

## ARMS AND AMMUNITION (AMENDMENT) ACT, 2023

No. 13



of 2023

### ARRANGEMENT OF SECTIONS

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#### **An Act to amend the Arms and Ammunition Act.**

*Date of Assent:* 17.10.2023

*Date of Commencement:* ON NOTICE

ENACTED by Parliament of Botswana.

1. This Act may be cited as the Arms and Ammunition (Amendment) Act, 2023, and shall come into operation on such date as the Minister may, by Order published in the *Gazette*, appoint.

Short title and commencement

2. The Arms and Ammunition Act (hereinafter referred to as "the Act") is amended by substituting for the word "P5 000" wherever it appears in the Act, the word "P20 000".

General amendment to Cap. 24:01

3. The Act is amended in section 2 by —

Amendment of section 2 of the Act

(a) substituting for the definition of the word "Board", the following new definition —

““Board” means the Arms and Ammunition Board referred to in section 4;”;

(b) deleting the words "air gun, air rifle, air pistol," appearing in paragraph (d) of the definition of the word "firearm";

(c) deleting the definition of the word "airgun"; and

(d) substituting for the definition of the word “ammunition” the following new definition —

““ammunition” means any cartridge or percussion cap designed for use in the discharge of arms, and includes gunpowder and grenades, bombs and others like missiles, whether capable of use with those arms or not, and any munition containing or designed or adapted to contain any noxious liquid, gas or other things;”.

Amendment  
of section 3  
of the Act

4. Section 3 of the Act is amended by inserting immediately after subsection (3), the following new subsection —

“(4) The Commissioner shall, in addition to the powers conferred on him or her by subsection (3), have the power to administer non-commercial importation and exportation for civilian use of arms and ammunition, including the issuance, transfer, suspension, amendment or cancellation of a permit, licence or registration certificate relating to the civilian use of arms and ammunition as the Minister may prescribe.”.

Amendment  
of section 4  
of the Act

5. The Act is amended by substituting for section 4, the following new section —

“Arms and  
Ammunition  
Board

4. (1) The Arms and Ammunition Quota Board established under section 4 of the repealed Act, is hereby continued under the new name Arms and Ammunition Board.

(2) The Board shall consist of such members as the Minister may, by Notice published in the *Gazette*, appoint.

(3) A person shall not be appointed as a member of the Board if he or she is a Commissioner or Deputy Commissioner.

(4) A member of the Board shall hold office for such period as may be specified in the notice appointing him or her and on the expiration of such period shall be eligible for reappointment for one more term.”.

Amendment  
of section 5  
of the Act

6. The Act is amended by substituting for section 5, the following new section —

“Chairperson  
of Board

5. The Minister shall appoint, from among members, the Chairperson of the Board.”.

Amendment  
of section 6  
of the Act

7. Section 6 of the Act is amended by substituting for subsection (1) the following new subsection —

“(1) The functions of the Board shall be to —

(a) regulate the brokering, commercial importation, commercial exportation or transit of arms and ammunition;

(b) determine whether or not a licence or permit for an arms dealer, broker, gun smith or manufacturer, required under this Act should be issued;

(c) decide whether or not to cancel or suspend the licence or permit for an arms dealer, broker, gun smith or manufacturer on good cause being shown; and

(d) determine whether or not a licence or permit for an arms dealer, broker, gun smith or manufacturer should be amended or transferred.”.

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| <p><b>8.</b> Section 12 of the Act is amended in —</p> <p>(a) subsection (6) by substituting for —</p> <p style="padding-left: 40px;">(i) the words “10 years” appearing therein, the words “25 years”,<br/>and</p> <p style="padding-left: 40px;">(ii) the word “P20 000” appearing therein, the word “P500 000”;<br/>and</p> <p>(b) subsection (7) by substituting for the words “10 years” appearing therein, the words “25 years”.</p> | <p>Amendment<br/>of section 12<br/>of the Act</p> |
| <p><b>9.</b> Section 13 of the Act is amended by substituting for the word “P50 000” appearing in subsection (3), the word, “P500 000”.</p>  | <p>Amendment<br/>of section 13<br/>of the Act</p> |
| <p><b>10.</b> Section 15 of the Act is amended by substituting for the words “10 years” appearing in subsection (7), the words “25 years”.</p>   | <p>Amendment<br/>of section 15<br/>of the Act</p> |
| <p><b>11.</b> Section 16 of the Act is amended by substituting for the word “P30 000” appearing in subsection (3), the word “P300 000”.</p>  | <p>Amendment<br/>of section 16<br/>of the Act</p> |
| <p><b>12.</b> Section 19 of the Act is amended in subsection (4) by substituting for —</p> <p style="padding-left: 40px;">(a) the word “P10 000” appearing therein, the word “P300 000”; and</p> <p style="padding-left: 40px;">(b) the words “five years” appearing therein, the words “15 years”.</p>  | <p>Amendment<br/>of section 19<br/>of the Act</p> |
| <p><b>13.</b> Section 25 of the Act is amended by substituting for the word “P10 000” appearing in subsections (2), (3) and (4), the word “P50 000”.</p>   | <p>Amendment<br/>of section 25<br/>of the Act</p> |

PASSED by the National Assembly this 10th day of August, 2023.

**BARBARA N. DITHAPO,**  
*Clerk of the National Assembly.*