

FIREARMS ACT
CHAPTER 146
LAWS OF THE FEDERAL REPUBLIC OF NIGERIA 1990

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FIREARMS ACT
CHAPTER 146
LAWS OF THE FEDERAL REPUBLIC OF NIGERIA 1990

An Act to make provision for regulating the possession of and dealing in firearms and ammunition including muzzle-loading firearms, and for matters ancillary thereto.

1st day of February 1959

Part I
Introductory

1. This Act may be cited as the Firearms Act.
2. In this Act, unless the context otherwise requires-

"ammunition" means ammunition for any firearm and any component part of any such ammunition, but does not include gun powder or trade powder not intended or used as such a component part;

"firearm" means any lethal barrelled weapon of any description from which any shot, bullet or other missile can be discharged, and includes a prohibited firearm, a personal firearm and a muzzle-loading firearm of any of the categories referred to in Parts I, II and III respectively of the Schedule hereto, and any component part of any such firearm;

"public armoury" means a place or building established or recognised as a public armoury in accordance with section 14.

Part II
Licensing

3. No person shall have in his possession or under his control any firearm of one of the categories specified in Part I of the Schedule hereto (hereinafter referred to as a prohibited firearm) except in accordance with a licence granted by the President acting in his discretion.
4. No person shall have in his possession or under his firearms control any firearm of one of the categories specified in Part II of the Schedule to this Act (hereinafter referred to as a personal firearm) except in accordance with a licence granted in respect thereof by the Inspector-General of Police, which licences shall be granted or refused in accordance with principles decided upon by the National Council of Ministers.
5. (1) This section shall not have effect in respect of Lagos.

- (2) The Commissioner of Police of a State, with the consent of the Governor of the State in respect of the State or any part thereof, may by order prohibit the possession or control of any firearm of the categories specified in Part III of the Schedule to this Act (hereinafter referred to as a "muzzle-loading firearm") without the licence of an authority to be specified in such order.
 - (3) Upon the making of an order under subsection (2) no person shall within any area specified in such order have in his possession or under his control a muzzle-loading firearm without a licence granted in respect thereof by the appropriate authority in accordance with regulations made under section 33 of this Act.
 - (4) An authority specified in an order made under sub-section (2) of this section, shall render such periodical returns as may be required by regulations.
 - (5) The grant of a licence in respect of a muzzle-loading firearm in respect of which application has been duly made shall not be refused except for one of the reasons specified in subsection (2) of section 7 of this Act.
- 6.** No person shall within Lagos have in his possession or under his control a muzzle-loading firearm without a licence from the Inspector-General of Police.
- 7.** (1) Subject to the provisions of subsection (5) of section 5 of this Act, no person shall, as of right, be entitled to the grant of any licence or permit under this Act and the authority having the function of granting such licence or permit may without being bound to assign any reason therefor refuse the grant of such licence or permit or, subject to the provisions of any regulations made under section 33 of this Act, may impose such terms or conditions as he may think fit, and may revoke such licence or permit for such cause as he may consider appropriate:
- Provided that any person aggrieved by any such decision, other than a decision by the President, may appeal in writing to the President acting in his discretion whose decision thereon shall be final.
- (2) Notwithstanding the provisions of subsection (1) of this section, no licence or permit under the provisions of this Act shall be granted if there is reason to believe that the applicant or holder of the licence-
- (a) is under the age of seventeen;
 - (b) is of unsound mind;
 - (c) is not fit to have possession of the firearm in question on account of defective eyesight;
 - (d) is a person of intemperate habits;
 - (e) has during the previous five years been convicted of an offence involving violence or the threat of violence.
- 8.** (1) The owner of a firearm in respect of which a Safe custody licence or permit has been granted in accordance with the of firearms. provisions of this Act shall be responsible for the safe custody of the firearm to which the licence or permit relates.
- (2) The owner of such firearm, in the case of loss, theft or destruction of such firearm, shall notify such loss, theft or destruction and the circumstances thereof within fourteen days of being aware thereof to the authority who issued the licence or permit, and shall at the same time surrender the licence or permit for such action as such authority may consider necessary.

- (3) Upon the death of the holder of a licence or permit, a person lawfully in possession of the chattels of the deceased or a person to whom a firearm or ammunition therefor has been bequeathed may, notwithstanding any other provision of this Act, lawfully have in his possession a firearm or ammunition in respect of which the deceased person held a licence or permit for a period of fourteen days after such death:

Provided that the Inspector-General of Police may, if he thinks fit, seize such firearm or ammunition and retain or deposit the same in a public armoury until a licence or permit shall have been granted in respect thereof.

9. (1) No person shall have in his possession or under his control any ammunition in respect of any firearm referred to in the Schedule to this Act except in accordance with the terms of a licence or permit granted to him and in force in respect of such firearm.
- (2) This section shall apply in respect of all ammunition as defined in section 2 of this Act, except-
- (a) ammunition for a muzzle-loading firearm in the possession or under the control of a person outside Lagos and in any area not for the time being the subject of an order in accordance with section 5 of this Act;
 - (b) lead shot for use only as a weight or weights;
 - (c) blank cartridges (other than those for humane killers) not exceeding 2.54 centimetres in diameter.

Part III Sale and Transfer

10. (1) No person shall by way of trade or business buy or sell or transfer or expose for sale or transfer or have in his possession for sale or transfer any firearm unless he is registered as a firearms dealer.
- (2) No person shall by way of trade or business buy or sell or transfer or expose for sale or transfer or have in his possession for sale or transfer any ammunition, other than the ammunition specified in paragraphs (a) to (c) of sub-section (2) of section 9 of this Act unless he is registered as a firearms dealer.
- (3) For the purpose of this section the Inspector-General of Police shall cause to be kept a register or registers of firearms dealers and shall upon due application enter therein the name of any person applying to be registered and each place where such person carries on business as such dealer:

Provided that no registration shall take place, and a registration which has taken place shall be cancelled-

- (a) if the officer in charge of the register is satisfied that the applicant cannot be permitted to carry on business as a firearms dealer without danger to the public safety or the peace; or
- (b) in respect of any premises which do not comply with the requirements prescribed by regulations made under section 33 of this Act.

