



THE PARLIAMENT OF  
TRINIDAD AND TOBAGO

**BILL ESSENTIALS**

Date introduced: May 21, 2019

House: Senate

Minister: The Attorney General and  
Minister of Legal Affairs

HOR Bill No: 5 of 2019

Links: The links to the Bill, and its  
progress can be found on the Bill's  
home page through the  
Parliament's website,  
[www.ttparliament.org](http://www.ttparliament.org)

# BILL ESSENTIALS

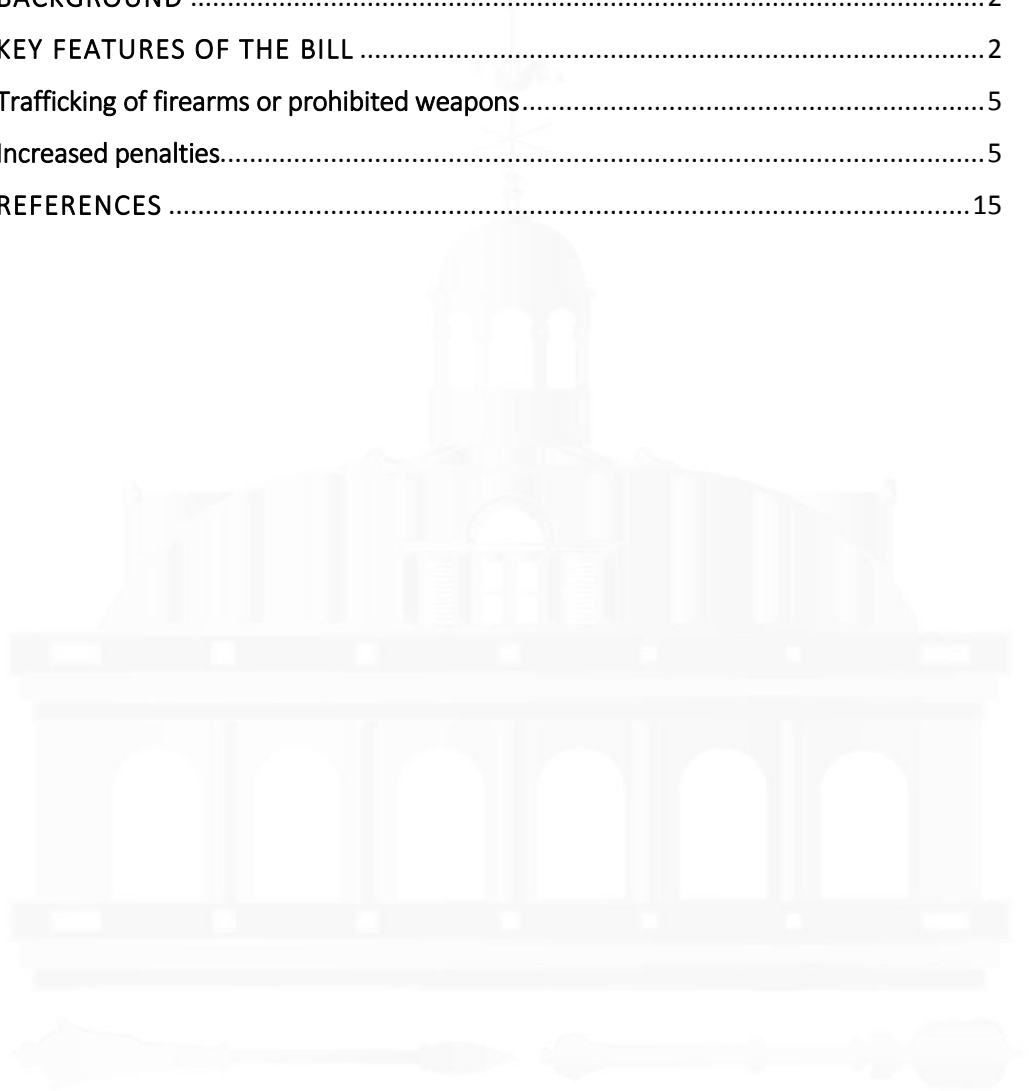
BILL ESSENTIALS NO. 18, 2018–19

May 23, 2019

## The Firearms (Amendment) Bill, 2019

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## BACKGROUND

1. **The Firearms (Amendment) Bill, 2019<sup>1</sup>** (hereinafter referred to as “the Bill”) aims to amend the **Firearms Act Chap. 16:01<sup>2</sup>** by creating the offence of “trafficking in firearms or prohibited weapons” and increasing penalties throughout the Act.
2. The Bill was introduced in the Senate by the Attorney General and Minister of Legal Affairs on May 21, 2019.
3. The Bill contains 28 clauses and requires a simple majority vote.

## KEY FEATURES OF THE BILL

4. **Clauses 3 to 5** of the Bill seek to provide for increased penalties for the offence of possession of a firearm without a Firearm User’s Licence. The Bill also introduces penalties for first, second and third convictions.
5. **Clause 3** seeks to amend **section 6** of the Act.

CLAUSE	SECTION AMENDED	EXISTING PENALTY	INCREASED PENALTY
<b>Clause 3</b>	<b>Section 6 (3) (a)</b>	Section 6 requires a person to hold a Firearm User’s Licence in order to purchase or have a firearm in his possession. (a) an offence under subsection (1) –	Under the proposed Bill the fines and terms of imprisonment are increased as follows: (a) an offence under subsection (1) –

<sup>1</sup> <http://www.ttparliament.org/legislations/b2019s05g.pdf>

