to transnational organized crime to which Liberia is a Party; or

(4) Serious acts of gender-based violence or serious acts of violence against women and children under Liberian Law; or

(iii) Could be diverted prior to, or after, delivery to their intended end-user.

(c) if on the basis of the assessment conducted under subsection (b) the LNP and the Commission determine that there is a substantial risk of one or more of the consequences in subsection (b) and the risk cannot be mitigated, the Commission shall refuse the application for an export license.

§1.45. Revocation of an export license

(a) The Commission shall revoke an export license if, after the license was issued and prior to export:

(i) an arms embargo has been imposed on the importing country or the final recipient of the small arms, ammunition, or parts and components covered by the export license; or

(ii) The LNP and the Commission acquire:

(1) Knowledge that the small arms, ammunition, or parts and components would be used in the commission of genocide, crimes against humanity or war crimes; or

(2) Information that leads the LNP and the Commission to assess that there is a substantial risk of one or more of the consequences in section 11.44(b).

(b) The Commission shall inform the holder of the export license of the revocation or amendment, which is effective immediately.

§1.46. Requirements for an import license

(a) A person who desires to import any small arms, ammunition or other related materials shall apply to the Commission through the LNP in the prescribed manner for an import license.

(b) Subject to subsection (c), the Commission shall issue or refuse to issue an import license, and shall inform the applicant of its decision.

(c) The Commission shall refuse an application for a license to import small arms, ammunition or other related materials if:

(i) The import would violate Liberia's obligations under measures adopted by the United Nations Security Council acting under Chapter VII of the Charter of the United Nations, including arms embargoes;

(ii) The import would contravene Liberia's other international obligations; or

(iii) They have knowledge at the time of considering the application for the import license that the small arms, ammunition or other related materials would be used in the commission of genocide, crimes against humanity or war crimes.

(d) An import license shall be subject to any conditions specified in the license.

§1.47. Import and Export through prescribed ports

(a) No person shall import small arms and light weapons, or other related materials into Liberia by land, sea or air, or export the same from Liberia by land, sea or air except through a named port, which the Commission, in consultation with the LNP and maritime, aviation and customs authorities, has designated by regulation as a port for importation and exportation of small arms and light weapons, their ammunition and related materials.

(b) Every licensed importer or exporter shall keep record of transactions related to all small arms or other related materials transferred under a license granted pursuant to regulations issued by the Commission including place of importation or exportation.

(c) No person shall import or cause to be imported, export or cause to be exported any small arms or related materials by post or courier.

(d) With the exception of the Government of Liberia, no person shall import into Liberia small arms and light weapons or other related materials during the period of civil conflict, civil disturbances or national emergencies declared in keeping with law.

§1.48. Declaration

(a) No person shall import or export or cause to be imported or exported small arms or other related materials unless that person declares the same to a customs officer or other authorized officer at the time of importation or exportation at the port of entry and produces to such customs officer or other prescribed officer an import or export license duly issued by the Commission.

(b) No consignment of small arms or other related materials shall be delivered to the consignee by customs except during business hours, provided that no such delivery will take place unless a duty authorized officer of the Liberian National Police and the Commission have approved same as in compliance with regulations of the Commission.

**PART X
TRANSIT AND TRANSSHIPMENT**

§1.49. Prohibition of transit and transshipment of arms and ammunition

(a) No person shall carry in transit or transship any small arms, ammunition or other-related materials through Liberian territory without the appropriate license issued by the Commission in keeping with regulations of the Commission.

§1.50. Requirements for transit or transshipment license

(a) A person who wishes to carry in transit or transship any small arms, ammunition or other related materials through Liberian territory must apply to the Commission through the LNP in the prescribed manner for transit or transshipment license.

(b) Subject to subsection (c), the Commission may issue or refuse to issue a transit or transshipment license, and shall inform the applicant of their decision.

(c) The Commission shall refuse an application for a transit or transshipment license if:

(I) The transfer would violate Liberia's obligations under measures adopted by the United Nations Security Council acting under Chapter VII of the Charter of the United Nations;

(II) The transfer would contravene Liberia's other international obligations; or

(III) They have knowledge at the time of considering the application for the transit or transshipment license that the small arms, ammunition, or parts and components would be used in the commission of genocide, crimes against humanity or war crimes.

(d) A transit or transshipment license shall be subject to conditions specified in the license.