- (4) The President may without being bound to assign any reason therefor direct that registration in accordance with this section shall not take place in respect of any person or persons, or in respect of any place or area, and may in like manner direct that any such registration shall be cancelled.
11. (1) A registered firearms dealer shall construct in accordance with the requirements prescribed by regulations under section 33 of this Act and maintain in proper repair an armoury at each place in respect of which he carries on business.
- (2) A registered firearms dealer shall keep up to date at each place where he carries on business such records and shall make such returns in respect thereof as may be prescribed.
- (3) A registered firearms dealer, in the case of loss, theft or destruction of a firearm in his possession, shall notify such loss, theft or destruction as soon as possible and in any case within seven days thereof to the Inspector-General of Police.
- (4) A registered firearms dealer shall permit inspection of each place where he carries on business and the records maintained thereat by a police officer upon production by such officer of the written authority of the Inspector-General of Police.
12. No person, whether a registered firearms dealer or not, shall sell or transfer any firearm or ammunition to any licence person other than to another registered firearms dealer (and then only after prior notification by both dealers to the Inspector-General of Police) without the production of a licence or permit by such person authorising the possession of such firearm or ammunition:
- Provided that regulations made in accordance with section 33 of this Act, may permit the sale or transfer of a firearm or ammunition by a registered firearms dealer to a person not the holder of a licence or permit intending to obtain such licence or permit in another part of Nigeria, upon conditions to be prescribed in such regulations.
13. (1) No person, whether a registered firearms dealer or not, shall sell or transfer any firearm unless there shall have been stamped permanently thereon the maker's name and number or such other particulars as may be prescribed, and unless such name or number is specified in any licence or permit produced in accordance with section 12 of this Act.
- (2) No person, whether a registered firearms dealer or not, shall alter or render illegible the maker's name or number or other prescribed particulars stamped upon a firearm without the previous consent in writing of the Inspector-General of Police.

Part IV Public Armouries

14. The President may, by notice in the Federal *Gazette*, establish or recognise public armouries for the deposit of firearms and ammunition and prescribe the officers to be in charge thereof.
15. Firearms and ammunition may be deposited in a public armoury in accordance with regulations made under section 33 of this Act and shall not be withdrawn therefrom save in accordance with such regulations.
16. (1) No firearm or ammunition shall remain deposited in a public armoury for a period in excess of eighteen months.

- (2) No firearm or ammunition shall remain deposited in a public armoury for a period exceeding two months after an application for a licence in respect thereof has been refused, or after a licence in respect of the same has been revoked.
 - (3) Notwithstanding the provisions of subsections (1) and (2) of this section, the officer in charge of a public armoury may in his discretion in either such case permit deposit for a further period not exceeding twelve months if in his opinion the owner has the intention of removing or disposing of such firearm or ammunition lawfully and is likely to have an opportunity to do so.
 - (4) After giving two months' notice in the *Federal Gazette* of his intention to do so, the officer in charge of a public armoury may, in such manner as may be directed by the Inspector-General of Police, dispose of any firearm or ammunition-
 - (a) which is deposited in contravention of subsection (1) or (2), as modified by subsection (3) of this section; or
 - (b) upon which the fees for such deposit have been unpaid for three months; or
 - (c) of which the owner is unknown or within four weeks does not reply to an enquiry posted to his last known address.
- 17. (1)** The Inspector-General of Police and the officer in charge of a public armoury shall not be responsible for any deterioration or damage caused to any firearm or ammunition deposited in a public armoury, but, in the manner to be prescribed by regulations, shall permit the owner and any person authorised by the owner to have access if he so requires for the purpose of inspection, cleaning or maintenance of a firearm or of ammunition therefor.
- (2) No compensation shall be made to the owner of any firearms or ammunition deposited in a public armoury by reason of any damage occasioned thereto by any natural or accidental cause.

Part V

Import and Export

- 18.** No person shall import any firearms or ammunition into Nigeria by sea or by air or export the same therefrom by sea or by air except through a port which is a port for the purposes of the customs laws or an airport duly designated under the civil aviation laws nor import or export the same by land except through a prescribed town adjacent to the land frontier or by the shortest route from the nearest part of the frontier to such a prescribed town.
- 19.** No person shall import or cause to be imported or export or cause to be exported any firearms referred to in Part I of the Schedule to this Act or ammunition therefor except in accordance with a licence duly granted by the President who may grant or refuse the same in his discretion and impose such terms and conditions as he may think fit.
- 20.** No person shall import or cause to be imported any firearms or ammunition referred to in Part II or Part III of the Schedule to this Act unless he declares the same to a customs officer or other prescribed officer at the time of importation and-
- (a) unless he produces to such customs officer or other prescribed officer a licence to possess such firearms or ammunition; or

- (b) he imports the same as part of his personal effects and completes a prescribed form of declaration that his destination is within Nigeria but is in excess of twenty miles from the place of importation and that he will surrender such firearm or ammunition to a specified authority or at a public armoury at or near his destination in accordance with such declaration and with the terms of a permit for temporary possession thereof to be issued by the Inspector-General of Police:

Provided that the Inspector-General of Police may in his discretion require the surrender of such firearm or ammunition for the purpose of transmission by official channels to such specified authority or public armoury; or

- (c) he imports the same as part of his personal effects and is in transit to some country outside Nigeria and either surrenders the same to the customs or police authority while he is in Nigeria or obtains a permit for temporary possession during such period of transit; or
- (d) he is a registered firearms dealer, or a person referred to in paragraph (c), (d) or (e) of subsection (2) of section 38 of this Act, and imports the same in accordance with an import licence duly granted by the Inspector-General of Police who may grant or refuse the same in his discretion, subject to a like appeal as that provided for in section 7 of this Act, and who may impose such terms and conditions as he may think fit; or
- (e) he gives an undertaking in writing that he will forth-with apply for a licence in accordance with section 4 of this Act and surrenders such firearm or ammunition for deposit in a public armoury pending a decision upon such application.

