

L.N. 177 of 2006

**ARMS ACT
(CAP. 480)**

Arms Licensing Regulations, 2006

IN exercise of the powers conferred by article 65 of the Arms Act, the Deputy Prime Minister and Minister of Justice and Home Affairs, after consultations with the Weapons Board, has made the following regulations:-

Preliminary

1. The title of these regulations is the Arms Licensing Title. Regulations, 2006.

2. (1) In these regulations, unless the context otherwise Interpretation. requires:

“the Act” means the Arms Act;

“the Board” means the Weapons Board constituted and appointed in accordance with article 49 of the Act;

“the Commissioner” means the Commissioner of Police;

“the Ordinance” means the Arms Ordinance repealed by the Act.

(2) Terms, words and phrases used in these regulations and which are also used in the Act shall have the same meaning as is assigned to them by article 2 of the Act.

Part I

Collector Licence A

3. In this Part, unless the context otherwise requires: Definitions.

“applicant” means an applicant for a licence under this Part;

“licence” means the collector licence A referred to in regulation 4;

“licensee” means any person who holds a licence under this Part.

Collector licence A.

4. (1) Any person who intends to pursue the collection of arms and ammunition may apply to the Commissioner for a licence under this regulation to be known as a “Collector Licence A”. The application must be accompanied by the appropriate processing fee.

(2) An applicant must be a member of a body or organization representing arms collectors recognized by the Board and must have his application endorsed by that body or organization.

Functions of the Board concerning applications for collector licence A.

5. The Board shall:

(a) interview the applicant in order to establish his knowledge of, the history of arms, the provisions of the Act and of the regulations made thereunder, and the safe handling and keeping of arms;

(b) ensure that the applicant is aware of his responsibilities under the Act and any regulations made thereunder and has the means to keep the arms in a safe and secure manner; and

(c) notify the Commissioner of its recommendation within one month from the date on which the application was filed.

Notification of Commissioner’s decision on application for collector licence A.

6. The Commissioner shall notify the applicant of his decision within one month from receiving the Board’s recommendation and shall issue the licence where his decision is in favour of granting such a licence.

Rights granted by collector licence A.

7. By virtue of the licence granted under this Part the licensee shall be entitled to acquire, keep and dispose of any of the following:

(a) arms described under Schedule I and Schedule II of the Act which are antique, historical, rare or artistic;

(b) arms described in items 5, 6, 7, 8 and 9 of Part 1 of Schedule II of the Act and those described under Part 2 of the same Schedule II;

(c) a maximum of ten arms described in items 1, 2, 3 and 4 of Part 1 of Schedule II of the Act that do not qualify under paragraph (a) of this regulation;

(d) any arm described under Schedule III of the Act;

(e) any ammunition not listed under Schedule I of the Act provided it is in good order and may be kept safely for collection purposes only.

8. The licensee shall:

Obligations of holder of collector licence A.

(a) keep a detailed inventory showing every movement or transfer of any arm or ammunition in his possession or under his control;

(b) keep any arms and ammunition falling under Schedule I and Schedule II of the Act under lock and key in a secure area within his residence and ensure that no one other than himself has access to them;

(c) adopt any specific additional security measures that from time to time may be imposed by the Commissioner as may be recommended by the Board;

(d) obtain his club's endorsement as an arms collector before the renewal of his licence.

Part II

Collector Licence B

9. In this Part, unless the context otherwise requires:

Definitions.

“applicant” means an applicant for a licence under this Part;

“licence” means the collector licence B referred to in regulation 10;

“licensee” means any person who holds a licence under this Part.

10. (1) Any person who, on the coming into force of the Act:

Collector licence B.

(a) is in possession of a licence “to keep” under article 3 of the Ordinance, and

(b) desires to keep the arms covered by the licence under the same conditions operative under the licence,

may apply to the Commissioner for a licence under this Part, to be known as a “Collector Licence B”, and such licence shall be granted

without the need of any further formality. The provisions of regulation 11 shall not apply to an application under this paragraph.”

(2) Any person who, after the date of the coming into force of the Act:

(a) by way of inheritance, comes into the possession of an arm or of a collection of arms which were licensed under the Ordinance immediately before succession in ownership, and

(b) desires to keep those arms for collection purposes only,

may apply to the Commissioner for a licence under this Part.