§1.51. Provision of information by vessels in transit by sea or air

(a) If the LNP has reasonable grounds to suspect that a ship or aircraft in transit through Liberian territory is carrying small arms, light weapons, ammunition or other related materials:

(I) In contravention of measures adopted by the United Nations Security Council acting under Chapter VII of the Charter of the United Nations; or

(II) That may be used in the commission of genocide, crimes against humanity or war crimes;

The LNP may request any relevant information or documentation from any person (including the person in charge of, a crew member, or a passenger) on the ship or aircraft.

(b) A person (including the person in charge of, a crew member, or a passenger) on a ship or aircraft that is in transit through Liberia shall:

(I) Provide information to the LNP relating to the carriage of small arms, light weapons, ammunition or other related materials on the ship or aircraft; and

(II) Produce to the LNP any documents within that person's possession or control relating to such matters.

§1.52. Failure to produce documents

In the event a person fails to produce documents requested under section 1.51 within that person's possession or control, the National Security Agencies shall obtain a writ of subpoena *duces tecum* to compel production of documents.

§1.53. Seizure warrants for arms, ammunition, and parts and components

National Security Agencies may obtain a warrant to seize small arms, light weapons, ammunition or other related materials if, based on probable cause or on information provided under section 1.51, it is apparent to law enforcement that the ship or aircraft is transporting items which would:

- (I) constitute a violation of this ACT or an offense under the Penal Law of Liberia; or
- (II) violate Liberia's obligations under measures adopted by the United Nations Security Council acting under Chapter VII of the Charter of the United Nations; or
 - a. contravene Liberia's other International obligations; or
 - b. be used in the commission of genocide, crimes against humanity or war crimes.

**PART XI
MARKING**

§1.54. Manufacture markings

(a) Every manufacturer of small arms, ammunition or other related materials shall apply a unique identification mark to each such material at the time of manufacture in keeping with regulations of the Commission. The unique identification shall include the country of manufacture, the name of the manufacturer, the year of manufacture and the serial number (for small arms or the lot number for ammunition) and records thereof shall be kept by the manufacturer and the Commission to ensure accountability.

(b) Measures shall be taken by licensed manufacturers of small arms, or other related materials to prevent the removal of markings.

(c) No person, licensed dealer, licensed manufacturer or registered broker shall broker, sell, or transfer any small arms or other related materials, unless there shall have been stamped permanently thereon the manufacturer's name, the serial number and such other particulars prescribed by regulations of the Commission.

§1.55. Transfer markings

(a) The AFL or any National Security Agency that transfers small arms and light weapons, or other related materials from government stockpiles to permanent use by authorized persons shall ensure that they are marked before the transfer takes place pursuant to regulations of the Commission.

(b) No person shall transfer, keep, possess or engage in trafficking of any marked government arms, weapons or related materials except by permission of the Government of Liberia.

§1.56. Deactivation markings

Where a small arm is deactivated in accordance with section 1.33, it shall be marked in the manner prescribed by the regulations of the Commission to indicate it has been "deactivated".

§1.57. Arms of the AFL and National security Agencies

(a) The AFL and the National Security agencies shall adopt rigorous internal control measures or regulations providing for specific registration, marking and tracing and disposal procedures for those small arms and light weapons imported or manufactured in Liberia, and made available to them for the performance of their activities and classified for their exclusive use as Liberian Government institutions for defense and security.

§1.58. Tampering with markings

No person shall falsify, obliterate or remove the markings on a small arm, ammunition or other related materials without the specific authorization of the Commission.

**PART XII
PUBLIC ARMORY/STORAGE**

§1.59. Establishment of public armory

The following shall be adhered to regarding public armories:

- (a) The President may establish or recognize public armories or storage for the deposit of small arms and ammunition and approve of officers in charge thereof;
- (b) Small arms and light weapons, and other related materials may be deposited in a public armory in keeping with regulations established by the Commission;
- (c) No small arms and light weapons, or other related materials shall remain deposited in a public armory for more than a year and as prescribed by regulations of the Commission;
- (d) For the safekeeping of all seized and confiscated small arms and light weapons or other related materials prior to their subsequent destruction by the Liberia National Police under the direction of the Commission, all arms and ammunition seized by the Liberia National Police shall be kept in the public armory established by the President;

**PART XIII
REDUCTION, COLLECTION, DESTRUCTION OF ARMS AND AMMUNITION**

§1.60. Evaluation and Examination to determine excess

The manufacturer and importer shall periodically evaluate its small arms, ammunition and other related materials as to whether there is a surplus, and consideration shall be given to indicators including:

- (a) International commitments including peace operations; and
- (b) Modernization of the stock of controlled materials or acquisition of new materials.