<sup>2</sup> [http://rgd.legalaffairs.gov.tt/laws2/alphabetical\\_list/lawspdfs/16.01.pdf](http://rgd.legalaffairs.gov.tt/laws2/alphabetical_list/lawspdfs/16.01.pdf)

		<p>(i) on summary conviction to a fine of <b>\$15,000.00</b> and to imprisonment for <b>8 years</b>; or</p> <p>(ii) on conviction on indictment to imprisonment for <b>15 years</b>;</p>	<p>(i) on summary conviction for a first offence to a fine of <b>\$500,000.00</b> and to imprisonment for <b>15 years</b>; or</p> <p>(ii) on conviction on indictment for a first offence to imprisonment for <b>20 years</b>; and</p> <p>(iii) on conviction on indictment for a second offence to imprisonment for <b>25 years</b>;</p>
	<b>Section 6 (3) (b)</b>	<p>(b) an offence under subsection (2)—</p> <p>(i) on summary conviction to a fine of <b>\$75,000.00</b> and to imprisonment for <b>15 years</b>; or</p> <p>(ii) on conviction on indictment to imprisonment for <b>20 years</b>.</p>	<p>(b) an offence under subsection (2) —</p> <p>(i) on summary conviction for a first offence to a fine of <b>\$1,000,000.00</b> and to imprisonment for <b>15 years</b>; or</p> <p>(ii) on conviction on indictment for a first offence to imprisonment for <b>20 years</b>; and</p> <p>(iii) on conviction on indictment for a second offence to imprisonment for <b>25 years</b>.</p>

6. **Clause 4** seeks to amend **section 8** of the Act.

CLAUSE	SECTION AMENDED	EXISTING PENALTY	INCREASED PENALTY
<b>Clause 4</b>	<b>Section 8</b>	Section 8 provides that any person carrying a firearm or ammunition in a public place is liable on summary conviction to a fine of <b>\$40,000.00</b> and to imprisonment for <b>8 years</b> .	Under the proposed Bill the fine is increased to <b>\$250,000.00</b> and term of imprisonment is increased to <b>10 years</b> .

7. **Clause 5** seeks to amend **section 9** of the Act.