21. No person shall import or cause to be imported any Import by firearms or ammunition by post.
22. No person shall export or cause to be exported any firearms or ammunition referred to in Part II or Part III of the Schedule to this Act unless he declares the same to a customs officer or other prescribed officer at the time of export and produces the licence or permit held in respect thereof for surrender or endorsement, or otherwise satisfies such customs or other prescribed officer that he is lawfully in possession thereof.

Part VI

Manufacture and Repair of Arms

23. Subject to the provisions of sections 24 to 26 of this Act, no person shall manufacture, assemble or repair any firearms or ammunition except at a public armoury or at arsenals established for the purposes of the armed forces with the consent of the President, acting in his discretion.
24. The Inspector-General of Police may in his discretion grant a permit to any person to carry on the business of repairing firearms referred to in Part II of the Schedule to this Act, and shall maintain a register of such permits in force.
25. The Inspector-General may, with the consent of the Governor of the State, in his discretion grant a permit to any person to carry on the business of manufacture and repair of the firearms referred to in Part III of the Schedule to this Act, and shall maintain a register of such permits in force.
26. A registered firearms dealer shall be deemed to be the holder of a permit for the repair of the weapons referred to in Parts II and III of the Schedule to this Act subject to any conditions prescribed by regulations.

27. No person shall shorten the barrel of a smooth-bore firearm to a length of less than twenty inches from the muzzle to the point at which the charge is exploded on firing, and no person shall have in his possession or under his control any smooth-bore firearm which has been so shortened, or manufacture a smooth-bore firearm having such a barrel of less than twenty inches or have in his possession or under his control any firearms manufactured in contravention of this section.

Part VII
Enforcement of Act

28. (1) Any person who contravenes any of the provisions 1966 No.31. of this Act specified in paragraphs (a), and (c) of this section, shall be guilty of an offence and shall be liable on conviction-
- (a) as to any offences under any of the following-
- (i) section 3 of this Act, (which prohibits the possession or control of firearms or certain categories),
 - (ii) section 18 of this Act, (which prohibits the importation or exportation of firearms or ammunition other than through prescribed ports),
 - (iii) section 19 of this Act, (which restricts the importation or exportation of certain firearms or ammunition), and
 - (iv) section 23 of this Act, (which prohibits the manufacture, assembly, or repair of firearms and ammunition),
- to a minimum sentence of ten years;
- (b) as to any offences under any of the following-
- (i) section 4 of this Act, (which restricts the possession or control of personal firearms),
 - (ii) section 9 of this Act, (which restricts the possession or control of ammunition in respect of certain firearms),
 - (iii) section 10(1) of this Act, (which prohibits any dealing in arms or ammunition),
 - (iv) section 20 of this Act 9 (which restricts the importation of personal firearms or ammunition), and
 - (v) section 27 of this Act, (which, among other things, prohibits the shortening of smoothbore firearms),
- to imprisonment for a term not exceeding five years,
- (c) as to any offences under any of the following-
- (i) section 5(3) of this Act, (which restricts the possession or control of a muzzle-loading firearm within a specified area),
 - (ii) section 6 of this Act, (which prohibits possession or control of a muzzle-loading firearm in Lagos,

- (iii) section 8(2) of this Act, (which requires notification of loss, theft or destruction and certain other things with respect to firearms),
- (iv) section 11 of this Act (which relates to a registered dealer's armoury),
- (v) section 12 of this Act (which deals with the sale or transfer of firearms or ammunition to licence holders), and
- (vi) section 13 of this Act (which relates to the stamping of all firearms sold or transferred),

to a fine of one thousand naira or imprisonment for a term of two years or to both such fine and imprisonment.

- (2) Where a person contrary to section 21 of this Act imports or causes to be imported firearms or ammunition by post or, contrary to section 22 of this Act, exports or causes to be exported any firearms or ammunition therein referred to, he shall be guilty of an offence and liable on conviction to imprisonment for a term of not less than ten years.
- (3) In addition to the penalties prescribed in subsection (1) or (2) of this section, any court of law may order the forfeiture of any firearm or ammunition to which the offence relates and any such forfeited firearm or ammunition shall be disposed of in accordance with the instructions of the Inspector-General of Police.
- (4) A person charged with an offence under the provisions of subsection (1) (a), (b) or (c) of this section may be tried summarily in any part of Nigeria.
- (5) Every magistrate shall, without prejudice to any enactment relating to the jurisdiction of any other court of law, have and exercise jurisdiction for the summary trial of any person charged with an offence under the provisions of subsection (1)(a),(b)or (c) of this section and may impose the penalties prescribed herein notwithstanding anything to the contrary contained in any other enactment.

29. The holder of any licence or permit granted in accordance with the provisions of this Act shall produce the same, and if so required any firearm or ammunition to which such licence or permit relates, upon the request of a police officer, and in default shall be liable upon conviction to a fine of one hundred naira or imprisonment for six months.

30. Reasonable time shall be given by a police officer for compliance with the provisions of section 29 of this Act.

31. An officer executing a search warrant under the Criminal Procedure Act may open and if necessary break open any container upon the premises the subject of the warrant for the purpose of ascertaining whether any firearm or ammunition is contained therein, and the officer in charge of a public armoury shall have similar power for a similar purpose in respect of any container in a public armoury.

32. (1) The prescribed authorities and officers in charge of public armouries in Nigeria are hereby authorised and empowered to take all such necessary action and to do all such things as the efficient execution of any of the provisions of this Act may reasonably require.

- (2) Where any proceedings whether civil or criminal are brought against any public officer in respect of any act done in pursuance of the provisions of this Act or any regulations made hereunder it shall be a good defence to prove that there was reasonable and probable cause for the act in respect of which such proceedings are brought.

