

CONDOMINIUM DES NOUVELLES-HEBRIDES

NEW HEBRIDES CONDOMINIUM

ARRETE CONJOINT 14 de 1963

JOINT REGULATION 14 of 1963

JOINT REGULATION

No. 14
of 1963.**To control firearms and ammunition.**

Joint Regulation No. 14 of 1963 was published in *Condominium Gazette* No. 220 and is reprinted as amended by the following Regulations:

- 8 of 1964 *Condominium Gazette* No. 222
- 14 of 1964 *Condominium Gazette* No. 223
- 12 of 1966 *Condominium Gazette* No. 247
- 11 of 1970 *Condominium Gazette* No. 295
- 7 of 1971 *Condominium Gazette* No. 302

MADE by the British and French Resident Commissioners under the provisions of Article 2, paragraph 2 and Article 7 of the Anglo-French Protocol of 1914.

PART I

GENERAL PROVISIONS

1. The New Hebrides Firearms and Ammunition (Importation, Sale, Possession and Use) Joint Regulation No. 6 of 1956 is hereby repealed.

2. The import, movement, export, carriage and transfer—whether on payment or otherwise—of fire-arms or ammunition (bullets, cartridges and powder), as well as parts of arms, and all objects or products capable of being used for the manufacture of arms and ammunition, shall be forbidden throughout the Condominium of the New Hebrides, including the Banks and Torres Islands, except in the cases and under the conditions determined by this Regulation.

3. The following shall be exempted from the provisions of this Regulation—

- (a) Firearms and ammunition for the use of the Naval, Military and Air Forces of one or other of the two Administering Powers (whether active or reserve) and of the two National Administrations, including the Constabulary].
- (b) Curios, not in working order.

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of 1964.

4. The import, export, possession, carriage and transfer of arms and ammunition may be authorised jointly by the Resident Commissioners under the conditions provided hereunder.

5. Permits and licences in respect of fire-arms are granted on a purely personal basis. Permits and Licences shall not be transferable and they may be withdrawn at any time. In no case shall a permit or licence be granted to persons under the age of 18 years.

PART II

IMPORTERS AND DEALERS

6. (1) No person shall import by way of business into the New Hebrides any fire-arms or ammunition of any type whatever without being granted a written Permit by the Resident Commissioners. Such a Permit shall only be granted to those authorized importers prescribed in Schedule A to this Regulation. Every authorized importer shall forward to the Resident Commissioners through the District Agents a written application for a "Permit to Import Fire-Arms or Ammunition". This application shall be completed in quintuplicate on the form prescribed in Schedule B.

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of 1966.

(2) Every authorized importer shall maintain a register of arms and ammunition imported.

(3) No person other than those prescribed in Schedule A to this Regulation shall sell any fire-arm by way of business.

(4) A register of sales of arms specifying the name and address of the purchaser shall be maintained by the seller who shall also enter the purchaser's Permit to Purchase.

(5) No person shall sell any ammunition unless he is in possession of a Licence to Sell Ammunition in the form prescribed in Schedule BA to this Regulation issued jointly by the District Agents for the district in which he resides.]

7. The possession of stocks of arms and ammunition by authorized importers or dealers shall be subject to the following conditions—

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(a) The arms and ammunition shall be kept in a place representing every guarantee of security.

(b) A quarterly report of arms and ammunition in possession in the form prescribed in Schedule C, together with purchasers' Permit to Purchase for three months preceding as prescribed in Section 6 (4) above shall be supplied to the French and British District Agents.]

The sale of arms or ammunition by dealers and the transfer, whether on payment or otherwise, from one private individual to another shall only be effected upon presentation by the purchaser of a Permit to Purchase in the form prescribed in Schedule D to the Resident Commissioners, provided that the purchase from an authorized dealer, or the purchase or transfer from one private individual to another of gun cartridges and ammunition for rifles of .22 calibre shall not require a permit.]

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PART III

POSSESSION AND CARRIAGE OF ARMS

[9. (1) The ownership and the carriage of arms by the owner shall be unlawful unless a Licence to Possess and Carry Arms has been issued jointly by the Resident Commissioners. (Ref. Schedule

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of 1966.

(2) No person other than the owner shall carry arms unless a Licence to Carry Arms has been issued to him by the Resident Commissioners in the form prescribed in Schedule EA.]

