

**CAYMAN ISLANDS**



# **FIREARMS ACT**

**(2025 Revision)**

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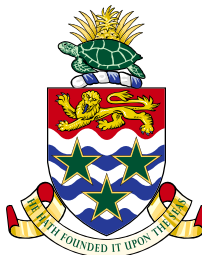
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*Note (not forming part of this Act): This revision replaces the 2008 Revision which should now be discarded.*



## CAYMAN ISLANDS



## FIREARMS ACT

(2025 Revision)

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## CAYMAN ISLANDS



## FIREARMS ACT

(2025 Revision)

## PART 1 - Introductory

## Short title

1. This Act may be cited as the *Firearms Act (2025 Revision)*.

## Interpretation

2. (1) In this Act —

“**ammunition**” means a complete cartridge or round, or any component of a cartridge or round, and includes any —

- (a) cartridge case;
- (b) primer;
- (c) propellant; or
- (d) bullet, shot or projectile,  
designed for use in any firearm;

“**antique firearm**” means any firearm manufactured in or before 1898 (or its replica) and which —

- (a) is not designed or redesigned for using ammunition; and
- (b) is possessed as a curiosity or an ornament;

“**appropriate authority**” means, in relation to the grant, amendment or revocation of any licence, the appropriate authority specified in section 30;

“**artillery**” means any cannon, howitzer, mortar or flame-thrower except of a type commonly in use before the year 1850;

“**automatic conversion device**” means a conversion device that is designed to convert a firearm from a semi-automatic firearm to an automatic firearm and which enables the user to fire or discharge automatically more than one shot or projectile, without manual reloading, by a single function or pull of the trigger;

“**automatic firearm**” means any firearm so designed or adapted that if the trigger is fully depressed, or if pressure is applied, it continuously discharges ammunition until the trigger is released or pressure is removed from the trigger or the ammunition feed system is exhausted;

“**automatic rifle**” means any rifle so designed or adapted that if pressure is applied to the trigger, missiles continue to be discharged until pressure is removed from the trigger or the magazine containing the missiles is empty;

“**ballistic signature**” means any unique mark left on ammunition or ammunition component that is fired or cycled through a firearm;

“**bullet-proof vest**” means a vest that is capable of providing protection from the penetration of bullets;

“**Commissioner**” means the Commissioner of Police;

“**component part**”, in relation to a firearm, means any element or replacement element specifically designed for a firearm which includes —

- (a) a barrel;
- (b) a frame or receiver;
- (c) a magazine;
- (d) a firing pin;
- (e) a main spring;
- (f) a slide or cylinder;
- (g) a bolt or breech block,

and any other part deemed essential for the functional operation of the firearm;

“**customs and border control officer**” has the same meaning as in the *Customs and Border Control Act (2024)*;

“**firearm**” means —

- a) any —
  - (i) lethal barrelled weapon which discharges, is designed to discharge, or may be readily converted or adapted to discharge a shot, bullet or other projectile by the action of an explosive or any other mechanism;
  - (ii) prohibited weapon, unless the context requires otherwise; or
  - (iii) weapon under subparagraph (i) or (ii) that is a privately made firearm created by the use of a 3D printer, a computer numerical control



milling machine or similar computer system and the use of electronic software, downloadable files or similar computer data;

- (b) a part or component part of any weapon referred to in paragraph (a);
- (c) a firearm parts kit that is designed to, or may be easily completed, assembled, restored or otherwise converted, as a firearm;
- (d) an accessory to a firearm designed or adapted to diminish the noise or flash caused by firing the firearm; or
- (e) any air gun (including any air pistol), air rifle or any other air weapon as may be prescribed,  
but does not include —
  - (i) an antique firearm;
  - (ii) a flare gun used for sending signals or carried as a necessary part of safety equipment in the course of navigation at sea except where the flare gun is adapted to discharge ammunition; or
  - (iii) a spear gun;

**“Firearm Export Permit”** means any Permit under paragraph 2(b) of section 19 to export any firearms from the Islands;

**“Firearm Import Permit”** means any Permit under paragraph 2(a) of section 19 to import any firearms into the Islands;

**“Firearm User’s (Restricted) Licence”** means any Licence under paragraph 2(e) of section 19;

**“Firearm User’s (Special) Permit”** means any Permit under paragraph 2(f) of section 19;

**“Firearm Disposal Permit”** means any Permit under paragraph 2(d) of section 19;

**“flare gun”** includes a signal pistol;

**“frame”** or **“receiver”** includes —

- (a) a partially completed, disassembled or non-functional frame or receiver of a firearm; and
- (b) an eighty per cent frame or receiver parts kit, with or without a jig, that is designed, or may readily be assembled or restored or otherwise converted, to function as a frame or receiver;

**“Gunsmith’s licence”** means any licence under paragraph 2(c) of section 19;

**“imitation firearm”** means anything which has the appearance of being a firearm, whether or not it is capable of discharging any shot, bullet or other missile;

**“jig”** means —

- (a) a metal or polymer plate used to maintain the correct positional relationship between a tool and a firearm receiver or frame casting during the build out of a firearm receiver or frame; or
- (b) a fixture that helps to locate the necessary holes and slots that must be drilled and milled into an incomplete receiver or frame casting;

**“licence and permit”** mean respectively a licence or permit under this Act;

**“officer of the Coast Guard”** means a commissioned officer or a non-commissioned officer of the Cayman Islands Coast Guard established under section 3 of the *Cayman Islands Coast Guard Act, 2021 [Act 2 of 2021]*;

**“privately made firearm”** means a firearm made by a person other than a licensed firearm manufacturer and without a serial number placed by a licensed firearm manufacturer;

**“prohibited ammunition”** means any —

- (a) projectile manufactured to be discharged from any artillery;
- (b) incendiary type ammunition;
- (c) armour-piercing or similar ammunition;
- (d) ammunition designed or adapted to contain, or otherwise capable of containing, a noxious liquid, gas or thing;
- (e) ammunition that is designed —
  - (i) to explode on impact; or
  - (ii) to change its components on or before impact, except ammunition of .22 calibre or below; or
- (f) other type or calibre of ammunition as may be prescribed;

**“prohibited device”** means any —

- (a) electroshock weapon;
- (b) reloader;
- (c) jig;
- (d) tranquilizer gun;
- (e) device of any description or design that is adapted for the discharge of noxious liquid or gas; or
- (f) any other device as may be prescribed;

**“prohibited weapon”** means any —

- (a) artillery;
- (b) automatic firearm including a machine gun;
- (c) firearm converted or adapted to be a prohibited weapon;
- (d) burst-fire weapon;



- (e) automatic conversion device;
- (f) submachine gun;
- (g) part or component part of a prohibited weapon;
- (h) form of grenade or grenade launcher, bomb or explosive device;
- (i) missile or missile launcher;
- (j) automatic firearm or weapon of any description or design that is adapted for the discharge of noxious liquid or gas;
- (k) prohibited ammunition;
- (l) firearm disguised or made to appear as another object;
- (m) imitation of a prohibited weapon; or
- (n) other weapon as may be prescribed;

“**reloader**” means a reloading press, a reloading machine or any mechanical device for loading ammunition;

“**restricted person**” means any person who —

- (a) has served imprisonment for three months or upwards and has been released within five years; or
- (b) has, at any time within five years next before the event in relation to which the term is used, been convicted of an offence under this Act or of any offence involving fraud or violence;

“**3D printed firearm**” means a lethal barrelled weapon which discharges or is designed to discharge any shot, bullet or other projectile and that is mostly manufactured by the use of a 3D printer, a computer numerical control milling machine or similar computer system and the use of electronic software, downloadable files or similar computer data; and

“**traveller**” means any person who arrives in the Islands as an officer or member of the crew or passenger or stowaway upon any vessel or aircraft.