(3) Any person who, after the date of the coming into force of the Act:

(a) is in possession of a target shooter licence and, or a hunting licence under the Act, and

(b) does not wish to continue to practice the sport of target shooting or of hunting, and

(c) desires to retain the arm or arms in his possession which he used in the practice of his sport,

may apply to the Commissioner for a licence under this Part.

Documents.

11. Saving the provisions of regulation 10(1), any person who applies for a licence under this Part shall submit the appropriate application form and submit the necessary documents proving his legal title to the arm or arms and, or ammunition to the Commissioner.

Functions of the Board concerning applications for collector licence B.

12. The Board shall:

(a) ensure that the applicant is aware of his responsibilities under the Act and any regulations made hereunder and that he has the means to keep the arms in a safe and secure manner; and

(b) notify the Commissioner of its recommendation within one month from the date on which the application was filed.

Notification of Commissioner's decision on application for collector licence B.

13. The Commissioner shall notify the applicant of his decision within one month from receiving the Board's recommendation and shall issue the licence where his decision is in favour of granting such a licence.’

14. By virtue of the licence granted under this Part the licensee shall be entitled only to keep and dispose of the arms mentioned in regulation 10.

Rights granted by collector licence B.

15. The licensee shall:

Obligations of holder of a collector licence B.

(a) keep any arms and ammunition falling under Schedule I and Schedule II of the Act under lock and key in a secure area within his residence and ensure that no one other than himself has access to them;

(b) adopt any specific additional security measures that from time to time may be imposed by the Commissioner as may be recommended by the Board.

Part III

Target Shooter Licence A

16. In this Part, unless the context otherwise requires:

Definitions

“applicant” means an applicant for a licence under this Part;

“licence” means the target shooter licence A referred to in regulation 17;

“licensee” means any person who holds a licence under this Part.

17. (1) Any person who intends to pursue the sport of target shooting by means of an arm as is referred to in paragraphs (a) and (d) of regulation 20 may apply to the Commissioner for a licence under this regulation to be known as a “Target Shooter Licence A”.

Target shooter licence A.

(2) An applicant must be a member of a target shooting club, licensed as such under the Act, set up for the practice of target shooting disciplines.

18. The Board shall:

Functions of the Board concerning applications for Target Shooter Licence A.

(a) ensure that the applicant is a member of a club as is referred to in regulation 17(2) and is recommended for the license by the same club after he has successfully attended a firearms safety course organized by the same club or any other body or authority recognized by the Board;

(b) ensure that the applicant is aware of his responsibilities under the Act and any regulations made thereunder and has the means to keep the arms in a safe and secure manner;

(c) notify the Commissioner of its recommendation within one month from the date on which the application was filed.

Notification of Commissioner's decision on application for a target shooter licence A.

19. The Commissioner shall notify the applicant of his decision within one month from receiving the Board's recommendation and shall issue the licence where his decision is in favour of granting such licence.

Rights granted by target shooter licence A.

20. By virtue of the licence granted under this Part the licensee shall be entitled to acquire, keep, carry, use and dispose of any of the following:

(a) a maximum of ten arms described in items 1, 2, 3 and 4 of Part 1 of Schedule II of the Act;

(b) parts described in item 9 of Part 1 of Schedule II of the Act in respect of arms as referred to in Regulation 20(a);

(c) a maximum of five thousand rounds of ammunition described in Schedule II of the Act in respect of arms referred to in Regulations 20(a);

(d) Arms described in item 1 of Part II of Schedule II of the Act.

Obligations of holder of a target shooter licence A.

21. (1) The licensee shall:

(a) keep the arms locked safely and separately from ammunition;

(b) not carry more than three arms from his residence to a licensed range and back;

(c) adopt any specific additional security measures that from time to time may be imposed by the Commissioner as may be recommended by the Board;

(d) keep proper records of ammunition stocks;

(e) obtain his club's endorsement as a target shooting practicing member before the renewal of his licence.

