

**ARMS AND AMMUNITION DECREE, 1972 (NRCD 9)**

**As amended by**

**ARMS AND AMMUNITION (AMENDMENT) ACT, 1996 (ACT 519)1**

**THE ARMS AND AMMUNITION (AMENDMENT) ACT, 2001 (ACT 604)2**

**ARRANGEMENT OF SECTIONS**

Section

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2. Method of registration
3. Change of ownership or possession of arms or ammunition to be registered
4. Expiry of permit
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IN pursuance of the National Redemption Council (Establishment) Proclamation, 1972, this Decree is hereby made:

Section 1—All Arms and Ammunition to be Registered.

(1) Every person who owns, possesses or controls any arms or ammunition (including explosives) shall forthwith apply to register those arms or ammunition at the nearest police station.

(2) This section shall apply to any arms and ammunition notwithstanding that any licence, permit or authorisation has been granted in respect thereof under any other enactment before the commencement of this Decree:

Provided that no fee shall be payable in respect of any permit issued under subsection (3) of section 2, in respect of a period for which there is in force in relation to the arms or ammunition in question a valid licence issued under any enactment.

(3) This section shall apply in respect of all arms and ammunition within Ghana, including the territorial waters.

(4) This section shall not apply so as to require the registration of arms or ammunition forming part of the regular equipment of the Armed Forces or the Police Service, but shall apply in respect of all arms and ammunition acquired by the Armed Forces or the Police Service otherwise than as part of such regular equipment.

(5) This section shall apply in respect of all arms and ammunition held by any Department of Government.

#### Section 2—Method of Registration.

(1) Every person applying to register arms or ammunition in accordance with section 1 shall complete the form contained in the First Schedule to this Decree.

(2) No application for registration shall be accepted until the arms or ammunition are produced for inspection by the police—

(a) where practicable, at the police station at which the application is made; or

(b) where such production is impracticable, at the place at which the arms or ammunition are kept.

(3) Where an application for registration is duly submitted and the arms or ammunition are duly produced and inspected by the police, the police officer authorised to effect the registration shall register the arms or ammunition in accordance with this Decree, and shall issue to the applicant, upon payment by him of the fee prescribed in the Second Schedule, a permit entitling him to possess those arms or ammunition for such purposes and subject to such conditions as may be specified in the permit, which may include a condition requiring the person licensed to account for the use of any ammunition.

(4) A permit shall be valid for six months or for such other period as the Inspector-General of Police may determine, and shall then expire.

#### Section 3—Change of Ownership or Possession of Arms or Ammunition to be Registered.

(1) No person who possesses arms or ammunition in accordance with a valid permit granted under section 2 shall at any time sell, dispose or part with the possession of those arms or ammunition to any other person until—

(a) he has applied in writing to the Inspector-General of Police for permission to do so; and

(b) the Inspector-General of Police has granted such permission, subject to such conditions as he thinks fit.

(2) Where the Inspector-General of Police grants permission in accordance with subsection (1), the holder of the permit shall surrender it to the issuing authority who shall thereupon re-register the arms or ammunition in the name of the new holder thereof, amend the permit accordingly, and deliver the permit to the new holder.

(3) A permit delivered to a new holder in accordance with subsection (2) shall continue in force in accordance with its original terms and such additional conditions as the Inspector-General of Police may impose, and shall continue in force until the date of expiry originally specified therein.

#### Section 4—Expiry of Permit.

(1) A permit may be renewed for further periods not exceeding six months at a time, or such other period as the Inspector-General of Police may determine, upon application made to the issuing authority on or before the date of expiry of the permit.

(2) An application to renew a permit shall be accompanied by the renewal fee specified in the Second Schedule.

(3) Where a permit is not renewed before its expiry, the holder of the permit shall immediately surrender it to the issuing authority and shall also surrender to the issuing authority all arms and ammunition held by him in respect of which the permit was granted.

#### Section 5—Control of Imports and Exports.

(1) No person shall import or export any arms or ammunition (including explosives) without the prior consent in writing of the National Redemption Council.

(2) The National Redemption Council may issue a permit to any person authorising him to import or export the arms or ammunition (including explosives) specified therein, subject to such conditions and restrictions as the National Redemption Council may think fit to impose.

#### Section 6—Manufacture of Arms and Ammunition.

No person shall, except with the written consent of the National Redemption Council and subject to such conditions and restrictions as the Council may determine, manufacture any arms or ammunition (including explosives).

#### Section 7—Control of Public Display of Arms or Ammunition, Etc.

(1) No person shall, except in accordance with the terms of a permit granted under this Decree or with the written consent of the Inspector-General of Police, publicly display any arms or ammunition (including explosives) or discharge any firearm or other weapon in any public place.