(2) For the purposes of this Act —

- (a) any artillery and any firearm shall be deemed to be of an obsolete type if of a type commonly in use before the year 1850; and
- (b) a firearm shall be deemed to be loaded if there is ammunition in the chamber or barrel or in any magazine or other device which is in such a position that the ammunition can be fed into the chamber or barrel by the manual or automatic operation of some part of the gun or weapon.

## **PART 2 - Importation or exportation of firearms**

### **Restriction on importation or exportation of firearms, ammunition, prohibited devices and bullet-proof vests**

3. (1) A person shall not import into or export from the Islands a firearm or ammunition except under and in accordance with the terms of a Firearms Import Permit or a Firearms Export Permit, as the case may be.
- (1A) A person shall not import into or export from the Islands —
- (a) subject to subsection (1B), any prohibited device; or
  - (b) any prohibited weapon.
- (1B) The Cabinet may, by Order published in the Gazette permit the importation of such specified prohibited devices as it sees fit and the Order may include requirements regarding licences, permits, possession and use of the specified prohibited devices.
- (2) No person shall import into or export from the Islands a bullet-proof vest except with the prior written approval of the Commissioner.
- (3) A person who contravenes subsection (1) commits an offence and, subject to section 39, is liable on conviction to a fine of one hundred thousand dollars or to imprisonment for a term of twenty years, or to both, except that where the firearm is a prohibited weapon the person is liable on conviction to the penalty under subsection (3A)(b).
- (3A) Subject to subsections (3B) and (3C), a person who contravenes —
- (a) subsection (1A)(a) commits an offence and is liable on conviction to a fine of one hundred thousand dollars or to imprisonment for a term of ten years, or to both; or
  - (b) subsection (1A)(b) commits an offence and, subject to section 39, is liable on conviction to a fine of two hundred and fifty thousand dollars or to imprisonment for a term of thirty-five years, or to both.
- (3B) For the purposes of subsection (3A)(a), an offence in relation to importation is not committed where the prohibited device is a specified prohibited device permitted by Order under subsection (1B).
- (3C) Where the contravention under subsection (3A)(a) is in respect of a reloader, the person is liable on conviction to a fine of one hundred thousand dollars or to imprisonment for a term of twenty years, or to both.
- (4) A person who contravenes subsection (2) commits an offence and is liable on conviction to a fine of one hundred thousand dollars or to imprisonment for a term of twenty years, or to both.



**Travellers to make declaration of firearms, ammunition and bullet-proof vests**

4. (1) A traveller who disembarks in the Islands and has a firearm, ammunition or a bullet-proof vest in that traveller's possession or control shall make a declaration regarding the firearm or ammunition in the prescribed form.
- (2) A person who contravenes subsection (1) commits an offence and is liable on conviction to a fine of one hundred thousand dollars or to imprisonment for a term of twenty years, or to both.
- (3) A customs and border control officer who has reasonable cause to believe that a traveller disembarking in the Islands has in that traveller's possession or control any firearm, ammunition or bullet-proof vest for which a declaration has not been made under subsection (1), may search the traveller and the traveller's baggage and any firearm, ammunition or bullet-proof vest found shall be forfeited to the Crown.
- (4) The powers conferred by this section are in addition to and not in derogation from the powers of search conferred by the *Customs and Border Control Act (2024 Revision)*.

**Traveller's option**

5. (1) Subject to subsection (2), a traveller who declares under section 4 that there is a firearm, ammunition or a bullet-proof vest in the traveller's possession or control shall either —
- (a) cause the firearm, ammunition or bullet-proof vest to be retained on the vessel or aircraft on which the traveller arrived into the Islands until the vessel or aircraft departs from the Islands; or
- (b) as soon as the traveller arrives in the Islands, deliver the firearm, ammunition or bullet-proof vest to a customs and border control officer in a sealed packet to be dealt with in accordance with section 6,
- unless the traveller —
- (i) in respect of the firearm or ammunition, is the holder of a permit under section 19(2)(a) and a licence under section 19(2)(e); or
- (ii) in respect of the bullet-proof vest, has the written approval of the Commissioner under section 3(2) authorising the importation into the Islands,
- in which event the traveller shall pay the appropriate duty and the firearm, ammunition or bullet-proof vest shall be delivered to the traveller.
- (2) A traveller who intends to utilise the traveller's option —
- (a) under subsection (1)(a) shall notify the Commissioner in writing of the traveller's intention to utilise the option prior to arrival in the Islands; or

- (b) under subsection (1)(b) shall obtain the written approval of the Commissioner to utilise the option prior to arrival in the Islands, and present the respective notification or approval to the customs and border control officer when required to do so.
- (3) The firearm, ammunition or bullet-proof vest under subsection (1)(a) may be retained on the vessel or aircraft for up to such period of time as may be prescribed.
- (4) A person who contravenes subsection (1) commits an offence and is liable on conviction to a fine of one hundred thousand dollars or to imprisonment for a term of twenty years, or to both.

### **Custody of firearms, ammunition and bullet-proof vests**

6. (1) Subject to subsections (2) and (3), any firearm, ammunition or bullet-proof vest received by a customs and border control officer under section 5(1)(b) shall be retained in the sealed packet in which it is received until the traveller gives notice in writing to the Director of Customs and Border Control, within the period of time as may be prescribed, specifying —
- (a) the port at which the traveller intends to embark for a place outside of the Islands; and
  - (b) the date, time and vessel on which the traveller intends to embark,
- in which event the sealed packet containing the firearm, ammunition or bullet-proof vest shall be delivered to the traveller immediately before embarkation.
- (2) Where the traveller fails to —
- (a) produce the permit or the Commissioner's written approval authorising the importation of the firearm, ammunition or bullet-proof vest; or
  - (b) give notice in writing specifying the port, date, time and vessel on which the traveller intends to embark within the period of time as may be prescribed for doing so,
- the firearm, ammunition or bullet-proof vest may be forfeited to the Crown.
- (3) A firearm, ammunition or bullet-proof vest may be retained by Customs and Border Control under subsection (1) up to such period of time as may be prescribed.



**Circumstances where firearms, ammunition and bullet-proof vests not considered as imported**

7. For the purposes of this Part, a person shall not be deemed to import any firearm, ammunition or bullet-proof vest into the Islands merely by reason of the firearm, ammunition or bullet-proof vest being in that person's possession or under that person's control on some vessel within the territorial waters of the Islands or on some aircraft flying over the Islands unless that person causes, attempts to cause or permits the firearm, ammunition or bullet-proof vest to be disembarked from such vessel or aircraft in the Islands otherwise than for the purpose of being delivered to a customs officer in accordance with section 5.

**PART 3 - Sale, purchase and repair of firearms****Restrictions on acquisition or disposal of firearms, ammunition and bullet-proof vests**

8. (1) No person shall purchase or accept the gift of any firearm from or give away any firearm to any other person if that person has reasonable cause to believe such person to be under the age prescribed for that type of firearm by any regulations made hereunder.
- (2) No person shall purchase or accept the gift of any firearm unless —
- (a) that person is the holder of a Firearm User's (Restricted) Licence in relation to a firearm of the type so acquired by that person; and
  - (b) the person from whom that said person purchases or accepts the gift of the firearm is the holder of a Firearm Disposal Permit in respect of the firearm so sold or given away by such person.
- (3) No person shall sell or give away any firearm unless —
- (a) that person is the holder of a Firearm Disposal Permit in respect of the firearm so sold or given away by that person; and
  - (b) the person to whom that said person sells or gives away the firearm is the holder of a Firearm User's (Restricted) Licence in respect of a firearm of the type so sold or given away to such person.
- (3A) A person shall not sell, give away, purchase or accept the gift of ammunition unless the person is the holder of a licence or permit which authorises that person to possess, use, import, export, transfer or dispose of that ammunition.
- (4) No person shall accept the delivery of any firearm or ammunition pursuant to any sale or gift of the firearm or ammunition except in accordance with section 9.
- (5) No person shall deliver any firearm or ammunition pursuant to any sale or gift of the firearm or ammunition to any person except in accordance with section 9.