§1.61. Collection

The Commission shall establish regulations and coordinate collection of excess small arms and light weapons within civilian population throughout the country.

§1.62. Authority to declare existence of surplus

The National Security Council or National Security Agencies that possess small arms and light weapons classified for their exclusive use have the authority to declare the existence of a surplus.

§1.63. Surplus destruction

Surplus with respect to small arms and light weapons or other related materials shall be destroyed pursuant to regulations of the Commission in collaboration with the AFL and National Security Agencies. The Commission shall also issue regulations governing the destruction of small arms, light weapons and other related materials discovered within Liberia.

**PART XIV
PENALTY FOR VIOLATIONS**

§1.64. Seizure, confiscation and forfeiture

(a) Small arms, light weapons, ammunition or other related materials imported, exported, transferred, brokered, purchased, marked, or possessed by a person in contravention of the provisions of this Act or related regulations of the Commission shall be seized, confiscated and forfeited to the Government of the Republic of Liberia pursuant to the Civil Procedure Law and Penal Law.

(b) All arms seized by the AFL or National Security Agencies shall be immediately turned over to the Liberian National Police within 72 hours of seizure for delivery to the Public Armory.

(c) The National Security Council shall make decision on the use of seized, confiscated or forfeited small arms, light weapons, ammunition and other related materials stored at public armories.

(d) The LNP shall keep record of every small arm, light weapon, ammunition or other related materials seized, confiscated or forfeited.

§1.65. Offenses and penalties

(a) Any person who violates any of the provisions of this Act shall be subject to administrative sanctions imposed by the Commission pursuant to the regulations or shall be subject to criminal penalties for offenses under the Penal Law of Liberia, including but not limited to the criminal offenses listed in subsection (b).

(b) Criminal penalties for violation of the provision of this Act shall be as follows:

1. *Illicit import of small arms.* The import of small arms, ammunition and other related materials by a person or entity without a license and contrary to the provisions of this ACT shall constitute a felony of the first degree under the Penal law.

2. *Illicit export of small arms.* The export of small arms, ammunition and other related materials by a person or entity without a license and contrary to the provisions of this ACT shall constitute a felony of the first degree under the Penal law.

3. *Illicit manufacture of small arms.* The illegal manufacture of small arms, ammunition or related materials by a person or entity without a license and contrary to the provisions of this ACT shall constitute a felony of the first degree under the Penal Law.

4. *Illicit repair or modification of small arms.* The repair or modification of small arms or other related materials by a person or entity without a license and contrary to the provisions of this ACT, including shortening to a length less than 24 inches the barrel of a shoulder-fired single barrel gun, shall constitute a felony of the second degree under the Penal Law.

5. *Illicit possession of small arms.* The possession of small arms or other related materials, including but not limited to High and Low Explosives (Dynamites, Trinitrotoluene or TNT, Knockout or Firecracker and Pyrotechnics) by a person, entity, group of persons or organization without a license and contrary to the provisions of this ACT shall constitute a felony of the second degree under the Penal Law.

6. *Illicit dealing and transfer of small arms.* The dealing (sale, trading, purchase or acquiring) and transfer of small arms by a person without a license and contrary to the provisions of this ACT shall constitute a felony of the third degree. Where the transaction is linked to a war, civil war or conflict, insurrection, rebellion, mutiny or any criminal conspiracy, same shall constitute felony of the first degree under the Penal Law.

7. *Illicit brokering.* Brokering of small arms, ammunition or other related materials by a person without being registered as a broker under section 1.36, without a holding a valid brokering license for the brokering activity under section 1.39 or in breach of a condition of registration as a broker or a broker's license and contrary to the provisions of this ACT shall constitute a felony of the first degree under the Penal Law.

8. *Illicit trafficking.* The illicit trafficking of small arms, light weapons or related materials by a person shall constitute a felony of the first degree under the Penal Law.