PART IV

ISSUE OF PERMITS AND LICENCES

[10. "Permits to Import" (Schedule B) shall be valid for not more than one year. "Licence to Possess and Carry Arms" and "Licences to Carry Arms" shall be valid for not more than three years and shall be renewable on application to one or other of the District Agents for the District in which the holder resides.]

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[11. The issue of Licences and Permits under the provisions of this Regulation shall only be made on the payment of the fees prescribed by Joint Decision of the Resident Commissioners.]

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PART V

CONTROL

[12. (1) By delegation of the Resident Commissioners, the District Agents and the members of the New Hebrides Constabulary shall be responsible, together with the officers of the Treasury and Customs, and Post and Telecommunications Departments, for the control of import, export, storage for commercial purposes, sale, possession in a dwelling-house, and carriage of arms and ammunition. They will affect this by carrying out all necessary investigations.

(2) Any District Agent, or member of the New Hebrides Constabulary or Customs Department may demand from any person to be in possession of a fire-arm or ammunition in a public place the production of his Licence or Permit. If such person fails to produce the same, or to show that he is exempt under Section 2 of this Regulation from the necessity of obtaining such Licence or Permit, the fire-arm or ammunition may be seized and detained, and the person may be required to give his name and address. Any person who fails to give his name and address or who is suspected of making a false statement or of intending to abscond may be arrested without a warrant.

(3) (a) Any District Agent or member of the New Hebrides Constabulary [—] may also, being in possession of a Search Warrant, search any premises, dwelling-house, vehicle, vessel or aircraft named

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therein, and search the same and any person found therein, and seize any fire-arms or ammunition found, in connection with which he has reasonable ground for suspecting that an offence under this Regulation has been, is being, or is about to be committed. He may also arrest any person found on the premises whom he has reason to believe to be guilty of an offence under this Regulation.

(b) Search Warrants in respect of a National, Ressorissant or Optant of one or other of the Administering Powers shall be issued by the Judge of the country of which such person is a dependant.

(c) Any District Agent may issue Search Warrants in respect of natives of the New Hebrides.

13. Authorized importers who are dealers and the holders of Licences to Possess and Carry Arms and Ammunition may be required at any time to account for the possession of the arms and ammunition which they are licensed to possess or carry. It shall be strictly forbidden to modify arms and in particular to shorten the barrel.

14. Arms and ammunition in respect of which a Licence or Permit has not been issued, or has been withdrawn by the Resident Commissioners, shall be confiscated and deposited in the Customs House in the case of illegal import and in a Condominium Government Store in the case of illegal sale, transfer, possession or carriage. The Court competent to try the legal owner thereof, or the Court of First Instance in cases where the owner cannot be identified, shall make an order of disposal in respect of such arms and ammunition.

PART VI

TRANSPORT

15. The carriage of arms on ships, land vehicles and aircraft shall be subject to the following provisions.

16. The transport for commercial purposes within the Condominium, whether by land, sea or air, of arms, ammunition, parts of arms, or substances used in the manufacture of arms and ammunition is strictly forbidden without a Permit issued jointly by the District Agents (Schedule F).

PART VII

TRANSITORY PROVISIONS

17. All dealers offering for sale arms or ammunition shall, within one month from the coming into force of this Regulation, forward through the District Agents to the Resident Commissioners a Return of Stocks (Schedule C).

18. Every person in possession of arms or ammunition at the date of coming into force of this Regulation shall within [six] months apply for a Licence to Possess and Carry Arms and Ammunition (ref. Schedule E). The issue of such regularizing Licences shall be effected on presentation of the arms and ammunition concerned to a District Agent.

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of 1964.

PART VIII

PENALTIES

19. (1) Any person who commits an offence against the provisions of this Regulation shall be liable to a fine from £2 to £8 sterling or to the equivalent in francs at the current rate of exchange or to a term of imprisonment from two to six months or to both such fine and imprisonment. In addition the arms and ammunition in the offence may be confiscated.

(2) In the case of a second or subsequent offence the penalty shall be doubled.

(3) These penalties shall be awarded—

- (a) in the case of offences committed by natives by the Resident Commissioners in accordance with the provisions of Article 60 of the Protocol;
- (b) in the case of offences by Nationals, Ressortissants or Optants of one or other of the Administering Powers by the Courts in accordance with Article 21 of the Protocol.

20. The Resident Commissioners may, by Joint Rules, confer on the District Agents in whole or in part, their powers under this Regulation. They may also make Joint Rules to amend the Schedules of this Regulation.