- (6) No person shall sell, give away, purchase or accept the gift of a bullet-proof vest except with the prior written approval of the Commissioner.
- (7) A person who contravenes this section commits an offence and is liable on conviction to a fine of one hundred thousand dollars or to imprisonment for a term of twenty years, or to both.

### **Restrictions on delivery of firearms and ammunition**

9. Where any person (in this section referred to as “**the purchaser**”) purchases or accepts the gift of any firearm or ammunition from any other person (in this section referred to as “**the vendor**”) —
  - (a) the purchaser shall give notice in writing to the vendor specifying the purchaser’s name and address and that the purchaser will be prepared to take delivery of the firearm or ammunition to which the transaction relates;
  - (b) the vendor shall cause the firearm or ammunition to which the transaction relates to be delivered in a sealed packet together with a copy of the notice referred to in paragraph (a) to the Commissioner; and
  - (c) the Commissioner shall notify the purchaser that the Commissioner has received the firearm or ammunition and will deliver the firearm or ammunition to the purchaser upon the purchaser applying in person therefor and producing a Firearm User’s (Restricted) Licence in respect of the firearm.

### **Restriction on acquisition: two or more manufacturers of component parts**

- 9A. (1) A person shall not import or acquire a firearm where the component parts are manufactured by two or more manufacturers except where the addition of the component parts is done during the manufacturing or assembling process by the primary manufacturer of the firearm.
- (2) A person who contravenes subsection (1) commits an offence and is liable on conviction to a fine of one hundred thousand dollars or to imprisonment for a term of twenty years, or to both.

### **General restriction on repair of firearms**

10. (1) No person shall repair or alter any firearm for reward except under and in accordance with the terms of a Gunsmith’s Licence.
- (2) Whoever contravenes subsection (1) is commits an offence and liable on summary conviction to a fine of twenty thousand dollars and to imprisonment for five years.



**Restriction re gunsmith**

- 11.** (1) No holder of a Gunsmith's Licence shall accept delivery of any firearm for the purpose of effecting any alteration or repair thereto —
- (a) elsewhere than at the premises in respect of which that holder is licensed as a gunsmith; and
  - (b) unless the person who delivers it produces a valid Firearm User's (Restricted) Licence issued to that person in relation to that firearm.
- (2) Whoever contravenes subsection (1) commits an offence and is liable on summary conviction to a fine of five thousand dollars and to imprisonment for five years.

**Special restrictions on shortening firearms and converting imitation firearms into firearms**

- 12.** (1) No person other than the holder of a Gunsmith's Licence shall —
- (a) shorten a barrel of any smooth bore gun to a length of less than twenty inches; or
  - (b) convert into a firearm anything which though having the appearance of being a firearm is so constructed as to be incapable of discharging a missile through the barrel thereof.
- (2) No holder of a Gunsmith's Licence shall do either of the things referred to in subsection (1) except with the prior written approval of the Commissioner.
- (3) Whoever contravenes this section commits an offence and is liable on conviction to a fine of one hundred thousand dollars and to imprisonment for twenty years.

**Restrictions relating to alteration of ballistic signature or conversion into firearm**

- 12A.**(1) A person shall not —
- (a) except where repairs are notified under subsection (2), do anything to a firearm that alters the ballistic signature of the firearm;
  - (b) convert into a firearm anything which is not a firearm; or
  - (c) remove, alter, modify or in any other manner tamper with any mark on a firearm or ammunition.
- (2) Prior to effecting repairs to a firearm, the Commissioner shall be notified of any —
- (a) repairs to be effected to the firearm, including any component parts that are to be replaced; and
  - (b) other details as may be required,

and the notification and required details shall be provided in the form and manner as may be prescribed.

- (3) A person who contravenes subsection (1) commits an offence and is liable on conviction to a fine of one hundred thousand dollars or to imprisonment for a term of ten years, or to both.
- (4) For the purposes of this section, “mark”, in relation to a firearm or ammunition, includes —
  - (a) the name of the manufacturer;
  - (b) the serial number;
  - (c) the make, model or type;
  - (d) the calibre of the firearm;
  - (e) the country of manufacture;
  - (f) the date of manufacture; and
  - (g) any proof mark,

as may be marked, etched or otherwise imprinted on the firearm or ammunition.

### **Gunsmith to display notice board**

13. (1) Every holder of a Gunsmith’s Licence shall cause to be affixed and keep affixed over one of the principal entrances of the premises upon which that holder carries on business as a gunsmith a board on which shall be printed in legible letters at least two inches in length the name in full of such licensee and the words “Licensed as a gunsmith to repair and alter firearms” followed by the type of firearm that the licensee has been licensed to repair and alter.
- (2) Whoever contravenes subsection (1) commits an offence and is liable on summary conviction to a fine of two hundred dollars or to imprisonment for six months.

### **Records and returns**

14. (1) Every holder of a Gunsmith’s Licence shall keep records in such form and containing such particulars as may be prescribed of all transactions relating to that holder’s business as a gunsmith.
- (2) Every person who is required to keep records under subsection (1) shall make such returns to such authority in such form, in respect of such periods, at such time and containing such particulars as may be prescribed.
- (3) Whoever contravenes this section commits an offence and is liable on summary conviction to a fine of ten thousand dollars and to imprisonment for six months.



## PART 4 - Possession and use of firearms

### Possession of firearms, ammunition, bullet-proof vests and prohibited devices

15. (1) Subject to subsection (2), no person shall be in possession of any firearm or ammunition except under and in accordance with the terms of a Firearm User's (Restricted) Licence.
- (2) Subsection (1) shall not apply to —
- (a) the holder of any Gunsmith's Licence in respect of any firearm or ammunition delivered to that holder for the purpose of effecting any repair or lawful alterations thereto;
  - (b) any person who comes into possession of any firearm or ammunition in the capacity of executor or administrator of the estate of any deceased person or Trustee in Bankruptcy or liquidator of any insolvent person or of any company in liquidation, during the period of thirty days after the day upon which that person came into possession of the firearm or ammunition;
  - (c) any servant or agent of any of the persons referred to in paragraphs (a) and (b) in respect of any firearm or ammunition entrusted to that person for delivery to the owner thereof in accordance with this Act;
  - (d) any constable or customs officer in respect of that person's possession of any firearm or ammunition which came into that person's possession pursuant to this Act during such period as the firearm or ammunition is so retained by that person;
  - (e) any person in respect of the possession by that person of any firearm or ammunition entrusted to that person by any constable for transportation pursuant to section 9 from any place to any other place during such period, not being longer than is reasonably necessary for the transportation of the firearm or ammunition, as the firearm or ammunition is contained in a sealed packet; or
  - (f) any person in respect of the possession by that person of any firearm or ammunition delivered to that person in accordance with paragraph (c) of section 37(2), during the period of the absence from the Islands of the owner of the firearm or ammunition and two weeks thereafter, or the departure of such owner from the Islands whichever shall be the shorter.
- (3) Subject to subsection (4), no person shall be in possession of a bullet-proof vest except with the prior written approval of the Commissioner.
- (4) Subsection (3) shall not apply to —
- (a) any person who comes into possession of a bullet-proof vest in the capacity of executor or administrator of the estate of any deceased person or Trustee