9. *Illicit deactivation.* Deactivation of small arms or light weapons by a person without obtaining prior authorization contrary to the provisions of this ACT shall constitute a misdemeanor of the first degree under the Penal Law.

10. *Illicit Arming of officers of private security companies and non-state actors.* Arming officers of private security companies or non-state actors by any person or entity shall constitute a felony of the first degree under the Penal Law.

11. *Illicit tampering with markings.* Falsifying, obliterating or removing the markings on a small arm, light weapon, ammunition or other related materials without prior authorization by a person shall constitute a felony of the second degree under the Penal Law.

This Act shall take effect immediately upon publication into handbills.

ANY LAW TO THE CONTRARY NOTWITHSTANDING

2016

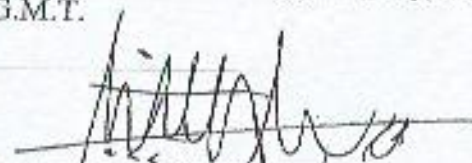
FIFTH SESSION OF THE FIFTY-THIRD
LEGISLATURE OF THE REPUBLIC OF LIBERIA

SENATE'S ENGROSSED BILL NO. 2, ENTITLED:

"AN ACT TO ESTABLISH FIREARMS AND
AMMUNITION CONTROL OF LIBERIA, 2015"

On motion, Bill read. On motion, the Bill was adopted on its first reading and sent to Committee Room on Thursday, November 20, 2014 at 14:31 G.M.T.

On motion, Bill taken from the Committee Room for its second reading. On motion, under the suspension of the rule, the second reading of the Bill constituted its third and final reading and the Bill was adopted, passed into the full force of the law and ordered engrossed today, Tuesday, January, 19, 2016 @ 14:11 G.M.T.


SECRETARY, LIBERIAN SENATE, R.L.

2016

THIRD SESSION OF THE FIFTY-THIRD
LEGISLATURE OF THE REPUBLIC OF LIBERIA

HOUSE'S ENDORSEMENT TO SENATE'S ENGROSSED
BILL NO. 2 ENTITLED:

"AN ACT TO ESTABLISH FIREARMS AND
AMMUNITION CONTROL OF LIBERIA, 2015"

On motion, Bill read. On motion, the Bill was adopted on its first reading and sent to Committee Room on Tuesday, January 26, 2014 at 12:18 G.M.T.

On motion, Bill taken from the Committee Room for its second reading. On motion, under the suspension of the rule, the second reading of the Bill constituted its third and final reading and the Bill was adopted, passed into the full force of the law and ordered engrossed today, Thursday, May 12, 2016 at 14:29 G.M.T.


CHIEF CLERK, HOUSE OF REPRESENTATIVES

2016

ATTESTATION

"AN ACT TO ESTABLISH FIRE ARMS AND AMMUNITION CONTRC
OF LIBERIA, 2015"

~~_____
VICE PRESIDENT OF THE REPUBLIC OF LIBERIA/PRESIDENT O
THE SENATE~~

~~_____
THE SECRETARY, LIBERIAN SENATE~~

~~_____
THE SPEAKER, HOUSE OF REPRESENTATIVES~~

Michael N. Layton

THE CHIEF CLERK, HOUSE OF REPRESENTATIVES, R.L.

[Handwritten mark]



SECRETARY OF THE SENATE



The Liberian Senate

CAPITOL BUILDING, CAPITOL HILL, MONROVIA, LIBERIA
WEST AFRICA

2016

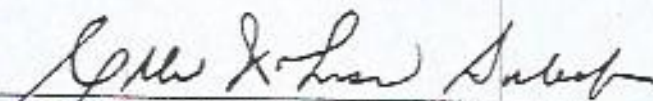
FIFTH SESSION OF THE FIFTY-THIRD LEGISLATURE OF THE
REPUBLIC OF LIBERIA.

SCHEDULE OF SENATE'S ENROLLED BILL NO. 2, ENTITLED:

“AN ACT TO ESTABLISH FIREARMS AND AMMUNITION CONTROL
OF LIBERIA, 2015”

PRESENTED TO THE PRESIDENT OF THE REPUBLIC OF LIBERIA FOR
EXECUTIVE APPROVAL.

APPROVED THIS 11th DAY OF July A.D. 2016
AT THE HOUR OF 5:00 P.M.



THE PRESIDENT OF THE REPUBLIC OF LIBERIA