(2) Without prejudice to the generality of subsection (1), that subsection shall apply to the performance of traditional ceremonies.

#### Section 8—Arms or Ammunition may be Seized in National Interest.

(1) Notwithstanding any of the foregoing provisions of this Decree or of any other enactment, the National Redemption Council may, where it considers it in the national interest so to do, authorise any member of the Police Service or the Armed Forces to seize any arms or ammunition wherever they may be.

(2) The officer effecting the seizure shall deliver a written receipt for the articles seized to the person appearing to him to be the owner, or in possession or control, of those articles.

(3) Any officer authorised to effect a seizure under this section shall have power for that purpose, subject to any directions of the National Redemption Council, to enter and search any premises, place or vehicle whatsoever, to require that any premises, place, vehicle or article be opened or made available to his inspection, and to break open or in any manner gain admittance to any premises, place, vehicle or article where he finds any obstruction to such admittance.

(4) No civil action shall be brought against any officer acting under this section in respect of any act done by him in good faith in the execution or intended execution of the provisions of this section.

#### Section 9—Forfeiture.

(1) Unless the National Redemption Council otherwise directs, there shall be forfeited to the Republic all arms or ammunition (including explosives)—

(a) used in the commission of any criminal offence; or

(b) surrendered under section 4(3); or

(c) seized in accordance with section 8.

(2) Any article forfeited in accordance with this section may be disposed of as the National Redemption Council may direct.

#### Section 10—Central Register to be Kept.

(1) The Inspector-General of Police shall maintain a Central Arms and Ammunition Register of all arms and ammunition (including explosives) registered in accordance with this Decree.

(2) The officer in charge of every police station shall, upon effecting any registration under this Decree, as soon as practicable notify the fact of such registration to the Inspector-General of Police for incorporation in the Central Register.

#### Section 10A.—Fees Payable.

The fees specified in column 2 of the Second Schedule to this Act are payable in respect of the matters specified in relation to them in column 1. [As inserted by the Arms and Ammunition (Amendment) Act, 1996 (Act 519), s.1]

#### Section 11—Offences.

(1) Any person who—

- (a) contravenes any provision of this Decree or any condition or restriction imposed in respect of any permit granted to him; or
- (b) obstructs any member of the Police Service or of the Armed Forces in the exercise of any function conferred upon him by this Decree; or
- (c) wilfully makes any false statement in connection with any application under this Decree; or
- (d) forges, alters or defaces any permit granted under this Decree; or
- (e) has in his possession without lawful authority any permit granted under this Decree; or
- (f) makes or knowingly has in his possession or control any explosive (including any gunpowder or fuse) under such circumstances as to give rise to a reasonable suspicion that he is not making it or does not have it in his possession or control for a lawful object,

shall be guilty of an offence and liable on summary conviction to a fine not exceeding ₪5 million or to imprisonment not exceeding five years or to both.[As amended by the Arms and Ammunition (Amendment) Act, 1996 (Act 519), s.2]

(2) Where an offence under this Decree or under any regulations made thereunder is committed by a body of persons—

- (a) where the body of persons is a body corporate, every director or officer of that body corporate shall be deemed to be guilty of that offence; and
- (b) where the body of persons is a firm, every partner of that firm shall be deemed to be guilty of that offence.

#### Section 12—Regulations.

The National Redemption Council may by legislative instrument make regulations—

- (a) amending any provision of the Schedules to this Decree;
- (b) exempting any person or class of persons from all or any of the provisions of this Decree;
- (c) regulating the conveyance, storage, possession and use of arms and ammunition (including explosives);
- (d) prohibiting the import, export or possession of any specified kind of arms or ammunition (including explosives);
- (e) generally for giving effect to the provisions of this Decree.

#### Section 13—Interpretation.

In this Decree—

"ammunition" includes explosives, all munitions of war, and all materials for loading firearms;

"arms" includes firearms and offensive weapons of all descriptions, artillery, apparatus for the discharge of all kinds of projectiles, explosive or gas-diffusing, flame-throwers, bombs, grenades, machine-guns and rifled small-bore breech-loading weapons of all kinds, and includes also all parts of any of the foregoing;

"explosives" includes gunpowder, nitro-glycerine, dynamite, or other nitro-glycerine admixture, gun cotton, blasting power, detonators, and every other substance used to produce a practical effect by explosion;

"firearms" includes any gun, rifle, machine-gun, cap-gun, flint-lock gun or pistol, revolver, pistol, cannon or other firearm, and any air gun, air rifle, or air pistol, whether whole or in detached pieces.

"first class arms and ammunition dealer" means a person whose annual importation of shot guns and ammunition is more than 1000 pieces but not more than 2000 pieces; [As inserted by the Arms and Ammunition (Amendment) Act, 1996 (Act 519), s.3].