- in Bankruptcy or liquidator of any insolvent person or of any company in liquidation, during the period of thirty days after the day upon which that person came into possession of such bullet-proof vest;
- (b) any servant or agent of any of the persons referred to in paragraph (a) in respect of a bullet-proof vest entrusted to that person for delivery to the owner thereof in accordance with this Act; or
  - (c) any constable or customs officer in respect of that person's possession of a bullet-proof vest which came into that person's possession under this Act during such period as such bullet-proof vest is so retained by that person.
- (4A) A person shall not be in possession of —
- (a) a prohibited device except where permitted by this Act; or
  - (b) a prohibited weapon.
- (5) Subject to subsections (6) and (7), a person who contravenes —
- (a) subsection (1) commits an offence and, subject to section 39, is liable on conviction to a fine of one hundred thousand dollars or to imprisonment for a term of twenty years, or to both except that where the firearm is a prohibited weapon the person is liable on conviction to the penalty under paragraph (d);
  - (b) subsection (3) commits an offence and is liable on conviction to a fine of one hundred thousand dollars or to imprisonment for a term of twenty years, or to both;
  - (c) subsection (4A)(a) commits an offence and is liable on conviction to a fine of one hundred thousand dollars or to imprisonment for a term of ten years, or to both; and
  - (d) subsection (4A)(b) commits an offence and is liable on conviction to a fine of two hundred and fifty thousand dollars or to imprisonment for a term of thirty-five years, or to both.
- (6) For the purposes of subsection (5)(c), an offence in relation to possession is not committed where the prohibited device is a specified prohibited device that is in the person's possession in accordance with an Order under section 3(1B).
- (7) Where the contravention under subsection (4A)(a) is in respect of a reloader, the person is liable on conviction to a fine of one hundred thousand dollars or to imprisonment for a term of twenty years, or to both.

### **General restriction on carrying firearms and wearing bullet-proof vests in public**

- 16.** (1) No person shall carry any firearm in any public place unless at the time when that person carries the firearm that person has about that person's person a Firearm User's (Restricted) Licence authorising that person to carry the firearm in such place.



- (2) No person shall carry or wear a bullet-proof vest in any public place except with the prior written approval of the Commissioner.
- (3) Any person found carrying a firearm, or carrying or wearing a bullet-proof vest, in any public place in contravention of subsection (1) or (2) may be arrested without warrant by any constable and the firearm or bullet-proof vest may be impounded.
- (4) Whoever contravenes subsection (1) or (2) commits an offence and is liable on summary conviction to a fine of five hundred dollars and to imprisonment for twelve months.

### **Special restriction on carrying of firearms in public places**

- 17.** (1) The Cabinet may, by Proclamation, apply this section to any area, district, town or village specified in such Proclamation.
- (2) Every Proclamation under subsection (1) —
    - (a) shall remain in force for a period of not more than one month (without prejudice to the power to issue a further Proclamation at or before the end of such period);
    - (b) shall be published in the Gazette; and
    - (c) may at any time be varied, altered, amended or revoked by the Cabinet.
  - (3) Subject to subsection (6), no person shall carry any firearm in any public place within any area, district, town or village to which this section applies, except in accordance with the terms of a Firearm User's (Special) Permit.
  - (4) Whoever contravenes this section commits an offence and is liable on summary conviction to a fine of fifty thousand dollars and to imprisonment for ten years.
  - (5) Where any person is arrested for, or legal proceedings are instituted against, any person in respect of the contravention of this section, any firearm found upon such person at the time of that person's arrest or at the time of the alleged contravention of this section shall be retained by the Police until such time as any legal proceedings against such person in respect of such contravention are finally disposed of.
  - (6) This section shall not apply to any officer, warrant officer, non-commissioned officer or other persons in the employ of any of His Majesty's Services or to any constable.

### **Restriction relating to the discharge and carriage of firearms and the wearing of bullet-proof vests**

- 18.** (1) No person shall discharge any firearm on or within forty yards of any public road or in any public place except —
- (a) in the lawful protection of that person's person or property or of the person or property of some other person;



- (b) under the direction of some civil or military authority authorised to give such discharge; or
  - (c) with the permission of the Cabinet.
- (2) Where any contravention of subsection (1) occurs, any Justice of the Peace or constable may enter any premises on which that person has reasonable cause to believe such contravention was committed and seize any firearms there found which that person has reasonable cause to believe were used in such contravention or are about to be used in the commission of some other contravention of subsection (1).
- (3) Whoever contravenes subsection (1) commits an offence and is liable on summary conviction to a fine of five thousand dollars and to imprisonment for six months.
- (4) Where any person is charged with a contravention of subsection (1), the burden of proving that the discharge of the firearm in respect of which the contravention is alleged to have occurred was a lawful discharge shall lie upon the person asserting the same.
- (5) Where any contravention of subsection (1) occurs upon any enclosed premises, the occupier of the premises shall be deemed to have incited the person by whom such contravention was committed to commit such contravention unless that person proves affirmatively that such contravention was committed against that person's will.
- (6) A person who has in that person's possession a firearm, an imitation firearm, ammunition or a prohibited weapon with intent and by means of the firearm, imitation firearm, ammunition or prohibited weapon —
- (a) to commit an offence;
  - (b) to endanger life or cause serious injury to property;
  - (c) to resist arrest or prevent the arrest of another person; or
  - (d) to enable another person to endanger life or cause serious injury to property,
- whether any injury to person or property has been caused or not, commits an offence and, subject to section 39, is liable on conviction to a fine of two hundred and fifty thousand dollars or to imprisonment for a term of thirty-five years, or to both.
- (7) Whoever has with that person a bullet-proof vest intended for use in the course of committing an offence, resisting arrest or preventing the arrest of another person, commits an offence and is liable on conviction to a fine of one hundred thousand dollars and to imprisonment for twenty years.
- (8) In proceedings for an offence under subsection (6) or (7), proof that the accused had a firearm, an imitation firearm, ammunition, a prohibited weapon or a



bullet-proof vest with that accused and intended to commit an offence or to resist or prevent arrest shall be evidence that that accused intended to have it with that accused while doing so.

- (9) Whoever, without lawful authority or reasonable excuse, the proof of which shall lie upon that person, has with that person in a public place a loaded firearm commits an offence and is liable upon conviction to a fine of fifty thousand dollars and to imprisonment for ten years.
- (10) Whoever, while that person has a firearm or bullet-proof vest with themselves, enters or is in any building or part of a building as a trespasser, without reasonable excuse, proof of which shall lie upon that person, commits an offence and is liable on conviction to a fine of one hundred thousand dollars and to imprisonment for twenty years.
- (11) A constable may require any person whom that constable has reasonable cause to suspect of having a bullet-proof vest or a firearm, with or without ammunition, with that person in a public place, or to be committing or about to commit an offence under the foregoing provisions of this Part elsewhere than in a public place, to hand over the bullet-proof vest, the firearm and any ammunition for examination by the constable, and whoever, having a bullet-proof vest, a firearm or ammunition with themselves, fails to hand over the bullet-proof vest, the firearm or ammunition when required to do so under this subsection commits an offence and is liable on summary conviction to a fine of fifty thousand dollars and to imprisonment for ten years.
- (12) If a constable has reasonable cause to suspect any person of having a firearm or bullet-proof vest with that person in a public place or to be committing or about to commit an offence under the foregoing provisions of this Part, that constable may search that person and detain that person for the purpose of searching that person.
- (13) If a constable has reasonable cause to suspect that there is a firearm or bullet-proof vest in a vehicle in a public place, or that a vehicle is being or is about to be used in connection with the commission of an offence under the foregoing provisions of this Part elsewhere than in a public place, that constable may search the vehicle and for that purpose may require the person driving or in control of it to stop it. Whoever fails to stop the vehicle when so required or obstructing the search of such vehicle when stopped commits an offence and is liable on summary conviction to a fine of fifty thousand dollars and to imprisonment for five years.
- (14) For the purpose of exercising the powers conferred by the foregoing provisions of this section a constable may enter any place.
- (15) A constable may arrest without warrant any person whom that constable has reasonable cause to suspect to be committing an offence under the foregoing provisions of this Part.