Part VIII
Regulations and other powers

33. (1) The President, after consultation with the make National Council of Ministers, may by regulations provide for-
- (a) the method of application for and the terms and conditions which shall be attached to any licence or permit granted, and to any registration effected, under this Act, and the renewal and revocation of any such licence, permit or registration;
 - (b) the records which shall be kept and returns to be made by a registered firearms dealer;
 - (c) the records which shall be kept and returns to be made by authorities granting licences in respect of muzzle-loading firearms;
 - (d) requirements as to the buildings in which a registered firearms dealer shall carry on his business, and as to the structural and safety and security requirements of an armoury maintained by a dealer;
 - (e) the procedure upon sale or transfer by a registered firearms dealer of firearms or ammunition which shall be subject to licensing procedure in another part of Nigeria;
 - (f) the stamping or marking of firearms and the method thereof;
 - (g) the conditions or circumstances in which deposit shall be made or may be made in a public armoury and the conditions of and method for withdrawal therefrom;
 - (h) the conditions under which the provisions of this Act may be modified in respect of rifle clubs in accordance with section 38 of this Act;
 - (i) the total or partial exemption from the provisions of this Act of any type of air-gun, air-rifle or air-pistol (and ammunition therefor) the use or possession of which is considered to involve no danger or little danger, and any conditions to be attached to such exemption;
 - (j) prescribing anything which by this Act has to be prescribed;
 - (k) prescribing forms;
 - (i) subject to subsections (2) and (3) of this section, prescribing fees or minimum fees; and generally for the better carrying out of the purposes of this Act.
- (2) The Governor of a State, and the President may by regulations provide for the fees to be paid in respect of the licensing of personal firearms in the State
- (3) The proceeds of any fees in respect of the licensing of muzzle-loading firearms in accordance with section 5 of this Act, shall be retained by the authority collecting such fees in augmentation of the funds of such authority.
34. The President, after consultation with the National Council of Ministers, may by order amend any part of the Schedule. Schedule.

35. The Inspector-General may by notice in the Federal *Gazette* delegate all or any of the powers or duties conferred upon him by this Act, other than this power of delegation, to any police officer or police officers, subject to such conditions, exceptions and qualifications and in respect of such parts of the Federation as may therein be prescribed, and during the period of such a delegation a reference in this Act to the inspector-General of Police shall be deemed to include a reference to any police officer or police officers to whom the relevant power or duty has been delegated.
36. (1) The President if he thinks fit may at any time by proclamation prohibit the possession of or dealing in any firearms or ammunition, either throughout the Federation or in any part thereof, and either absolutely or except subject to such restrictions or conditions as may be specified.
- (2) A proclamation under subsection (1) of this section, may require the surrender of firearms and ammunition within a specified time and to a specified authority, and any person neglecting to make such surrender, or being in possession of or dealing in any firearm or ammunition during the period that such proclamation is in force, shall be guilty of an offence and shall be liable to a penalty of one thousand naira or imprisonment for two years, or to both such fine and imprisonment.
37. A police officer may seize any firearm or ammunition of which the owner is unknown or cannot be traced, and shall in such case deposit the same in a public armoury.

Part IX Savings and Repeal

38. (1) The provisions of this section shall have effect notwithstanding the provisions of Part II of this Act.
- (2) A person specified in any of the following paragraphs, subject to any limitation specified in such paragraph, may acquire or have in his possession a firearm and ammunition therefor without having a firearms licence, whilst such firearm or ammunition is not used for other than the specified purpose or other than its proper purpose-
- (a) a registered firearms dealer, or person employed by him, in respect of a firearm or ammunition therefor acquired in his possession in the ordinary course of business;
 - (b) the holder of a permit for the manufacture or repair of firearms, subject to the terms of such permit, and in respect of a firearm or ammunition therefor acquired or in his possession in the ordinary course of business;
 - (c) a person requiring to use a riveting gun, or mechanical tool of some other nature which may come within the definition of a firearm, in respect of such gun or other tool;
 - (d) a person on board a ship or aircraft, or at a port or aerodrome, in respect of signalling apparatus necessary for such ship or aircraft, or necessary at such port or aerodrome;
 - (e) a member of a rifle club approved by the Inspector-General of Police, or of a unit of a cadet force so approved, when engaged as such a member in drill or target practice or under instruction in respect of any firearm or ammunition necessary for such drill or practice;
 - (f) a person taking part in the production of a theatrical or cinematograph performance in respect of a firearm or ammunition necessary for such purpose;

- (g) a person having a firearm or ammunition for the purpose of starting events at an athletic meeting in respect of a firearm or ammunition designed for such purpose;
 - (h) a person having a firearm or ammunition therefor designed for the capture of fish by a diver under water in respect of such firearm or ammunition.
- 39.** The provisions of this Act shall not apply to any member of the armed forces of the United Kingdom or of the Federation, or to a member of the police force, in relation to any firearm or ammunition issued to him for official purposes, and an officer of such armed forces or of the police force shall, if the Inspector-General is satisfied that he is required to purchase or acquire a firearm or ammunition therefor for his own use in his capacity as such officer, be entitled without payment of any fee to the grant of a licence therefor.
- 40.** The Arms Ordinance, the Arms Ordinance, 1942, and the Explosives (Import, Control and Sale) Ordinance, 1947, are repealed.
- 41.** Any licence or permit granted in accordance with the Transitional Arms Ordinance or the Explosives (Import, Control and Sale) Ordinance 1947, shall for a period of twelve months after the date that this Act comes into operation or for the period for which such licence or permit was granted (whichever shall sooner expire) shall be as valid and effectual as though granted in accordance with this Act.

Schedule

(Sections 2, 3-5, 9, 24-26, 34)

Part I Prohibited Firearms

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| 1. Artillery. | 2. Apparatus for the discharge of any explosive or gas-diffusing projectile. | 3. Rocket weapons. |
| 4. Bombs and grenades. | 5. Machine-guns and machine-pistols. | 6. Military rifles, namely those of calibres 7.62 mm, 9 mm., .300 inches and .303 inches. |
| 7. Revolvers and pistols whether rifled or unrifled (including flint-lock pistols and cap pistols). | 8. Any other firearm not specified in Part II or Part III of this Schedule. | |

Part II Personal Firearms

- 1.** Shotguns other than-
 - (a) automatic and semi-automatic shotguns; and
 - (b) shotguns provided with any kind of mechanical reloading device.
- 2.** Sporting rifles, namely rifles of calibres other than those specified in Item 6 of Part I.
- 3.** Air-guns, air-rifles or air-pistols.