(2) When carrying arms from his residence to a licensed range and back the licensee shall do so by the most expeditious route and within a reasonable time before or after the event, as the case may be, and shall keep the arms safely locked separately from the ammunition.

Part IV

Target Shooter Licence B

22. In this Part, unless the context otherwise requires:

Definitions

“applicant” means an applicant for a licence under this Part;

“licence” means the target shooter licence B referred to in regulation 23;

“licensee” means any person who holds a licence under this Part.

23. (1) Any person who intends to actively pursue the sport of target shooting by means of an arm as is referred to in paragraph (a) of regulation 26 may apply to the Commissioner for a licence under this Part, to be known as a “Target Shooter Licence B”.

Target shooter
licence B.

(2) Any person who intends to actively pursue the sport of target shooting by means of an arm and who on the date of the coming into force of the Act was in possession of a valid licence under the provisions of the Ordinance to carry that arm with respect to the sport of target shooting may apply to the Commissioner for a licence under this Part and such licence shall be granted without the need of any further formality. The provisions of paragraph (3) of this regulation shall not apply to an application under this paragraph.

(3) An applicant must be a member of a target shooting club, licensed as such under the Act, set up for the practice of target shooting disciplines.

24. The Board shall:

Functions of the
Board concerning
applications for
target shooter
licence B.

(a) ensure that the applicant is a member of a target shooting club licensed as such by the Commissioner and is recommended for the license by the same club after he has successfully attended a firearms safety course organized by the same club or any other body or authority recognized by the Board;

(b) ensure that the applicant is aware of his responsibilities under the Act and any regulations made thereunder and has the means to keep the arms in a safe and secure manner;

(c) notify the Commissioner of its recommendation within one month from the date on which the application was filed.

Notification of Commissioner's decision on application for target shooter licence B.

25. The Commissioner shall notify the applicant of his decision within one month from receiving the Board's recommendation and shall issue the licence where his decision is in favour of granting such licence.

Rights granted by target shooter licence B.

26. By virtue of the licence granted under this Part the licensee shall be entitled to acquire, keep, carry, use and dispose of any of the following:

(a) arms described in items 5,6 and 8 of Part 1 of Schedule II of the Act;

(b) arms described in Part 1 of Schedule III item 2 of the Act;

(c) muzzle loading arms described in Part 1 of Schedule III item 1 of the Act;

(d) a maximum number of five thousand rounds of ammunition described in Schedule II of the Act in respect of arms referred to this Regulation;

(e) parts described in item 9 of Part 1 of Schedule II of the Act in respect of arms falling under Regulation 26(a).

Obligations of holder of target shooter licence B.

27. The licensee shall:

(a) keep the arms locked safely and separately from ammunition;

(b) not carry more than three arms from his residence to a licensed range and back;

(c) adopt any specific additional security measures that from time to time may be imposed by the Commissioner as may be recommended by the Board;

(d) keep proper records of ammunition stocks;

(e) obtain his club's endorsement as a target shooting practicing member before the renewal of his licence.

28. In the case of persons who are in possession of a valid hunting license, the Commissioner may issue a Target Shooting license B to such persons for the practice of clay pigeon target shooting only, without any further formality.

Permit to exercise clay pigeon target shooting

Part V

Arms Dealer Licence

29. In this Part, unless the context otherwise requires:

Definitions

“applicant” means an applicant for a licence under this Part;

“licence” means the arms dealer licence referred to in regulation 30;

“licensee” means any person who holds a licence under this Part.

30. Any person who intends to trade in arms proper and ammunition and who is in possession of any relevant permits as may be required by law may apply to the Commissioner for an arms dealer licence under this Part.

Arms dealer licence.

31. The Board shall:

Functions of the Board concerning applications for arms dealer licence.

(a) interview the applicant in order to establish his knowledge of the arms, the provisions of the Act and of the regulations made thereunder, and the safe handling and keeping of arms;

(b) ensure that the applicant is aware of his responsibilities under Act and regulations and that he has the means to keep the arms in a safe and secure manner;

(c) notify the Commissioner of its recommendation within one month from the date on which the application was filed.

32. The Commissioner shall notify the applicant of his decision within one month from receiving the Board's recommendation and shall issue the licence where his decision is in favour of granting such a licence.