- (16) A constable may seize and detain any firearm, bullet-proof vest or ammunition which may be the subject of an order for forfeiture under section 41.
- (17) Subsection (14) shall not be construed as prejudicing any power of entry exercisable by a constable apart from that subsection, and subsection (16) shall not be construed as prejudicing the power of a constable when arresting a person for an offence to seize property found in that person's possession or any other power exercisable by a constable, apart from that subsection, of seizing firearms, ammunition or other property.

### **Prohibition on manufacture or supply of firearms or ammunition**

- 18A.** (1) A person shall not —
- (a) assemble;
  - (b) manufacture (including create by the use of a 3D printer, a computer numerical control milling machine or similar computer system and the use of electronic software, downloadable files or similar computer data); or
  - (c) supply,
- any firearm, ammunition or firearm parts kit.
- (2) A person shall not access, download or have in the person's possession electronic software, downloadable files or similar computer data that pertain to a firearm and that are capable of being used with a 3D printer, a computer numerical control milling machine or similar computer system with the intent to assemble, manufacture or supply a firearm derived from the electronic software, downloadable files or similar computer data.
  - (3) A person who contravenes this section commits an offence and is liable on conviction to a fine of two hundred and fifty thousand dollars or to imprisonment for a term of thirty-five years, or to both.

## **PART 5 - Licences and permits**

### **Types of licences and permits**

- 19.** (1) In this Part, a reference to a licence or permit for a firearm includes a reference to a licence or permit for ammunition.
- (2) Subject to section 17 and this Part, the appropriate authority may grant the following licences or permits —
    - (a) a Firearm Import Permit authorising the holder thereof during such period, not exceeding six months, as may be specified in the Permit, to import into the Islands from such source as may be specified therein, the firearms as may be therein specified;



- (b) a Firearm Export Permit authorising the holder thereof, during such period not exceeding six months as may be specified in the Permit, to export from the Islands to such destination and in such manner the firearm of such type as may be specified in the permit;
- (c) a Gunsmith's Licence authorising the holder thereof to carry on the business of repairing firearms and altering such types of firearms as are specified therein at such premises as may be specified in the licence;
- (d) a Firearm Disposal Permit authorising the holder thereof to dispose of the firearm specified in such permit;
- (e) a Firearm User's (Restricted) Licence authorising the holder thereof, subject to the provisions of section 17 and of such restrictions as the appropriate authority may impose, to be in possession of the firearm specified in such licence; or
- (f) a Firearm User's (Special) Permit authorising the holder thereof to be in possession of the firearm specified in such permit within any area so specified to which section 17 applies upon such occasions as may be so specified.

### **Applications for licences and permits**

**20.** Every application for any licence or permit shall —

- (a) be addressed to the appropriate authority;
- (b) be in the prescribed form;
- (c) contain the prescribed particulars;
- (d) be accompanied by the prescribed number (if any) of photographs, of such dimensions as may be prescribed, of the person to whom the licence or permit applied for is desired to be granted;
- (e) bear upon it, if so prescribed, a specimen of the signature of the person to whom the licence or permit applied for is desired to be granted;
- (f) be signed by the applicant; and
- (g) be accompanied by the prescribed application fee, if any, and by such documents, if any, as may be prescribed.

### **General provisions as to grant and issue of licences and permits**

- 21.** (1) Subject to section 20, subsections (2), (3), 3(A), (4) and (5) of this section and section 29, the grant of any licence or permit shall be in the absolute discretion of the appropriate authority.
- (2) No licence or permit shall be granted to any person who —
- (a) is of intemperate habits, liable to fits of uncontrolled temper, notoriously careless in the use of firearms or of unsound mind; or

- (b) is for any reason unfitted to be entrusted with a firearm.
- (3) No licence or permit shall be granted —
- (a) in relation to any prohibited weapon; or
  - (b) to any restricted person,
- except with the prior approval of the Cabinet:
- Provided that this subsection shall not apply to the grant to any restricted person of a Firearm Disposal Permit.
- (3A) A licence or permit shall not be granted —
- (a) in relation to any privately made firearm assembled from a firearm parts kit or component parts; or
  - (b) in relation to any firearm without a serial number or with any mark on the firearm altered.
- (4) No Gunsmith's Licence shall be granted unless the appropriate authority is satisfied that not less than seven days notice of the intention to apply for the grant of such Licence has been given to the Commissioner.
- (5) Subsection (1) shall not apply to the grant of any Firearm Disposal Permit.
- (6) No licence or permit shall be issued to any person until the appropriate authority is satisfied that the prescribed fee has been paid.

### **Special provisions relating to Firearm User's (Restricted) Licence**

- 22.** (1) Subject to section 20, the appropriate authority, on the payment of the prescribed fee and on the surrender to that authority of the appropriate application, may grant a Firearm User's (Restricted) Licence in respect of the firearm specified in such application, or if no firearm is so specified, a firearm of the type specified in such application.
- (2) Every Firearm User's (Restricted) Licence shall specify the premises specified in the application pursuant to which such Licence is granted as being the premises, other than premises owned or occupied by the Licensee, upon which the Licensee may be in possession of the firearm to which the Licence relates.

### **Special provisions relating to Firearm User's (Special) Licence**

- 23.** (1) Subject to section 29, the appropriate authority on the application of any person who is the holder of a Firearm User's (Restricted) Licence may, in that holder's absolute discretion, grant to such person a Firearm User's (Special) Permit authorising such person during the continuance in force of any Proclamation under section 17 to carry the firearm in respect of which that person is the holder of a Firearm User's (Restricted) Licence in any public place within the area, district, town or village to which such Proclamation applies upon the occasions and subject to the conditions specified in such Permit.



- (2) Every permit under subsection (1) shall specify the area, district, town or village to which it relates.

### **Special provisions relating to Firearm Disposal Permit**

24. The appropriate authority, on the application of any person who the authority is satisfied is the owner or is acting with the authority of the owner of any firearm, shall grant to such applicant a Firearm Disposal Permit authorising the holder thereof within thirty days of the grant of such permit to give away or to sell, subject to the provisions of this Act, the firearm specified in such permit.

### **General provisions as to licences and permits**

25. (1) Every licence or permit under this Act shall be in the prescribed form and shall contain the prescribed particulars, and if so prescribed, shall bear upon it a photograph, of such dimensions as may be prescribed, of the person to whom it is granted and a specimen of the signature of such person.
- (2) Subject to subsection (1), every licence or permit shall be subject to the prescribed conditions.
- (3) Every licence or permit —
  - (a) in respect of the grant of which the Cabinet is the appropriate authority;
  - (b) in respect of the grant of which the prior approval of the Cabinet is required; or
  - (c) which is granted under any direction of the Cabinet under section 29,shall be subject to such conditions as the Cabinet in the Cabinet's discretion may direct to be specified therein.

### **Duration of licence or permit**

26. (1) Subject to section 28, every licence shall expire on the first day of January three years after the day on which it is granted, so however, that any licence granted in the month of December in any year shall be dated the first day of January of the following year and shall come into force on that day and continue in force until the first day of January three years after it is granted.
- (2) Subject to section 28, every permit, except a Firearm User's (Special) Permit, shall continue in force until the act authorised to be done by such permit has been done or the expiration of the period specified in such permit, whichever shall first happen.
- (3) Subject to section 28, every Firearm User's (Special) Permit shall continue in force until the revocation or expiration of the Proclamation applying the provisions of section 17 to the area, district, town or village to which such permit relates.