4. Humane killers of the captive bolt type.

Part III
Muzzle-Loading Firearms

1. Dane-guns}
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List of subsidiary Legislation

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Firearms Regulations

Arrangement of Regulations
Firearms Regulations

Arrangement of Regulations

Part I
Introductory

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Part II
Licensing, etc

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**Part III
Sale and Transfer**

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| 15. | Inspection by person in charge. | 16. | Records to be kept by a registered firearms dealer. | 17. | Withdrawal of firearms and ammunition from registered dealer's armoury. |

**Part IV
Public Armouries**

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**Part V
Import and Export**

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| 21. | Deposit of imported firearms and ammunition in public armoury. | 22. | Declaration by importers. | 23. | Cost of transmission of firearms or ammunition through official channels. |
| 24. | Duration of transit permits. | 25. | Escorts to consignments of firearms or ammunition. | 26. | Police guard at request of customs officer. |

**Part VI
Manufacture and Repair of Firearms**

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| 27. | Conditions of permit to repair firearms. | 28. | Firearms repairer to maintain armoury. | 29. | Situation of repair workshops. |
| 30. | Safeguarding of firearms. | 31. | Records to be kept by firearms repairer. | 32. | Licence to be produced before accepting firearm for repair. |
| 33. | Prohibition of conversion of flint lock guns into cap guns. | 34. | Inspection of premises. | 35. | Repairs to firearms by registered dealer. |
| 36. | Application for permit to manufacture and repair firearms. | 37. | Plans of new premises to be submitted. | 38. | Conditions of permit to manufacture and repair firearms. |
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**Part VII
General**

45.	Forms.	46.	Fees for licences, etc.	47.	Prescribed towns.
48.	Offences and penalties.	49.	Conditions of modification of Act in respect of rifle clubs.	50.	Power to waive certain conditions.
51.	Exemption of air guns.	52.	Revocation of Arms Regulations.		

**First Schedule
Forms**

**Second Schedule
Fees Payable for Licences, Permits and Registration and Renewals Thereof.**

**Third Schedule
Prescribed Towns.**

Firearms Regulations
under section 33

1st day of February 1959

**Part I.
Introductory**

1. These regulations may be cited as the Firearms Regulations.
2. In these Regulations, unless the context otherwise requires-
 - "authorised police officer" means, in relation to any power or duty, a police officer to whom such power or duty has for the time being been delegated under section 35 of the Act;
 - "licensing area" means the area of responsibility of any licensing authority;
 - "licensing authority" means a police officer to whom the power to grant licences to bear firearms has for the time being been delegated under section 35 of the Act;
 - "proper officer" means a proper officer within the meaning of the Customs and Excise Management Act;
 - "registered dealer" means a firearms dealer registered as such under section 10 of the Act.

**Part II.
Licensing etc**

3. (1) A licence shall, unless forfeited, remain in operation until the 31st December of the year in which it was granted.

- (2) A licence or permit may be renewed by endorsement thereon at the discretion of the licensing authority who issued the original licence or permit, on payment of the prescribed fee, if any.
4. The Inspector-General of Police shall maintain in the prescribed form a register of firearms and licences to bear the same issued in each licensing area.
5. (1) The Inspector-General of Police may issue permits for the withdrawal from an armoury of a firearm or the purchase or withdrawal from an armoury of ammunition.
- (2) A permit issued under this regulation shall be valid for a period of sixty days only from the date of issue thereof.
6. (1) Within fourteen days of the withdrawal of any firearm from a registered dealer's or public armoury, the person withdrawing the same shall produce the firearm and the licence therefor to a licensing authority.
- (2) Upon the production of a firearm and licence as aforesaid, such authority shall-
- (a) if the licence has been issued under his authority insert the full particulars of the firearm in the register of firearms and in the Schedule to the licence;
- (b) if the licence has not been issued under his authority, insert the full particulars of the firearm in the schedule to the licence and notify the authority which issued the licence of the particulars of the firearm, for insertion in the register of firearms, and of the action taken.
7. (1) Every firearm which does not bear the maker's name and number or a mark or distinguishing letter or letters and number, shall be marked by the licensing authority by whom it is registered.
- (2) The Inspector-General of Police shall allocate to each licensing authority a distinguishing letter or letters, and the licensing authority shall mark a firearm by stamping on the stock or other suitable place the distinguishing letter or letters so allocated to him, and a serial number.
8. An application for a licence to bear a firearm of categories 6, 7 and 8 in Part 1 of the Schedule to the Act and of the categories specified in Part II of the Schedule to the Act shall be made only to the licensing authority having authority for the area in which the applicant resides.
9. (1) Whenever a licence or permit to bear a firearm or ammunition-
- (a) has expired and has not been renewed, or permit or on
- (b) has been revoked or suspended but the firearm or ammunition in respect of which such licence or permit was issued has not been forfeited, the holder of the licence or permit shall forthwith deposit the firearm and ammunition (if any) in a public armoury.
- (2) The holder of a licence or permit to bear firearms or ammunition who intends to sell or otherwise dispose of any firearm or ammunition specified in the schedule to such licence or permit shall, without delay-
- (a) inform in writing the nearest licensing authority of the details of such sale or disposal; and