CLAUSE	SECTION AMENDED	EXISTING PENALTY	INCREASED PENALTY
Clause 5	Section 9 (1) (a)	<p>Section 9 deals with offences relating to selling or transferring firearms or ammunition.</p> <p>(a) on summary conviction to a fine of <b>\$75,000.00</b> or imprisonment for <b>8 years</b>;</p> <p>(b) on conviction on indictment to imprisonment for <b>15 years</b>.</p>	<p>Under the proposed Bill the fines and terms of imprisonment are increased as follows:</p> <p>(a) on summary conviction for a first offence to a fine of <b>\$500,000.00</b> and to imprisonment for <b>10 years</b>; or</p> <p>(b) on conviction on indictment for a first offence to imprisonment for <b>20 years</b>;</p> <p>(c) on conviction on indictment for a second offence to imprisonment for <b>25 years</b>;</p> <p>(d) on conviction on indictment for a third or any subsequent offence to imprisonment for the <b>remainder of his natural life</b>.</p>
	Section 9 (2)	<p>Any person who provides any firearm or ammunition to any other person whom he knows is a restricted person, drunk or of unsound mind is liable on summary conviction to a fine of <b>\$40,000.00</b> or to imprisonment for <b>10 years</b>.</p>	<p>(a) on summary conviction for a first offence to a fine <b>\$500,000.00</b> and to imprisonment for <b>10 years</b>; or</p> <p>(b) on conviction on indictment for a first offence to imprisonment for <b>20 years</b>;</p> <p>(c) on conviction on indictment for a second offence to imprisonment for <b>25 years</b>;</p> <p>(d) on conviction on indictment for a third or any subsequent offence to imprisonment for the <b>remainder of his natural life</b>.</p>
	Section 9 (4)	<p>A person (police officer, defence force member, customs officer etc.) liable under this subsection is liable on conviction on</p>	<p>This is increased to the <b>remainder of his natural life</b> under the Bill.</p>

		indictment to imprisonment for <b>20 years.</b>	
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### Trafficking of firearms or prohibited weapons

8. **Clause 6** of the Bill seeks to insert a new section **9A** to create the offence of “*Trafficking of firearms or prohibited weapons.*” A person who has in his possession two or more firearms or prohibited weapons commits the offence of trafficking. The clause imposes a burden on the accused to prove his/her innocence.

9. A person found guilty of this offence is liable:

- (a) on summary conviction for a first offence to a fine of **\$1,000,000.00** and to imprisonment for **15 years**; or
- (b) on conviction on indictment for a first offence to imprisonment for **20 years**;
- (c) on conviction on indictment for a second offence to imprisonment for **25 years**;
- and
- (d) on conviction on indictment for a third or any subsequent offence to imprisonment for the **remainder of his natural life.**

### Increased penalties

10. **Clauses 7 to 28** seeks to provide for increased penalties for summary conviction and conviction on indictment.

11. **Clause 7** of the Bill provides for an amendment to **section 10 (1)** of the Act.

CLAUSE	SECTION AMENDED	EXISTING PENALTY	INCREASED PENALTY
<b>Clause 7</b>	<b>Section 10 (1)</b>	<p>Section 10 creates an offence where a person possesses a firearm or ammunition with intent to sell for the purpose of the commission of a crime.</p> <p>(a) on summary conviction to a fine of <b>\$15,000.00</b> and imprisonment for <b>5 years</b>;</p> <p>(b) on conviction on indictment to imprisonment for <b>15 years.</b></p>	<p>Under the proposed Bill the fines and terms of imprisonment are increased as follows:</p> <p>(a) on summary conviction for a first offence to a fine of <b>\$750,000.00</b> and to imprisonment for <b>15 years</b>; or</p> <p>(b) on conviction on indictment for a first offence to imprisonment for <b>20 years</b>; and</p>

			(c) on conviction on indictment for a second or any subsequent offence to imprisonment for <b>25 years</b> .
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12. **Clause 8** of the Bill provides for an amendment to **section 11 (1)** of the Act.

CLAUSE	SECTION AMENDED	EXISTING PENALTY	INCREASED PENALTY
<b>Clause 8</b>	<b>Section 11 (1)</b>	A person who discharges a firearm or ammunition on or within forty metres of any public road or in any public place is liable on summary conviction to a fine of <b>\$15,000.00</b> .	Under the proposed Bill the fines and terms of imprisonment are increased as follows:  (a) on summary conviction for a first offence to a fine of <b>\$500,000.00</b> and to imprisonment for <b>10 years</b> ; or  (b) on conviction on indictment for a first offence to imprisonment for <b>15 years</b> ; and  (c) on conviction on indictment for a second or any subsequent offence to imprisonment for <b>20 years</b> ;

13. **Clause 9** of the Bill provides for an amendment to **section 12 (1)** of the Act.