### **Amendment of licences**

**27.** (1) Subject to section 29, where —

- (a) the holder of any licence or permit has changed that holder's name or address;
- (b) the owner of any firearm to which a Firearm User's (Restricted) Licence relates has ceased to be the owner or occupier of premises specified in such licence; or
- (c) the owner of any firearm to which a Firearm User's (Restricted) Licence relates has become the owner or occupier of any premises not specified in such licence,

then in any such case the holder of the licence or the owner of the firearm, as the case may be, shall notify the appropriate authority in writing of the details of any of the changes mentioned in paragraph (a), (b) or (c) not later than seven days after such change, and the appropriate authority —

- (i) in any case within the provisions of paragraph (a) or (b) shall; and
- (ii) in any case within the provisions of paragraph (c), may in that authority's absolute discretion,

amend the licence in such manner as may be appropriate. A holder of any licence or permit or an owner of any firearm, as the case may be, who fails to comply with the requirements of this subsection within the specified period commits an offence and is liable on summary conviction to a fine of one thousand dollars and to imprisonment for three months.

- (2) Where the appropriate authority desires to amend any licence or permit under this section the authority may give notice in writing to the holder of such licence —
  - (a) specifying the nature of the amendment which the authority desires to make to such licence; and
  - (b) requiring the holder thereof to cause such licence to be delivered to that authority on or by some day (not being less than three days after the receipt by the holder of such notice) specified in such notice for the purpose of such amendment being effected thereto.
- (3) Whoever, on being required so to do by notice under subsection (2), fails to cause any licence to be delivered to the appropriate authority on or before the day specified in such notice commits an offence and is liable on summary conviction to a fine of five thousand dollars and to imprisonment for six months.

### **Revocation of licence**

**28.** (1) Subject to section 29 and subsection (2), the appropriate authority may in that authority's absolute discretion revoke any licence or permit under this Act.



- (2) The appropriate authority shall upon being required so to do by any person who the authority is satisfied is the owner of any firearm in respect of which any Firearm User's (Restricted) Licence has been granted to any other person revoke the Firearm User's (Restricted) Licence.
- (3) Where the appropriate authority revokes any licence or permit under this section, the authority shall give notice in writing to the holder thereof —
  - (a) specifying that the authority has revoked such licence or permit;
  - (b) requiring such person to deliver up such licence or permit to that authority on or before the day (not being less than three days after the date of the receipt of such notice by such person) specified in such notice; and
  - (c) requiring such person to deliver to that authority forthwith the firearm to which such licence or permit relates.
- (4) Whoever, on being required so to do under paragraph (b) of subsection (3), fails to deliver to the appropriate authority such licence or permit on or before the day specified in such notice or, on being required so to do under paragraph (c) of subsection (3) fails to deliver forthwith the firearm commits an offence and is liable on summary conviction to a fine of five thousand dollars and to imprisonment for six months.
- (5) Every firearm received by the appropriate authority under paragraph (c) of subsection (3) shall —
  - (a) on the production by any person of a Firearm User's (Restricted) Licence granted to that person in relation to the firearm either before or after the date on which the firearm was received, be delivered to such person; or
  - (b) if not so delivered within twelve months of the date on which it was received, be forfeited to the Crown.

## Appeals

- 29.** (1) Subject to subsections (2) to (6), any aggrieved party may appeal to the Cabinet against any decision of an appropriate authority —
- (a) refusing to grant any licence or permit;
  - (b) refusing to grant approval in a matter relating to a bullet-proof vest;
  - (c) revoking any approval granted in a matter relating to a bullet-proof vest; and
  - (d) amending or refusing to amend any licence or permit; or
  - (e) revoking or refusing to revoke any licence or permit.
- (2) Notice of appeal under this section shall be given to the Cabinet in the prescribed form within twenty-one days of the date on which the aggrieved party first has notice of the decision against which that person desires to appeal and shall be accompanied by the prescribed fee.

- (3) Every appeal under this section shall be considered by the Cabinet at such time and in such manner (whether in the presence or in the absence of the aggrieved party) as the Cabinet may, in the Cabinet's absolute discretion, think fit.
- (4) Upon the determination of any appeal under this section, the Cabinet shall give to the appropriate authority against whose decision such appeal is taken such directions as the Cabinet may, in the Cabinet's absolute discretion, think fit.
- (5) In this section —  
“aggrieved party” means the applicant for or the holder of any licence or permit in respect of the refusal to grant, the amendment of or the revocation of which any appeal is taken and the owner of the firearm to which such application, licence or permit relates and, in a matter relating to a bullet-proof vest, “aggrieved party” means —
  - (a) the person applying for the Commissioner's approval under this Act, in respect of an appeal against the Commissioner's refusal to grant the approval; and
  - (b) the person to whom the Commissioner's approval has been granted under this Act, in respect of an appeal against the Commissioner's amendment or revocation of the approval.
- (6) Subsections (1) to (5) shall not apply to any licence or permit —
  - (a) the appropriate authority for the grant of which is the Cabinet; or
  - (b) the grant of which is subject under this Act to the prior approval of the Cabinet.

### **Appropriate authority**

- 30.** (1) The appropriate authority for the grant, amendment or revocation of any Gunsmith's Licence shall be the Cabinet.
- (2) The appropriate authority for the grant, amendment or revocation of approval in a matter relating to a bullet-proof vest shall be the Commissioner.
- (3) The appropriate authority in Grand Cayman for the grant, amendment or revocation of any Firearm Import Permit, Firearm Export Permit, Firearm Disposal Permit, Firearm User's (Restricted) Licence or Firearm User's (Special) Permit shall be the Commissioner and the appropriate authority in Cayman Brac and Little Cayman shall be the District Commissioner.

### **Collection and storage of ballistic signatures**

- 30A.** The Commissioner shall collect and store —
- (a) physical and digital ballistic signatures; and
  - (b) information relating to firearms in the Islands,
- at such times and in such manner as may be prescribed.



## **PART 6 - Power of search and to obtain information**

### **Further powers of inspection**

- 31.** Any constable may, at any time during which any premises upon which any person carries on business as a gunsmith are open for business, enter such premises for the purpose of inspecting any records required to be kept by such person under this Act and of verifying the accuracy of such records by inspecting or taking an inventory of the stock of firearms possessed by such person or otherwise.

### **Power of constable to require production of Firearm User's (Restricted) Licence**

- 32.** (1) Any constable who sees any person carrying any firearm in any public place may require such person to produce to that constable that person's Firearm User's (Restricted) Licence in relation to the firearm and, if such place is within any area to which section 17 applies, to produce that person's Firearm User's (Special) Permit in relation to the firearm.
- (2) Whoever, on being required so to do, fails to produce either of the documents referred to in subsection (1) or to permit the constable to inspect such documents and to examine the firearm to which such documents relate for the purpose of verifying the particulars in such documents commits an offence and is liable on summary conviction to a fine of ten thousand dollars and to imprisonment for twelve months.

