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**FIREARMS, EXPLOSIVES AND AMMUNITION
(AMNESTY) ACT, 1998.**

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FIJI

ACT NO. 8 OF 1998



I assent.

[L.S.]

K. K. T. MARA
President

[20 April 1998]

AN ACT

TO GRANT AN AMNESTY FOR THE SURRENDER OF FIREARMS,
EXPLOSIVES AND AMMUNITION AND FOR RELATED MATTERS.

ENACTED by the Parliament of Fiji—

Short title and commencement

1.—(1) This Act may be cited as the Firearms, Explosives and Ammunition (Amnesty) Act, 1998.

(2) This Act commences on a date to be appointed by the Minister and published in the *Gazette*.

Interpretation

2. In this Act, unless the context otherwise requires—

“ammunition” has the same meaning as in the Arms and Ammunition Act, Cap. 188;

“amnesty period” means the period of 30 days from the commencement of this Act or a further period specified under section 4(1);

“collection point” means a place specified as such under section 4(2);

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“explosives”—

- (a) subject to (b), has the same meaning as in the Arms and Ammunition Act, Cap. 188;
- (b) without limiting the generality of (a) includes—
 - (i) any substance declared to be an explosive under section 4 of the Explosives Act, Cap 189; and
 - (ii) any material for making any explosive or any apparatus, machine, implement or material used or intended to be used or adapted for causing or aiding in causing any explosion in or with any explosive, or any part of any such apparatus, machine or implement;

“firearm” has the same meaning as is ascribed to the term “arm” in the Arms and Ammunition Act, Cap. 188.

Grant of amnesty

3.—(1) Any person illegally in possession, custody or control of any firearm, explosive or ammunition may during the amnesty period voluntarily surrender or disclose the location of the firearm, explosive or ammunition to the officer in charge of a Police station, Police post, or collection point.

(2) A person who voluntarily surrenders or discloses the location of any firearm, explosive or ammunition during the amnesty period shall not be charged with any offence relating to illegal possession, custody or control of that firearm, explosive or ammunition and such a person is pardoned and absolved from any criminal responsibility in respect of that possession from the date of the surrender or disclosure.

Powers of Minister

4.—(1) The Minister may, by order in the *Gazette*, before the end of 30 days from the commencement of this Act, extend the amnesty period for a further period not exceeding 30 days.

(2) The Minister may, by notification in the *Gazette*, specify any place as a collection point and any person as the officer in charge of such collection point.

Extent of Amnesty

- 5.—(1) The amnesty granted by this Act does not extend to—
- (a) conspiracy to instigate an invasion;
 - (b) conspiracy to import arms or ammunition unlawfully into Fiji;
 - (c) concealing unlawfully imported arms or ammunition;
 - (d) any other offence in relation to the unlawful shipment of firearms, explosives or ammunition to, from or within Fiji;
 - (e) neglect to prevent a felony; or
 - (f) any offence relating to the use of firearms, explosives or ammunition.

(2) The amnesty granted by this Act does not extend to any charge relating to possession of firearms, explosives or ammunition laid before the commencement of this Act.

Protection for person granted amnesty

6.—(1) No person shall disclose publicly in any forum the identity of a person who has been granted an amnesty by this Act.

(2) No person shall use knowledge about another person obtained by virtue of that person claiming amnesty under this Act to place that person at a disadvantage .

(3) All records relating to the surrender or disclosure of firearms, explosives or ammunition shall be destroyed within 30 days after the expiry of this Act, except for statistics as to the number and types of items surrendered.

Penalties

7. A person who contravenes section 6 commits an offence and is liable on conviction to a fine of \$400 and to imprisonment for 3 months.

Passed by the House of Representatives this Seventeenth day of March, in the year of our Lord One Thousand, Nine Hundred and Ninety-Eight

Passed by the Senate this First day of April, in the year of our Lord One Thousand, Nine Hundred and Ninety-Eight.