Notification of Commissioner's decision on application for arms dealer licence.

Rights granted by arms dealer licence.

33. By virtue of the licence granted under this Part the licensee shall be entitled to import, acquire, keep and dispose of arms proper and ammunition in accordance with the provisions of the Act.

Obligations of holder of arms dealer licence.

34. The licensee shall:

(a) keep detailed records of every movement or transfer of any arm or ammunition in his possession or under his control, including the full particulars of the vendor or purchaser;

(b) keep all arms and ammunition on display in a secure and locked display furniture and keep any other arms or ammunition in a strong room or gun safe within his premises and ensure that no one other than himself or an employee duly registered with the Commissioner of Police, has access to the arms and ammunition without their presence and consent;

(c) not store more than twelve thousand rounds of ammunition in the premises;

(d) not deliver any arm or ammunition to the purchaser unless the latter is in possession of the corresponding licence;

(e) consent to periodic inspections by authorized police officers;

(f) install an alarm system with a phone dialler linked to the Police.

Part VI

Gunsmith Licence

Definitions

35. In this Part, unless the context otherwise requires:

“applicant” means an applicant for a licence under this Part;

“licence” means the gunsmith licence referred to in regulation 36;

“licensee” means any person who holds a licence under this Part.

Gunsmith licence.

36. Any person who intends to manufacture and, or repair arms and who is in possession of any relevant permits as may be required by law may apply to the Commissioner for a gunsmith licence.

37. The Board shall:

Functions of the Board concerning applications for gunsmith licence.

(a) interview the applicant in order to establish his knowledge of arms, the provisions of the Act and of the regulations made thereunder, and the safe handling and keeping of arms;

(b) ensure that the applicant is aware of his responsibilities under Act and regulations and that he has the means to keep the arms in a safe and secure manner;

(c) notify the Commissioner of its recommendation within one month from the date on which the application was filed.

38. The Commissioner shall notify the applicant of his decision within one month from receiving the Board's recommendation and shall issue the licence where his decision is in favour of granting such a licence.

Notification of Commissioner's decision on application for gunsmith licence.

39. By virtue of the licence granted under this Part the licensee shall be entitled to make, repair, restore, manufacture, alter, modify or convert firearms.

Rights granted by gunsmith licence.

40. The licensee shall:

Obligations of holder of gunsmith licence.

(a) keep detailed records of every movement of any arm, including the full particulars of the owner and his licence;

(b) keep any arms and ammunition in a strong room or gun safe within his premises and ensure that no one other than himself or an employee duly registered with the Commissioner of Police has access to the arms and ammunition;

(c) not store more than one thousand five hundred rounds of ammunition for testing purposes only and not for resale;

(d) consent to periodic inspections by authorized police officers;

(e) install an alarm system with a phone dialler linked to the Police.

Part VII

Target Shooting Club Licence

41. In this Part, unless the context otherwise requires:

Definitions

“applicant” means an applicant for a licence under this Part;

“licence” means the target shooting club licence referred to in regulation 42;

“licensee” means any person who holds a licence under this Part.

Target shooting club licence.

42. Any person who intends to set up a club for the organization and carrying out of target shooting activities as provided for in the Act may apply to the Commissioner for a target shooting club licence.

Functions of the Board concerning applications for target shooting club licence.

43. The Board shall:

(a) verify that the statute of the club provides for the activities in respect of which the application has been filed;

(b) ascertain the types of target shooting activities which the club will cater for;

(c) notify the Commissioner of its recommendation within one month from the date on which the application was filed.

Notification of Commissioner’s decision on application for target shooting club licence.

44. The Commissioner shall notify the applicant of his decision within one month from receiving the Board’s recommendation and shall issue the licence where his decision is in favour of granting such a licence. The Commissioner shall also notify the Board of his decision.

Rights granted by target shooting club licence.

45. By virtue of the licence granted under this Part the licensee shall be entitled to organize and carry out target shooting activities as specified in the licence under the provisions of the Act.

Obligations of holder of target shooting club licence.