### **Further provisions relating to production of Firearm User's (Restricted) Licence**

- 33.** (1) Where any constable suspects that any person is carrying any firearm concealed about that said person's person that constable may —
- (a) ask such person if that person is carrying a firearm; and
  - (b) if such person admits that that person is carrying a firearm, require such person to produce the firearm and that person's Firearm User's (Restricted) Licence in respect thereof and, if the place in which such person is carrying the firearm is within any area to which section 17 applies, require that person to produce that person's Firearm User's (Special) Permit in relation to the firearm.
- (2) If any person denies that that person is carrying any firearm about that person's person and the constable continues to suspect that that person is carrying a firearm, the constable may search that person for the purpose of seizing the suspected firearm and may detain that person for the purpose of searching that person.
- (3) Whoever, on being required so to do under this section fails to produce any firearm which that person admits that that said person is carrying concealed

about that person's person or to produce either of the documents referred to in this section in relation to the firearm or refuses to submit to being searched under this section commits an offence and is liable on summary conviction to a fine of two hundred dollars or to imprisonment for six months.

### **Further provisions relating to production of Commissioner's written approval**

- 34.** (1) Where any constable suspects that any person is carrying or wearing a bullet-proof vest that constable may —
- (a) ask such person if that person is carrying or wearing a bullet-proof vest; and
  - (b) if such person admits that that person is carrying or wearing a bullet-proof vest, require such person to produce such bullet-proof vest and the Commissioner's written approval in respect thereof.
- (2) If any person denies that that person is carrying or wearing a bullet-proof vest and the constable continues to suspect that that person is carrying or wearing a bullet-proof vest, the constable may search that person for the purpose of seizing the suspected bullet-proof vest and may detain that person for the purpose of searching that person.
- (3) Whoever, on being required so to do under this section, fails to produce a bullet-proof vest which that person admits that said person is carrying or wearing or to produce the Commissioner's written approval in relation to such bullet-proof vest or refuses to submit to being searched under this section commits an offence and is liable on summary conviction to a fine of two hundred dollars or to imprisonment for six months.

### **Search warrants**

- 35.** Any Justice of the Peace, on being satisfied by information upon oath that there is reasonable cause to believe that any person is in possession of any firearm, ammunition or bullet-proof vest in contravention of this Act and that the firearm, ammunition or bullet-proof vest is in any place specified in such information, may grant a search warrant in the prescribed form authorising the person to whom such warrant is addressed to enter such place (using force to effect entry thereof, if entry cannot otherwise be effected) for the purpose of searching for the firearm, ammunition or bullet-proof vest.



## PART 7 - Financial and miscellaneous

### Appropriate fee

- 36.** (1) Subject to subsection (2), the fees chargeable for licences and permits are as prescribed by regulations and are payable on the first grant of the licence or permit, or in the case of renewal of a licence, on or before the thirty-first day of January in the year of renewal.
- (2) Notwithstanding anything to the contrary, no licence fee shall be payable —
- (a) by a member of any rifle club recognised by the Cabinet in respect of a Firearm User's (Restricted) Licence in relation to any rifle, pistol, air gun, air rifle or air pistol; or
  - (b) by the owner of any firearm in respect of which the Commissioner certifies that that Commissioner is satisfied that the firearm is of an obsolete type and is not intended by the owner to be used by that owner or by any other person.

### Custody of firearms

- 37.** (1) Whoever comes into possession of any firearm or ammunition in the circumstances specified in paragraph (b) of section 15(2) shall, within thirty days of coming into possession of the firearm or ammunition, unless that person has obtained a Firearm User's (Restricted) Licence in respect of the firearm or ammunition, within such period deliver the firearm or ammunition to the officer in charge of the Police Station nearest to the place at which that person came into possession of the firearm or ammunition together with a written statement as to the date on which, and the circumstances in which that person came into possession of the firearm or ammunition.
- (2) Where any holder of any Firearm User's (Restricted) Licence is about to leave the Islands for twenty-one days or more and does not desire to take the firearm and the ammunition to which such licence relates, the holder shall, before leaving the Islands, deliver the firearm and the ammunition to the officer in charge of a police station.
- (3) Whoever comes into possession of any bullet-proof vest in the circumstances specified in paragraph (a) of section 15(4) shall, within thirty days of coming into possession of such bullet-proof vest, unless that person has obtained the Commissioner's written approval in respect of such bullet-proof vest, within such period deliver such bullet-proof vest to the officer in charge of the Police Station nearest to the place at which that person came into possession of such bullet-proof vest together with a written statement as to the date on which and the circumstances in which that person came into possession of such bullet-proof vest.

- (4) Where a person to whom the Commissioner's written approval has been granted in respect of a bullet-proof vest is about to leave the Islands and does not desire to take with that person the bullet-proof vest to which the approval relates, that person shall, before leaving the Islands, deliver such bullet-proof vest to the officer in charge of the Police Station nearest to the place at which that person is ordinarily resident.
- (5) Whoever contravenes subsection (1), (2), (3) or (4) commits an offence and is liable on summary conviction to a fine of ten thousand dollars and to imprisonment for twelve months.
- (6) Any firearm, ammunition or bullet-proof vest received at any Police Station under this section shall —
  - (a) on the production by any person of a Firearm User's (Restricted) Licence granted to that person in relation to the firearm or ammunition either before or after the date on which the firearm or ammunition was received at such Police Station, be delivered to such person;
  - (b) on the production by any person of the Commissioner's written approval granted to that person in relation to such bullet-proof vest either before or after the date on which such bullet-proof vest was received at such Police Station, be delivered to such person; or
  - (c) if not delivered to any person in accordance with paragraphs (a) or (b) within twelve months of the date on which it was received at such Police Station, be forfeited to the Crown.

### Category B offence

- 38.** (1) Any offence with which a person is charged under sections 3(2), 4(2), 5(2), 8, 12(3), 15(5), 18(6), 18(7), 18(9) and 18(10) is triable as a Category B offence.
- (2) For the purposes of this section —  
“Category B offence” has the meaning assigned to it by section 5 of the *Criminal Procedure Code (2021 Revision)*.

### Minimum sentences for certain offences

- 39.** (1) This section applies where —
  - (a) an individual is convicted following a trial or a plea of guilty, by a court of summary jurisdiction or the Grand Court, of an offence under section 3(3), 3(3A)(b), 15(5)(a), 15(5)(d) or 18(6);
  - (b) the offence was committed on or after 15th November, 2005; and
  - (c) the offence is in respect of a firearm or a prohibited weapon.
- (2) Notwithstanding sections 6(2) and 8 of the *Criminal Procedure Code (2021 Revision)*, the court of summary jurisdiction or the Grand Court before which the individual pleads guilty or is convicted, shall —



- (a) in a case where the individual pleads guilty, impose a sentence of imprisonment for a term of at least ten years (with or without a fine); or
- (b) in any other case, impose a sentence of imprisonment for a term of at least fifteen years (with or without a fine),

unless the relevant court is of the opinion that there are exceptional circumstances relating to the offence or to the offender which justify its not doing so; and such exceptional circumstances shall be stated by the relevant court.

- (3) Where an offence is found to have been committed over a period of two or more days, or at some time during a period of two or more days, it shall be taken for the purposes of this section to have been committed on the last of those days.

### **Restriction on eligibility for release on licence**

**40.** Notwithstanding the *Conditional Release Act (2019 Revision)* or any other law, a person who —

- (a) contravenes section 3(1) and is convicted and sentenced under section 3(3);
- (b) contravenes section 3(1A)(b) and is convicted and sentenced under section 3(3A)(b);
- (c) contravenes section 15(1) and is convicted and sentenced under section 15(5)(a); or
- (d) contravenes section 18(6) and is convicted and sentenced under that section,

shall not be eligible to be released on licence.