CLAUSE	SECTION AMENDED	EXISTING PENALTY	INCREASED PENALTY
<b>Clause 9</b>	<b>Section 12 (1)</b>	A person guilty of possessing firearms or ammunition with intent to injure is liable on conviction on indictment to <b>imprisonment for life</b> .	Under the proposed Bill the section is amended by inserting after the words "imprisonment for" the words " <b>the remainder of his natural.</b> "

14. **Clause 10** of the Bill provides for an amendment to **section 13 (1)** of the Act.

CLAUSE	SECTION AMENDED	EXISTING PENALTY	INCREASED PENALTY
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<b>Clause 10</b>	<b>Section 13 (1)</b>	A person who makes or attempts to make use of a firearm or imitation firearm in committing a crime is liable on conviction on indictment to imprisonment for <b>15 years</b> .	Under the proposed Bill the term of imprisonment is increased to <b>25 years</b> .
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15. **Clause 11** of the Bill provides for an amendment to **section 13A (1)** of the Act.

CLAUSE	SECTION AMENDED	EXISTING PENALTY	INCREASED PENALTY
<b>Clause 11</b>	<b>Section 13A (1)</b>	Any person who has a firearm and enters any building or land as a trespasser without reasonable excuse, commits an offence and is liable on summary conviction to a fine of <b>\$30,000.00</b> and to imprisonment for <b>5 years</b> .	Under the proposed Bill the fine is increased to <b>\$250,000.00</b> and the term of imprisonment is increased to <b>15 years</b> .

16. **Clause 12** of the Bill provides for an amendment to **section 13B** of the Act.

CLAUSE	SECTION AMENDED	EXISTING PENALTY	INCREASED PENALTY
<b>Clause 12</b>	<b>Section 13B</b>	A person commits an offence if he has a firearm while he is drunk or under the influence of a dangerous drug and is liable on summary conviction to a fine of <b>\$20,000.00</b> and to imprisonment for <b>2 years</b> .	Under the proposed Bill the fine is increased to <b>\$200,000.00</b> and the term of imprisonment is increased to <b>5 years</b> .

17. **Clause 13** of the Bill provides for an amendment to **section 14** of the Act.

CLAUSE	SECTION AMENDED	EXISTING PENALTY	INCREASED PENALTY
<b>Clause 13</b>	<b>Section 14</b>	A licence holder who contravenes any of the terms or conditions of the licence, is liable on summary conviction to a fine of <b>\$300.00</b> or to imprisonment for <b>6 months</b> .	Under the proposed Bill the fine is increased to <b>\$50,000.00</b> and the term of imprisonment is increased to <b>2 years</b> and made mandatory.

18. **Clause 14** of the Bill provides for an amendment to **section 15 (3)** of the Act.