46. The licensee shall:

(a) within one month, notify the Commissioner of any changes in the statute of the club and, or of any changes in the details given in the original application;

(b) ensure that target shooters who are members of the club are properly licensed under these regulations;

(c) maintain a proper updated register of members of the club;

(d) maintain a log book recording the members of the club who participate in each shooting event;

(e) inform the Commissioner of any disciplinary measures taken against any licensed target shooter member of the club within one month from such measures;

(f) inform and educate target shooter members of the club about the provisions of the Act and any regulations made thereunder, in particular on safety and security aspects of firearms and ammunition.

Part VIII

Target Shooting Range Licence

47. In this Part, unless the context otherwise requires:

Definitions

“applicant” means an applicant for a licence under this Part;

“licence” means the target shooting range licence referred to in regulation 48;

“licensee” means any person who holds a licence under this Part.

48. Any person who intends to operate indoor and, or outdoor shooting ranges as provided for in the Act may apply to the Commissioner for a target shooting range licence.

Target shooting range licence.

49. The Board shall:

Functions of the Board concerning applications for target shooting range licence.

(a) verify that the applicant has obtained any other licence, permit or other authorization required by law;

(b) carry out an on site inspection to verify the suitability of the site for the categories of target shooting sports to be practiced on the site;

(c) notify the Commissioner of its recommendation within one month from the date on which the application was filed.

50. The Commissioner shall notify the applicant of his decision within one month from receiving the Board’s recommendation and shall issue the licence where his decision is in favour of granting such a licence. The Commissioner shall also notify the Board of his decision.

Notification of Commissioner’s decision on application for target shooting range licence.

51. By virtue of the licence granted under this Part the licensee shall be entitled to operate an indoor or outdoor target shooting range under the provisions of the Act and in accordance to the licence issued.

Rights granted by target shooting range licence.

Obligations of holder of target shooting range licence.

52. The licensee shall:

(a) ensure that all shooting events except airgun shooting events are held under the supervision of an authorised range conducting officer. In the case of airgun shooting events these shall be held under the supervision of at least one Target Shooter licensed under Part III and or IV of these Regulations, delegated as a safety officer;

(b) ensure that any minors taking part in any form of shooting event are always under the supervision of an authorised range conducting officer;

(c) keep a record of persons or organizations making use of the range;

(d) have an adequate insurance cover;

(e) inform the Commissioner of any disciplinary measures taken against any range user within not more than one month from such measures.

Part IX

Range Conducting Officer Permit

Definitions

53. In this Part, unless the context otherwise requires:

“applicant” means an applicant for a permit under this Part;

“permit” means the range conducting officer licence referred to in regulation 54;

“permit holder” means any person who holds a permit under this Part.

Range conducting officer permit.

54. Any person who intends to act as a range conducting officer may apply to the Commissioner for a range conducting officer permit.

Functions of the Board concerning applications for range conducting officer permit.

55. The Board shall verify that the applicant had attended a range conducting officer course or equivalent and obtained certification to the satisfaction of the Board. The Commissioner shall issue the necessary permit where his decision is in favour of granting such permit.

Rights granted by range conducting officer permit.

56. By virtue of the permit granted under this Part the permit holder shall be entitled to act as a range conducting officer during events

organized on an indoor or outdoor target shooting range under the provisions of the Act:

Provided that any person who on the coming into force of the Act is a person who is a certified range conducting officer certified as such by the Armed Forces of Malta or any other body recognized by the Board, may act as a range conducting officer if he has applied for a permit under this Part and until such time as a decision is given by the Commissioner in respect of that application.

57. The licensee shall attend refresher courses as may be required by the terms of the permit.

Obligations of holder of range conducting officer permit.

Part X

Re-enactment Permit

58. Historical re-enactments can be held only by bodies or organizations approved by the Board.

Historical re-enactments.

59. (1) Any body or organization which intends to hold a historical re-enactment in a public place shall apply to the Commissioner for a permit at least one month before the intended activity.

Permits for historical re-enactments.

(2) An application may also be made for a permit covering a number of re-enactments which are planned to take place over a period of not more than one calendar year.

(3) It shall be a condition of any permit granted under this regulation that only blank charges or ammunition may be fired during historical re-enactments.

(4) It shall also be a condition of any permit granted under this regulation that any historical re-enactment shall be covered by an adequate third party liability insurance.