- (b) forward the licence or permit to such licensing authority for endorsement or cancellation.
- 10.** The holder of a licence to bear a firearm who intends to leave Nigeria and who does not intend to take the firearm out of Nigeria, shall, prior to his departure, deposit such firearm and ammunition therefor (if any), in a public armoury, and shall give notice of such deposit in the prescribed form to the authority which issued the licence.
- 11.** A police officer to whom the Inspector-General of Returns. Police has delegated any power to issue licences or permits shall render to the Inspector-General of Police the following returns in the prescribed forms-
 - (a) a monthly return of all licences or permits issued by Form 7. him during that month;
 - (b) a half yearly return of the total number of all categories of firearms for which licences are held by persons residing in the licensing area for which he is responsible, together with a return of the total number of firearms in such area for which no licences have been issued.
- 12.** (1) Every person seeking registration in the register of firearms dealers shall make application in the prescribed form and notification of registration shall be made by the authorised police officer in the prescribed form.
 - (2) Any registration in the register of firearms dealers shall remain in operation until the 31st December, of the year in which it was affected.
 - (3) Any such registration may be renewed at the discretion of the authorised police officer on payment of the prescribed fee if any.
- 13.** (1) Every registered dealer's armoury shall consist of the whole or the part of a strongly constructed building, built for or converted to that special purpose, and made properly secure against unlawful entry.
 - (2) Detailed plans and specifications shall be submitted to the Minister charged with responsibility for works and any requirements made on his behalf shall be complied with before the construction of any registered dealer's armoury is commenced and in such plans and specifications the means of ventilation; and lighting shall be clearly shown, and a statement furnished of the types and maximum quantities of firearms and ammunition that it is intended to be stored.
- 14.** The Inspector-General of Police may if he considers it necessary, require the person in charge of any registered dealer's armoury to employ one or more watchmen and may detail the hours during which such watchmen shall be on duty, and the person in charge shall comply with such requirement.
- 15.** When no watchman has been on duty at a registered dealer's armoury between sunset and sunrise, the person in charge of the armoury shall inspect or cause to be inspected,
 - the door and fastenings of the armoury as soon as possible after sunrise, to ascertain that no unlawful entry has been made.
- 16.** A registered dealer shall keep up to date the following records
 - (a) a file containing a record of licences for the import of arms and ammunition for which application has been made to the authorised police officer and the result of such applications;

- (b) a register of imports in which shall be recorded-
 - (i) the type, and the calibre or bore, and the maker's name and number, and any mark or distinguishing letter or letters, and number of each firearm imported, together with a reference to the import licence under which it was imported, and to the authority under which it was withdrawn from the public armoury,
 - (ii) the date of such withdrawal and the date of deposit in the registered dealer's armoury,
 - (iii) the quantity and description of any ammunition imported, together with a reference to the import licence under which it was imported, and to the authority under which it was withdrawn from the public armoury,
 - (iv) the date of such withdrawal and the date of deposit in the registered dealer's armoury;
- (c) a file of all dealings in firearms and ammunition made between the registered dealer and any other registered dealer or any manufacturer or repairer of firearms;
- (d) a register of dealings in firearms and ammunition made between the aforesaid in which shall be recorded
 - (i) the type, and the calibre or bore, and the maker's name and number and any mark or distinguishing letter or letters, and number of each firearm purchased or sold,
 - (ii) the name and address of the purchaser or vendor of each such firearm as the case may be,
 - (iii) the date of each such purchase and sale,
 - (iv) the quantity and description of any ammunition purchased or sold,
 - (v) the name and address of the purchaser or vendor of such ammunition as the case may be,
 - (vi) the date of each such purchase or sale,
 - (vii) a reference to all orders authorising the withdrawal of any firearms or ammunition from the registered dealer's armoury;
- (e) a file of the documents relating to all dealings in firearms and ammunition between the registered dealer and individuals;
- (f) a register of all dealings in firearms and ammunition between the registered dealer and any individuals, which shall be maintained under the same headings as in paragraph (d) of this regulation.

17. (1) The person in charge of a registered dealer's armoury shall not permit any firearm or ammunition to be withdrawn from the armoury unless-

- (a) the withdrawal is authorised, in the case of a firearm (and the ammunition therefor) specified in Part I of the Schedule to the Act by the President, and, in the case of a firearm (and the ammunition therefor) specified in Part II of the said Schedule, by the

Inspector-General of Police, for the purpose of des-patching the firearm or ammunition to another armoury;

- (b) the person wishing to withdraw the firearm or ammunition has produced to him-
 - (i) in the case of a firearm, a valid licence in respect thereof together with two copies of a valid permit to withdraw the firearm issued under *regulation 5* of these Regulations;
 - (ii) in the case of ammunition, a valid permit to purchase or withdraw the ammunition issued under regulation 5 of these Regulations.
- (2) Where a firearm has been withdrawn from a registered dealer's armoury by a person holding a licence in respect thereof, the person in charge of the armoury shall retain one copy of the permit to withdraw the firearm and shall, within three days of such withdrawal, forward the other copy of the permit to the licensing authority which issued the permit.

Part IV. Public Armouries

- 18.** (1) At every public armoury, the officer in charge thereof shall keep up to date the following records-
- (a) a register in which shall be recorded-
 - (i) the date on which each firearm of any of the categories referred to in Part I or Part II of the Schedule to the Act was deposited in the armoury,
 - (ii) the type, and the calibre or bore, and the maker's name and number and any mark or distinguishing letter or letters, and number of each firearm so deposited,
 - (iii) the name of the person by whom it was deposited,
 - (iv) the name of the registered firearms dealer or person or individual by whom it was withdrawn,
 - (v) the date of its withdrawal together with a reference to the order authorising the withdrawal,
 - (vi) the date on which any ammunition intended for use with the firearm was deposited, together with the particulars required in sub-paragraphs (iii), (iv) and (v) of this paragraph;
 - (b) a file of all orders authorising the withdrawal of firearms or ammunition.
- (2) The officer in charge of a public armoury shall issue a receipt in respect of all firearms and ammunition deposited in the armoury.
- 19.** (1) The owner, or the agent of the owner, of any firearm or ammunition deposited in any public armoury, may, with the written permission of the officer in charge of the armoury, and at dates and times to be fixed by such officer, visit such armoury for the purpose of inspection, cleaning, or maintenance of such firearm or ammunition.

(2) The term maintenance in respect of any firearm shall be deemed to mean the dismantling and oiling of the mechanism of the firearm, and shall not be interpreted to mean the repair of such mechanism.

20. (1) The officer in charge of a public armoury shall not permit any firearm or ammunition to be withdrawn from the armoury unless-

(a) the withdrawal is authorised, in the case of a firearm (and the ammunition therefor) specified in Part I of the Schedule to the Act, by the President, and, in the case of a firearm (and the ammunition therefor) specified in Part II of the said Schedule, by the Inspector-General of Police, for the purpose of des-patching the firearm or ammunition to another armoury, or of exporting the firearm or ammunition from Nigeria, or

(b) the person wishing to withdraw the firearm or ammunition has produced to him-

(i) in the case of a firearm, a valid licence in respect thereof together with two copies of a valid permit to withdraw the firearm issued under regulation 5 of these Regulations;

(ii) in the case of ammunition, a valid permit to purchase or withdraw the ammunition issued under regulation 5 of these Regulations.