CLAUSE	SECTION AMENDED	EXISTING PENALTY	INCREASED PENALTY
<p><b>Clause 14</b></p>	<p><b>Section 15 (3)</b></p>	<p>Section 15 creates an offence where a person manufactures or assembles a firearm or ammunition.</p> <p>(a) an offence in relation to the manufacture of prohibited weapons, on conviction on indictment to a fine of <b>\$40,000.00</b> and to imprisonment for <b>25 years</b>;</p> <p>(b) an offence in relation to the manufacture of firearms or ammunition, other than a prohibited weapon—  (i) on summary conviction to a fine of <b>\$75,000.00</b> and to imprisonment for <b>15 years</b>;  (ii) on conviction on indictment to imprisonment for <b>25 years</b>;</p> <p>(c) an offence in relation to paragraph (a) or (b) of subsection (1)(a) or (b)—</p>	<p>Under the proposed Bill the fines and terms of imprisonment are increased as follows:</p> <p>(a) an offence in relation to the manufacture of prohibited weapons—  (i) on summary conviction for a first offence to a fine of <b>\$1,000,000.00</b> and to imprisonment for <b>15 years</b>; or  (ii) on conviction on indictment for a first offence to imprisonment for <b>20 years</b>;  (iii) on conviction on indictment for a second offence to imprisonment for <b>25 years</b>;  (iv) on conviction on indictment for a third or any subsequent offence to imprisonment for <b>the remainder of his natural life</b>;</p> <p>(b) an offence in relation to the manufacture of firearms or ammunition, other than a prohibited weapon—  (i) on summary conviction for a first offence to a fine of <b>\$750,000.00</b> and to imprisonment for <b>15 years</b>; or  (ii) on conviction on indictment for a first offence to imprisonment for <b>20 years</b>; and  (iii) on conviction on indictment for a second offence to imprisonment for <b>25 years</b>; and  (iv) on conviction on indictment for a third or any subsequent offence to imprisonment for <b>the remainder of his natural life</b>;</p> <p>(c) an offence in relation to paragraph (a) or (b) of subsection (1) —</p>



		<p>(i) on summary conviction to a fine of <b>\$75,000.00</b> and to imprisonment for <b>15 years</b>; or</p> <p>(ii) on conviction on indictment to imprisonment for <b>25 years</b>;</p> <p>(d) an offence in relation to paragraph (c)—</p> <p>(i) on summary conviction to a fine of <b>\$75,000.00</b> and to imprisonment for <b>15 years</b>;</p> <p>(ii) on conviction on indictment to imprisonment for <b>25 years</b>.</p>	<p>(i) on summary conviction for a first offence to a fine of <b>\$750,000.00</b> and to imprisonment for <b>15 years</b>; or</p> <p>(ii) on conviction on indictment for a first offence to imprisonment for <b>20 years</b>; and</p> <p>(iii) on conviction on indictment for a second offence to imprisonment for <b>25 years</b>; and</p> <p>(iv) on conviction on indictment for a third or any subsequent offence to imprisonment for <b>the remainder of his natural life</b>;</p> <p>(d) an offence in relation to paragraph (c) of subsection (1) –</p> <p>(i) on summary conviction for a first offence to a fine of <b>\$1,000,000.00</b> and to imprisonment for <b>15 years</b>; or</p> <p>(ii) on conviction on indictment for a first offence to imprisonment for <b>20 years</b>; and</p> <p>(iii) on conviction on indictment for a second offence to imprisonment for <b>25 years</b>; and</p> <p>(iv) on conviction on indictment for a third or any subsequent offence to imprisonment for <b>the remainder of his natural life</b>.</p>
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19. **Clause 15** of the Bill provides for an amendment to **section 22 (2)** of the Act.

CLAUSE	SECTION AMENDED	EXISTING PENALTY	INCREASED PENALTY
<b>Clause 15</b>	<b>Section 22(2)</b>	Section 22 provides for the power of the Commissioner of Police to suspend firearm licences and call in all firearms and ammunition. A person who fails to comply with a Notification under this section is liable on summary conviction to a fine of <b>\$3,000.00</b> or to imprisonment for <b>9 months</b> .	Under the proposed Bill the fine is increased to <b>\$25,000.00</b> and to imprisonment for <b>1 year</b> .

20. **Clause 16** of the Bill provides for an amendment to **section 23 (2)** of the Act.

CLAUSE	SECTION AMENDED	EXISTING PENALTY	INCREASED PENALTY
<b>Clause 16</b>	<b>Section 23(2)</b>	Section 23 provides that a holder of a Firearm Dealer’s Licence shall not deal in firearms or ammunition elsewhere than at the place specified in his licence. A person who contravenes section is liable— (a) on summary conviction to a fine of <b>\$3,000.00</b> or to imprisonment for <b>18 months</b> ; or  (b) on conviction on indictment to a fine of <b>\$5,000.00</b> or to imprisonment for <b>3 years</b> .	Under the proposed Bill the fine is increased to:  (a) on summary conviction for a first offence to a fine of <b>\$100,000.00</b> and to imprisonment for <b>10 years</b> ; or  (b) on conviction on indictment for a first offence to imprisonment for <b>15 years</b> ; and  (c) on conviction on indictment for a second or any subsequent offence to imprisonment for <b>20 years</b> .