"second class arms and ammunition dealer" means a person whose annual importation of arms and ammunition is less than 1000 pieces; [As inserted by the Arms and Ammunition (Amendment) Act, 1996 (Act 519), s.3].

"magazine" means a store for arms, ammunition, cartridges and explosives. [As inserted by the Arms and Ammunition (Amendment) Act, 1996 (Act 519), s.3].

#### Section 14—Repeals and Savings.

(1) The following enactments are hereby repealed:—

Explosives Ordinance (Cap. 254)

Explosives (Amendment) Ordinance, 1956 (No. 9)

Sections 1 to 5, 15 and 22 (2) of the Arms and Ammunition Act, 1962 (Act 118).

The Arms and Ammunition (Amendment) Law, 1993 (PNDCL 71). [Repealed by the Arms and Ammunition (Amendment) Act, 1996 (Act 519), s.4].

(2) Notwithstanding the repeal of the Explosives Ordinance (Cap. 254), the Explosives Regulations, 1970 (LI 666) as subsequently amended shall continue in force as if made under section 12 of this Decree, until modified, amended or revoked.

### SCHEDULE

#### FIRST SCHEDULE

(Section 2(1))

#### APPLICATION TO REGISTER ARMS OR AMMUNITION, INCLUDING EXPLOSIVES

1. Full names of applicant.....

2. Address of applicant.....  
.....

3.  
Nationality.....

4. Date of birth.....

5. Place of birth.....

6. Description and quantity of arms and  
ammunition.....

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.....  
.....  
.....

7. Date on which arms and ammunition were acquired.....

8. Person from whom arms and ammunition were acquired:—

(a) Full names.....

(b) Address.....

.....

9. Particulars of last permit or other authorisation (if any) to possess the arms and ammunition to  
which this application relates:—

(a) Number of permit, etc.....

(b) Date of issue of permit,  
etc.....

(c) Date of expiry of permit,  
etc.....

.....

10. Purpose for which the applicant requires arms and ammunition:—

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.....

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.....  
11. Full particulars of all other arms and ammunition held by the applicant  
.....  
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.....

I, .....(name of applicant)

declare that all the statements made by me in this application are true and that I have not concealed any fact material to this application. I undertake that if this application is granted I shall use the arms and ammunition to which it relates for the purposes specified in paragraph 10 of this application and for no other purpose, and that I shall observe all conditions attached to any permit which may be granted to me.

Signed/marked.....

(Applicant)

before me.....

(Authorised Officer)

Date  
application.....19..... of

Place  
application..... of

“SECOND SCHEDULE

FEES PAYABLE

(Section 10A)

Category	Rate
(i) First class private arms and ammunition magazine dealer (first licensing)	₹5,000,000

- (ii) Renewal of licence of first class private arms and ammunition magazine dealer (annually)  
¢2,000,000
- (iii) Second class private arms and ammunition magazine dealer (first licensing) ¢2,000,000
- (iv) Renewal of licence for second class private arms and ammunition magazine dealer (annually)  
¢2,000,000
- (v) Revolvers and pistols (first licensing) (individuals) ¢1,000,000
- (vi) Renewal fee for revolvers and pistols licence (individuals) (annually) ¢500,000
- (vii) Air pistol, air rifle, air gun and gas diffusing arms (first registration) ¢500,000
- (viii) Renewal of licence for air pistol, air rifle, air gun and gas diffusing arms (annually)  
¢500,000
- (ix) Shotguns (first registration) ¢50,000
- (x) Renewal of licence for shot-guns (annually) ¢20,000
- (xi) Other arms, eg. cap guns and flintlock guns (first registration) ¢50,000
- (xii) Renewal of licence of other arms, eg. cap guns and flintlock guns (annually) ¢20,000
- (xiii) Fee for private magazine withdrawals permit for explosives (Form C) (annually)  
¢100,000
- (xiv) Fee for private magazine withdrawals permit for arms and ammunition (Form C) (annually):  
1st class  
  
2nd class  
  
¢100,000 ¢50,000
- (xv) Commercial magazine dealer in explosives (first licensing) ¢5,000.000
- (xvi) Commercial magazine dealer (annual renewal fee) ¢1,000.000”

[As substituted by the Arms and Ammunition (Amendment) Act, 2001 (Act 604)].

Made this 29th day of January, 1972.

COLONEL I. K. ACHEAMPONG

Chairman of the National Redemption Council

FOOTNOTE

\* No fees shall be payable in respect of arms or ammunition acquired by the Armed Forces or the Police Service, or held by any Department of Government.

Date of Gazette Notification: 1st February, 1972.