(2) Where a firearm has been withdrawn from a public armoury by a person holding a licence in respect thereof, the officer in charge of the armoury shall retain one copy of the permit to withdraw the firearm and shall, within three days of such withdrawal, forward the other copy of the permit to the licensing authority who issued the permit.

Part V Import and Export

21. All firearms and ammunition imported into Nigeria shall be deposited, in accordance with any requirements of the Director of Customs and Excise, at the place of entry in a public armoury:

Provided that this regulation shall not apply to any firearms or ammunition imported in the circumstances set out in paragraph (a), (b) or (c) of section 20 of the Act.

22. (1) Every importer of firearms or ammunition completing a declaration in accordance with paragraph (b) of section 20 of the Act shall do so in the prescribed form.

(2) The duration of any permit issued under paragraph (b) of section 20 of the Act for the temporary possession of any firearm or ammunition following a declaration as aforesaid shall not exceed thirty days.

(3) The authorised police officer shall maintain a register in which shall be recorded-

(a) the date on which each such declaration was issued;

(b) the full name of the person by whom such declaration was made, including the particulars of the travel documents of such person;

(c) the date on which and the public armoury in which such firearm or ammunition was deposited;

- (d) the particulars of action taken in case of non-fulfilment of the undertaking contained in such declaration.
23. The importer of any firearm or ammunition required under section 20 of the Act to surrender such firearm or ammunition for transmission through official channels to a specified authority or public armoury, shall bear all costs in connection with such transmission, and shall pay such costs in advance.
24. The duration of any permit issued under paragraph (c) of section 20 of the Act for the temporary possession of any firearm or ammunition during a period of transit shall not exceed three months.
25. The Inspector-General of Police, if he is of the opinion that any consignment of firearms or ammunition in transit in Nigeria requires any special safeguards, may provide a police guard for such consignment at the cost of the owner, or the agent of the owner, of such consignment as a condition of any licence or permit.
26. The proper officer of customs, if he is of the opinion that any consignment of firearms or ammunition requires special safeguards during handling in a port area, shall apply to the Inspector-General of Police for a police guard to be placed on such consignment, and the cost of any such guard shall be borne by the importer as a condition of any licence or permit.

Part VI

Manufacture and Repair of Firearms

27. The requirements contained in regulations 28 to 35 of these Regulations inclusive shall, subject to the provisions of regulation 50, be conditions of every permit issued under section 24 or 25 of the Act.
28. Every firearms repairer shall maintain an armoury which shall comply with the requirements for a registered dealer's armoury as set out in regulation 13 of these Regulations.
29. The workshop for the carrying out of repairs to firearms shall be in the same building as, or adjacent to, the armoury.
30. (1) Firearms awaiting repair shall be stored in the armoury for safe custody
- (2) Firearms on which repairs have been completed shall be removed from the workshop forthwith and returned to the armoury.
31. Every firearms repairer shall keep up to date a register in which shall be recorded-
- (a) the name and address of the owner of each firearm accepted for repair;
- (b) the number of the firearm licence and the address of the licensing authority;
- (c) the type, and the calibre or bore, and the maker's name and number and any mark or distinguishing letter or letters, and the number of the firearm;
- (d) the signature or thumb-print of the owner of the firearm;
- (e) the nature of the repairs carried out;
- (f) the date of acceptance from, and date of return to, the owner of the firearm.

- 32.** A firearms repairer shall not accept a firearm for repair from any person unless, at the time of tendering the firearm for repair, such person has produced to him a licence to bear the firearm, and the firearms repairer has satisfied himself to the best of his ability that-
- (a) the person tendering the licence appears to be the holder of the licence; and
 - (b) the licence tendered is in respect of the firearm submitted for repair.
- 33.** A firearms repairer shall not convert a flint lock gun into a cap gun or attempt or be concerned in any such conversion or do any act for the purpose of causing, assisting, or facilitating such conversion.
- 34.** A firearms repairer shall permit inspection of any inspection of place in which he carries on business and the records maintained thereat by a police officer upon production by such officer of the written authority of the Inspector-General of Police.
- 35.** A registered firearms dealer shall be deemed to be the holder of a permit for the repair of the weapons referred to in Parts II and III of the Schedule to the Act in accordance with section 26 of the Act subject to the following conditions-
- (a) before repairing any firearms he shall notify the authorised police officer in the prescribed form of his intention to carry on the business of repairing firearms;
 - (b) all conditions to which a permit issued under section 24 or 25 of the Act are subject by virtue of regulation 27 of these Regulations shall be complied with.
- 36.** Every application for a permit to carry on the business of manufacture and repair of the firearms referred to in Part III of the Schedule to the Act in respect of premises, the plans for the operation of which would constitute the premises, a factory within the meaning of the Factories Act, shall be supported by a certificate of registration issued under section 3 of the said Act.
- 37.** Detailed plans and specifications shall be submitted to the Chief Inspector appointed under section 64 of the Factories Act, in such detail as he may require, in addition to the form of application for registration provided for in that Act, before the construction of any new premises intended to be used as a manufactory of firearms is commenced.
- 38.** The requirements contained in regulations 39 to 43 of these Regulations inclusive shall, subject to the provisions of regulation 50, be conditions of every permit issued under section 25 of the Act in addition to the conditions required by regulation 27 of these Regulations.
- 39.** The armoury in any place for the manufacture of firearms shall be constructed having a minimum storage capacity of twice the estimated maximum monthly output of firearms of the manufactory.
- 40.** (1) Every place for the manufacture of firearms shall be provided with a proving ground, constructed either internally or externally for testing each firearm manufactured.
- (2) Detailed plans and specifications shall be submitted to the Minister charged with responsibility for works and any requirements made on his behalf shall be complied with before the construction of any firearm proving ground is commenced.
- 41.** (1) No firearm shall be manufactured except muzzle loading firearms of smooth bore single barrel design.
- (2) No materials except seamless steel tubing of not more than one half inch in diameter shall be used in the manufacture of the barrels of such firearms.