21. **Clause 17** of the Bill provides for an amendment to **section 24 (4)** of the Act.

CLAUSE	SECTION AMENDED	EXISTING PENALTY	INCREASED PENALTY
<b>Clause 17</b>	<b>Section 24(4)</b>	Section 24 (4) provides that every holder of a Gunsmith’s Licence who contravenes subsection (1) or (2) is liable on summary conviction to a fine of <b>\$2,000.00</b> or to imprisonment for <b>12 months</b> .	Under the proposed Bill the fine is increased to <b>\$100,000.00</b> and imprisonment is increased to <b>5 years</b> and made compulsory.

22. **Clause 18** of the Bill provides for an amendment to **section 25 (2)** of the Act.

CLAUSE	SECTION AMENDED	EXISTING PENALTY	INCREASED PENALTY
<b>Clause 18</b>	<b>Section 25(2)</b>	Section 25 provides that firearm dealer licencees shall display notices on his business premises indicating that he is a licensed firearms dealer. A person who fails to comply with this section is liable on summary conviction to	Under the proposed Bill the fine is increased to <b>\$50,000.00</b> and imprisonment is increased to <b>2 years</b> and made compulsory.

		a fine of <b>\$500.00</b> or to imprisonment for <b>6 months</b> .	
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23. **Clause 19** of the Bill provides for an amendment to **section 26 (6)** of the Act.

CLAUSE	SECTION AMENDED	EXISTING PENALTY	INCREASED PENALTY
<b>Clause 19</b>	<b>Section 26(6)</b>	Section 26 (6) provides that any person who in furnishing the particulars makes any statement which he knows to be false, misleads any other person, is liable on summary conviction to a fine of <b>\$5,000.00</b> and to imprisonment for <b>3 years</b> .	Under the proposed Bill the fine is increased to <b>\$100,000.00</b> and imprisonment is increased to <b>5 years</b> .

24. **Clause 20** of the Bill provides for an amendment to **section 27 (7)** of the Act.

CLAUSE	SECTION AMENDED	EXISTING PENALTY	INCREASED PENALTY
<b>Clause 20</b>	<b>Section 27(7)</b>	Section 27 of the Act deals with the carrying of firearms and ammunition in public spaces. A person guilty of an offence under this section is liable on summary conviction to a fine of <b>\$3,000.00</b> or to imprisonment for <b>18 months</b> .	Under the proposed Bill the fine is increased to <b>\$100,000.00</b> and imprisonment is increased to <b>5 years</b> and made compulsory.

25. **Clause 21** of the Bill provides for an amendment to **section 28** of the Act.

CLAUSE	SECTION AMENDED	EXISTING PENALTY	INCREASED PENALTY
<b>Clause 21</b>	<b>Section 28 (1A)</b>	The holder of a licence in respect of any firearm or ammunition and any other person lawfully in possession of any firearm or ammunition who loses such firearm or ammunition through negligence on his part commits an offence and is liable, on summary conviction, to a fine of <b>\$7,500.00</b> .	Under the proposed Bill the fine is increased to <b>\$100,000.00</b> .
	<b>Section 28 (2)</b>	A person who fails to comply with subsection (1) is liable on summary conviction to a fine of	Under the proposed Bill the fine is increased to <b>\$50,000.00</b> and the

		<b>\$7,000.00</b> or to imprisonment for <b>3 years</b> .	term of imprisonment is not amended.
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26. **Clause 22** of the Bill provides for an amendment to **section 29 (2)** of the Act.

CLAUSE	SECTION AMENDED	EXISTING PENALTY	INCREASED PENALTY
<b>Clause 22</b>	<b>Section 29 (2)</b>	Section 29 empowers a police officer in uniform to stop and search vehicles to determine whether there is any firearms or ammunition on board. A person is liable on summary conviction to a fine of <b>\$7,000.00</b> or to imprisonment for <b>3 years</b> who contravenes this section.	Under the proposed Bill the fine is increased to <b>\$50,000.00</b> and imprisonment is increased to <b>5 years</b> .