### **Forfeiture of firearms**

**41.** Where any person is convicted of any offence under this Act in relation to —

- (a) the importation, exportation, purchase, sale or alteration of any firearm, ammunition or bullet-proof vest;
- (b) the possession or use of any bullet-proof vest in respect of which that person has not obtained the Commissioner's written approval under this Act;
- (c) the possession or use of any firearm or ammunition in respect of which that person is not the holder of a Firearm User's (Restricted) Licence under this Act;
- (d) the possession in any area to which section 17 applies of any firearm or ammunition otherwise than in accordance with the terms of a Firearm User's (Special) Permit; or
- (e) any offence under section 18(6), (8), (9) and (10),

the firearm, ammunition or bullet-proof vest shall be forfeited to the Crown unless the Court by whom that person is convicted —

- (i) is satisfied that that person was, at the time of the commission of such offence, not the owner and not acting with the authority of the owner of the firearm, ammunition or bullet-proof vest ; and
- (ii) directs that the firearm, ammunition or bullet-proof vest shall not be so forfeited.

### **Carrying firearms in parts**

**42.** Where any firearm is carried in parts by two or more persons in company, each of such persons shall be deemed to carry a firearm.

### **Regulations**

**43.** The Cabinet may make regulations for the better carrying out of this Act and, in particular, but without prejudice to the generality of the foregoing, for prescribing anything required or permitted by this Act to be prescribed.

### **When provisions shall not apply**

**44.** This Act does not apply to —

- (a) any firearm, ammunition or bullet-proof vest, prohibited device or prohibited weapon the property of His Majesty or the Government, except at a time when the firearm, ammunition or bullet-proof vest, prohibited device or prohibited weapon is in the possession of some person other than a person authorised by or on behalf of His Majesty or the Government, as the case may be, to be in possession of the firearm, ammunition or bullet-proof vest, prohibited device or prohibited weapon;
- (b) any firearm, ammunition or bullet-proof vest weapon forming part of the equipment of any ship or aircraft or of any aerodrome at any time when the firearm, ammunition or bullet-proof vest is on board such ship or aircraft or at such aerodrome, as the case may be;
- (c) any humane killer the property of the Government or of any prescribed person;
- (d) any member of —
  - (i) the armed services of His Majesty;
  - (ii) the Royal Cayman Islands Police Service;
  - (iii) the Cayman Islands Coast Guard;
  - (iv) the Cayman Islands Regiment;
  - (v) the Prison Service; or
  - (vi) the Customs and Border Control Service,



- in respect of any firearm, ammunition, bullet-proof vest in the possession of the member in the course of the member's duties;
- (e) any officer or member of the crew of any ship or aircraft or any employee of any aerodrome in respect of that person's possession on board such ship or aircraft or at such aerodrome, and in that person's capacity as an officer or member of the crew of such ship or aircraft or an employee of such aerodrome, as the case may be, of any firearm, ammunition or bullet-proof vest referred to in paragraph (b);
  - (f) any employee of the Government of these Islands or any prescribed person in respect of that person's possession in that person's capacity as such employee of any humane killer;
  - (g) any obsolete firearm, ammunition or bullet-proof vest forming part of any collection owned for museum purposes; or
  - (h) any spring gun or spring pistol, spear gun used for the purpose of fishing, bow and arrow, catapult or sling shot, pea-shooter or popgun.

### **Savings and transitional provisions**

#### **45. (1) Where —**

- (a) prior to the 18th February, 2008, an accused person is convicted following a trial or a plea of guilty to an offence (irrespective of when the offence was committed); and
- (b) at the 18th February, 2008, no judgment or sentence has been passed upon that accused person in respect of the offence,

the accused person shall, for the purpose of the judgment or sentence, be dealt with in all respects under this Act and the provisions of this Act are to apply accordingly.

- (2) Where, at the 18th February, 2008, any trial or any proceedings in respect of an offence are pending before a court, the trial or proceedings shall, after that date, be dealt with in all respects under this Act (irrespective of when the offence was committed) and the provisions of this Act are to apply accordingly.
- (3) Where, on or after the 18th February, 2008, an accused person is convicted following a trial or a plea of guilty to an offence (irrespective of when the offence was committed), the accused person shall, for the purpose of judgment or sentence in respect of the offence, be dealt with in all respects under this Act and the provisions of this Act are to apply accordingly.
- (4) Nothing in any provision of the *Firearms (Amendment) Act, 2024 [Act 5 of 2024]* shall affect any legal proceedings which are pending immediately before the 22nd August, 2024, the commencement date of the *Firearms (Amendment) Act, 2024 [Act 5 of 2024]*.

**Publication in consolidated and revised form authorised by the Cabinet this 21st day of January, 2025.**

**Kim Bullings**  
*Clerk of the Cabinet*



## ENDNOTES

### Table of Legislation history:

SL #	Act/Law #	Legislation	Commencement	Gazette
	5/2024	Firearms (Amendment) Act, 2024	22-Aug-2024	LG27/2024/s1
Proc 5/2020		Proclamation 5 of 2020 - Proclaiming the commencement of Constitution (Amendment) Order UKSI 1283/2020	30-Nov-2020	GE97/2020/s3
UK 1283/2020		Cayman Islands Constitution (Amendment) Order 2020	3-Dec-2020	GE99/2020/p1
	56/2020	Citation of Acts of Parliament Act, 2020	3-Dec-2020	LG89/2020/s1
	35/2020	Civil Partnership Law, 2020	4-Sep-2020	LG64/2020/s1
Proc 4/2009		Proclamation 4 of 2009 - Proclaiming the commencement of Constitution Order UKSI 1379/2009	23-Oct-2009	GE89/2009/p7
UK 1379/2009		Cayman Islands Constitution Order 2009	6-Nov-2009	G14/2009/s1
		<b>Firearms Law (2008 Revision)</b>	23-Jun-2008	G13/2008/s3
	3/2008	Firearms (Amendment) Law, 2008	18-Feb-2008	G4/2008/s3
		<b>Firearms Law (2006 Revision)</b>	10-Jul-2006	G14/2006/s3
	17/2005	Firearms (Amendment) Law, 2005	11-Nov-2005	G23/2005/s2
		<b>Firearms Law (1998 Revision)</b>	7-Dec-1998	G25/1998/s1
	2/1996	Firearms (Amendment) Law, 1996	24-Jun-1996	G13/1996/s6
		<b>Firearms Law (1995 Revision)</b>	20-Mar-1995	G6/1995/s3
	29/1993	Firearms (Amendment) Law, 1993	14-Dec-1993	GE.14Dec/1993/s6
	22/1990	Firearms (Amendment) Law, 1990	31-Dec-1990	G27/1990/s3
	20/1990	Miscellaneous Laws (Amendment) Law, 1990	22-Oct-1990	G22/1990/s7
	27/1987	Firearms (Amendment) Law, 1987	18-Jan-1988	G2/1988/s4
	19/1986	Firearms (Amendment) Law, 1986	19-Jan-1987	G2/1987/s3
	16/1984	Firearms (Amendment) Law, 1984	29-Aug-1984	GE.29Aug/1984/s3
	16/1983	Firearms (Amendment) Law, 1983	8-Aug-1983	G16/1983/s3
	6/1983	Firearms (Amendment) Law, 1983	30-May-1983	G11/1983/s6
	26/1975	Firearms (Amendment) Law, 1975	22-Dec-1975	G26/1975/s12
	9/1971	Firearms (Amendment) Law, 1970	3-Mar-1971	GN No. 43 of 1971
	37/1966	Firearms (Amendment) (No. 2) Law, 1966	01-Oct-1942 ( <i>sic</i> )	GN No. 148 of 1966
	10/1966	Firearms (Amendment) Law, 1966	1-Aug-1966	GN No. 79 of 1996
	39/1965	Firearms (Amendment) Law, 1965	23-Nov-1965	GN No. 144 of 1965



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SL #	Act/Law #	Legislation	Commencement	Gazette
	17/1964	Firearms Law, 1964	2-Jan-1965	GN No. 101 of 1964





(Price: \$8.00)