42. Every firearm shall be stamped by the manufacturer on the wooden stock or other suitable place with the manufacturer's name and number, or mark or distinguishing letter or letters and number.
43. Every firearms manufacturer shall keep up to date the following records-
- (a) a file in which shall be kept the documents relating to the purchase of all seamless steel tubing and all other manufactured component parts acquired for use in the manufactory;
 - (b) a register, or registers, in which shall be recorded-
 - (i) the quantities of seamless steel tubing purchased, and the diameters of such steel tubing,
 - (ii) the day to day output of the manufactory,
 - (iii) the particulars stamped on each firearm manufactured,
 - (iv) a record of the firing test or tests carried out on each firearm manufactured;
 - (c) a file of all dealings in firearms between the manufacturer and any other firearms manufacturer or registered firearms dealer;
 - (d) a register of dealings in firearms made between the aforesaid in which shall be entered the particulars required by paragraphs (d) (i), (ii), (iii) and (iv) of regulation 16 of these Regulations;
 - (e) a file of all permits authorising withdrawals from the armoury.
44. In this Part, unless the context otherwise requires, a reference to a firearms repairer shall be deemed to include a reference to a firearms manufacturer and repairer.

Part VII General

45. The forms set out in the First Schedule to these Regulations are prescribed for the purposes stated in their respective titles.
46. (1) Except as provided in this regulation, there shall be paid in respect of licences, permits and applications for registration the fees specified in the Second Schedule to these Regulations.
- (2) No fees shall be payable for licences issued in respect of humane killers.
 - (3) The President, acting in his discretion, may waive any fee payable under this regulation.
 - (4) No fee shall be payable for a permit issued to a public officer for the withdrawal from an armoury of a firearm which is part of the official equipment of such officer.
 - (5) This regulation shall not apply in respect of the licensing of personal firearms in a State.
47. The towns specified in the Third Schedule to these Regulations shall be the prescribed towns for the purposes of section 18 of the Act.

- 48.** Any person who contravenes or fails to comply with the provisions of regulation 6(1), 9, 10, 14, 15, 17 or 21 of these Regulations shall be guilty of an offence and liable to a fine of one hundred naira or imprisonment for six months or both.
- 49.** The provisions of the Act may be modified in respect of rifle clubs in accordance with section 38 of the Act on the following conditions
- (a) that any such rifle club shall be constituted having a president and a secretary, and shall have a committee formally elected by the club members;
 - (b) that all members subscribe to and are bound by a set of rules duly drawn up by the committee;
 - (c) that the secretary shall submit to the authorised police officer a copy of the club rules together with a memorandum requesting permission for club members to hold rifle practices setting forth-
 - (i) the name, age, address and occupation of each club member, and the official position held in the club by such member,
 - (ii) the type of firearms intended to be used by the club,
 - (iii) a description of the type of practice intended to be held by the club,
 - (iv) the proposed venue of the club for such practices, and the times of such practices,
 - (v) the particulars of the ownership of any firearms belonging to the club, and of the licences to bear such firearms, or the source or sources from which it is intended to borrow firearms for the use of the club,
 - (vi) the name and address, and the qualifications, of a club member or associate nominated by the club committee to be the person responsible for the observance of the safety rules laid down by the club committee, or by the authorised police officer during any rifle practices held by the club,
 - (vii) the manner of safeguarding all firearms belonging to the club during the periods that such firearms are not in use by club members,
 - (viii) the method of transportation of such firearms to the venue of any rifle practice.
 - (d) that no rifle practice shall be held without the permission of the authorised police officer and unless such restrictions, terms and conditions as he may think fit are complied with.
- 50.** An authorised police officer, acting in his discretion, may in writing waive any or all of the conditions contained in regulations 28, 29, 30, 31, 39, 40 and 43 of these Regulations in respect of any permit to carry on a business for the repair of firearms, or the manufacture and repair of firearms, in cases where in his opinion the scale of operations is of a minor nature.
- 51.** Without prejudice to the application of the Act to air rifles and air pistols, no air gun, being a smooth bored weapon designed to discharge a pellet by means of compressed air or inert gas and having a barrel of more than nine inches in length, shall be subject to any of the provisions of the Act or of these Regulations.
- 52. (1)** The Arms Regulations are revoked.

- (2) Notwithstanding the provisions of regulation 45 of these Regulations and the revocation effected by paragraph (1) of this regulation, the forms set out in the First Schedule to the Arms Regulations hereby revoked may, for the purposes of the Act and regulations made thereunder, be used with such adaptations and modifications as may be necessary.

First Schedule
Regulation 45

Forms

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| 1. Register of Firearms. | 2. Application for permission to bear a Prohibited/Personal Firearm. | 3. Licence to bear arms. |
| 4. Application to withdraw Firearms and/or Ammunition from a Public Registered Dealer's Armoury. | 5. Permit to withdraw Arms and/or Ammunition from a Public Registered Dealer's Armoury. | 6. Notification by Arms Licence holder of intention to leave Nigeria. |
| 7. Monthly return of Licensed Firearms. | 8. Half Yearly Return of Licensed and Unlicensed Firearms. | 9. Application for Registration in the Register of Firearms Dealers. |
| 10. Notification of Registration under section 10 of the Firearms Act. | 11. Receipt for Firearms deposited in a Public Armoury | 12. Permit for temporary possession of Firearms and Ammunition issued subject to undertaking made by Importer. |
| 13. Permit to import Firearms and/or Ammunition subject to transmission by official channels to a specified authority or Public Armoury. | 14. Permit for temporary possession of Firearms and/or Ammunition in transit as part of personal effects. | 15. Licence to Import Firearms and Ammunition. |
| 16. Licence to Export Firearms and Ammunition. | 17. Application for permit to carry on a business for the Repair of Firearms. | 18. Permit to carry on a business for the Repair of Firearms. |
| 19. Application for permit to carry on a business for the Manufacture and Repair of Firearms. | 20. Permit to carry on a business for the Manufacture and Repair of Firearms referred to in Part III of the Schedule. | |