21. The District Agents, the Commandants of Police, the Condominium Controller of Customs, and the Condominium Post-Office, shall be responsible for the enforcement of this Regulation, and shall come into effect from the date of its signature.

Made at Vila, this 2nd Day of September, 1963.

DELAUNEY

Resident Commissioner
for the French Republic.

ALEX. M. WILKIE

Her Britannic Majesty's
Resident Commissioner.

SCHEDULE A

AUTHORIZED IMPORTERS

(Ref. Section 6 (1) of Joint Regulation No. 14 of 1963)

- Burns Philp (New Hebrides) Ltd.
- Comptoirs Français de Nouvelles-Hébrides.
- Maison Barrau.
- [—].

J.R. No. 11 of 1970.
J.R. No. 7 of 1971.

Private persons entering the New Hebrides and able to prove that the goods which they wish to import is intended for their personal use.

SCHEDULE B

IMPORT OF FIRE-ARMS AND AMMUNITION

(Ref. Section 6 (1) of Joint Regulation No. 14 of 1963)

Application for Permit to Import

I, the undersigned,
authorized importer have the honour to apply for a Permit to import:

Place Date

Signature.....

Permit to Import No.....

Resident Commissioner
for the French Republic.

Her Britannic Majesty's
Resident Commissioner.

Approved

Approved

Vila.....

Vila.....

Return of Sales and Stocks

Arms Description (type and calibre)	Stock at Date of Last Application	Imports	Sales	Balance

Ammunition Description (type and calibre)	Stock at Date of Last Application	Imports	Sales	Balance

[SCHEDULE BA

LICENCE TO SELL AMMUNITION

(Ref. Section 6 (5) of Joint Regulation No. 14 of 1963)

J.R. No. 42 of 1966.

Application for Licence to Sell Ammunition

I, of

do hereby have the honour to apply for a permit to sell ammunition in the following categories:

- (a) Shotgun ammunition
 - (b) .22 ammunition
 - (c) Other rifle ammunition
- } delete where inapplicable

I am the holder of a Retail Trade Licence No. for 19....
 issued by on (date)
 Place Date

Signature

Licence to Sell Ammunition

Approved for the sale of

French District Agent British District Agent
 Date

SCHEDULE C

QUARTERLY RETURN OF STOCKS AND AMMUNITION

.....
 * 31st March/30th June/30th September/31st December 19....

ARMS			AMMUNITION		
Description (type and calibre)	Make	Number of Total Arms	Description (type and calibre)	Make	Lot No. Quantity

..... as applicable.

SCHEDULE D

PURCHASE OF [ARMS OR] AMMUNITION
 (Ref. Section 8 of Joint Regulation No. 14 of 1963)

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Application for Permit to Purchase
 I, the undersigned
 do hereby apply for a Permit to Purchase
 Date

Signature

Permit to Purchase No.
 French District Agent British District Agent
 Approved Approved

SCHEDULE E

LICENCE TO POSSESS AND CARRY ARMS [—]
(Ref. Section 9 of Joint Regulation No. 14 of 1963)

J.R. No. 42
of 1966.

Application

I the undersigned...
have the honour to apply for a Licence to Possess/Carry—

(a) the following arm: Type
Make
Number

[(b) —]

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of 1966.

Licence No.....

The Resident Commissioner
for the French Republic.

Her Britannic Majesty's
Resident Commissioner.

Approved

Approved

Renewed on
" "
" "
" "

[SCHEDULE EA

LICENCE TO CARRY ARMS
(Ref. Section 9 (2) of Joint Regulation No. 14 of 1963)

J.R. No. 42
of 1966.

Application

I, ... of ...
have the honour to apply for a licence to carry arms in the following
categories—

- (a) Shotgun
(b) .22 Rifle
(c) Other Rifles
delete where inapplicable

Place Date
Signature

Licence to Carry Arms

Approved for the carriage of arms in categories
The Resident Commissioner for the French Republic
Her Britannic Majesty's Resident Commissioner

SCHEDULE F

PERMIT TO TRANSPORT ARMS AND AMMUNITION
(Ref. Section 16 of Joint Regulation No. 14 of 1963)

Application

I the undersigned.....
 have the honour to apply for a Permit to Transport—
 (a) the following arms:.....
 (b) the following ammunition:.....
 (c) on behalf of Messrs.....
 (d) from to
 (e) on board the.....
 (f) leaving on the..... and expected
 to arrive on the.....
 Place..... Date.....
 Signature.....

Permit No.....

French District Agent.

British District Agent.

Approved

Approved