60. (1) The application for a permit under this Part shall include the name, address and telephone numbers of a contact person for the body or organization which will be holding the re-enactment.

Contact person.

(2) The contact person shall comply with any request for clarification or further information from the Police and shall ensure that any conditions communicated to him shall be complied with.

(3) The contact person shall also be the person legally responsible for any act or omission which may result in breach of these regulations and any other applicable law both civil and criminal.

Conditions for participation.

61. All the participants in a historical re-enactment must be members of a historical re-enactment body or organization approved by the Board. Visitors to Malta who participate in such a re-enactment must also be members of a historical re-enactment organization or must be guests of a Maltese historical re-enactment organization.

Safety Officer.

62. (1) Each historical re-enactment shall have at least one safety officer whose name and contact details must be notified to the Commissioner in the application.

(2) The safety officer shall be responsible for:

(a) the general safe conduct of the event, the participants in the event and the general public;

(b) the issue of gun powder and, or ammunition and to ensure that no projectiles can be or are discharged.

Part XI

Declaration of Firearms and Other Objects

No Licence Requirement

63. No licence shall be required for the keeping of firearms and other objects listed in Schedule III of the Act, provided that such objects falling under Schedule III are duly declared and registered with the Commissioner.

Application Form

64. Anyone coming into possession of an arm or object falling under Schedule III shall fill in the appropriate form and deliver the form to the Commissioner within seven days of coming into possession of the arm or object. The Commissioner shall not object provided that he is satisfied that the declaration is correct and the applicant is not otherwise barred from obtaining a licence or permit under the Act.

Part XII

Minors practising Target Shooting

Target shooting by minors.

65. When a minor wishes to practice a target shooting activity in terms of the Act, an application may be submitted by the parent or legal guardian for the relative licence from the Commissioner of Police.

Contents of application.

66. The application must contain:

(a) the full particulars of the parent and the minor;

- (b) the consent of the parent or legal guardian;
- (c) the relative application and acceptance of a recognised shooting club;
- (d) the site where such activity is to take place; and
- (e) the type of arm or firearm being intended use in such sporting practice activity.

67. By virtue of the licence granted under this Part the licensee shall be entitled to participate in an indoor or outdoor target shooting range under the provisions of the Act and in accordance to the licence issued.

Rights granted to the minor in terms of the Target Shooting Practice licence.

68. The licensee shall:

Obligations of holder of Target Shooting Practice licence

(a) ensure that all shooting events are held under the supervision of an authorised Range Conducting Officer;

(b) abide by the rules and regulations covering such sporting practice activity.

69. The licensee shall only be allowed to practice target shooting activity at a recognised range and under the supervision of a licensed Range Conducting Officer.

Restricted practice.

PART XIII

One time events

70. When an individual, or an association such as Band Clubs, Football Clubs, factories and similar institutions wish to organise a target shooting competition and the indicated site is not a licensed Target Shooting Range, an application has to be submitted to the Commissioner of Police.

Events happening once in a while.

71. Such an application is to be submitted at least two weeks before the event.

Time limit for application.

72. A policy of insurance covering third parties is to be provided covering the event.

Insurance cover.

73. The site is to be inspected and approved before the issue of the permit.

Site inspection.

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Commissioner may
make conditions.

74. The Commissioner may make such conditions as he deems fit in the particular case applied for.

Participants must
have licence.

75. All participants taking part in such competition are to be licensed Target Shooters.

PART XIV

General Provisions

Validity of licences.

76. All licenses issued in accordance with these regulations shall become valid as of the date of issue and are valid up till the end of the current year unless otherwise expressly limited in their duration.

No transfer to be
effected pending
approval and issue
of licence.

77. No person shall deliver into the possession of a third party any firearm unless and until the relative transfer has been approved and the relative licence or permit has been issued.

Offences liable to
punishments under
the Act.

78. Any breaches of these regulations is an offence and shall be liable to the punishment prescribed in the Act.

Licence may be
suspended or
cancelled.

79. The Court in awarding punishment for breaches of these regulations shall furthermore either cancel or suspend a licence for a period not less than three months as it may deem fit.