27. **Clause 23** of the Bill provides for an amendment to **section 30 (5)** of the Act.

CLAUSE	SECTION AMENDED	EXISTING PENALTY	INCREASED PENALTY
<b>Clause 23</b>	<b>Section 30 (5)</b>	Section 30 provides for the granting of warrants to police officers for search and seizure of any firearm or ammunition. A person who hinders any police officer whilst such police officer is doing anything that he is authorised to do under this section commits an offence and is liable on summary conviction to a fine of <b>\$15,000.00</b> and to imprisonment for <b>6 years</b> .	Under the proposed Bill the fine is increased to <b>\$200,000.00</b> and imprisonment is increased to <b>10 years</b> .

28. **Clause 24** of the Bill provides for an amendment to **section 31 (2)** of the Act.

CLAUSE	SECTION AMENDED	EXISTING PENALTY	INCREASED PENALTY
<b>Clause 24</b>	<b>Section 31 (2) (a)</b>	A person who contravenes or aids or abets any other person in contravening subsection (1) is liable—	Under the proposed Bill a (i) and (ii) are repealed and the fines and terms of imprisonment are increased as follows:

	<p>(a) in the case of an offence relating to a prohibited weapon—</p> <p>(i) on summary conviction to a fine of <b>\$300,000.00</b> or to imprisonment for <b>20 years</b>;</p> <p>(ii) on conviction on indictment to imprisonment for <b>25 years</b>.</p>	<p>(i) on summary conviction for a first offence to a fine of <b>\$1,000,000.00</b> and to imprisonment for <b>15 years</b>; or</p> <p>(ii) on conviction on indictment for a first offence to imprisonment for <b>20 years</b>; and</p> <p>(iii) on conviction on indictment for a second offence to imprisonment for <b>25 years</b>; and</p> <p>(iv) on conviction on indictment for a third or any subsequent offence to imprisonment for <b>the remainder of his natural life</b>.</p>
<b>Section 31 (2) (b)</b>	In the case of an offence relating to the importation of multiple firearms for distribution or resale, on conviction on indictment to imprisonment for life.	Under the proposed Bill this paragraph is amended by inserting after the words “imprisonment for” the words “ <b>the remainder of his natural</b> ”.
<b>Section 31 (2) (c)</b>	<p>(c) in any other case—</p> <p>(i) on summary conviction to a fine of <b>\$75,000.00</b> or to imprisonment for <b>12 years</b>; or</p> <p>(ii) on conviction on indictment to imprisonment for <b>20 years</b>.</p>	<p>Under the proposed Bill (c) (i) and (ii) are repealed and the fines and terms of imprisonment are increased as follows:</p> <p>(i) on summary conviction for a first offence to a fine of <b>\$500,000.00</b> and to imprisonment for <b>15 years</b>; or</p> <p>(ii) on conviction on indictment for a first offence to imprisonment for <b>20 years</b>; and</p> <p>(iii) on conviction on indictment for a second offence to imprisonment for <b>25 years</b>; and</p> <p>(iv) on conviction on indictment for a third or any subsequent offence to imprisonment for <b>the remainder of his natural life</b>.</p>

29. **Clause 25** of the Bill provides for an amendment to **section 32 (6)** of the Act.

CLAUSE	SECTION AMENDED	EXISTING PENALTY	INCREASED PENALTY
<b>Clause 25</b>	<b>Section 32 (6)</b>	Section 32 of the Act places an obligation on travelers to make declarations or firearms or ammunition upon arrival into Trinidad and Tobago. A person is liable on summary conviction to a fine of <b>\$40,000.00</b> or to imprisonment for <b>8 years</b> who contravenes this section or makes a statement which he knows to be false or does not believe to be true.	Under the proposed Bill the fine is increased to <b>\$250,000.00</b> and the term of imprisonment is not amended.

30. **Clause 26** of the Bill provides for an amendment to **section 33 (5)** of the Act.

CLAUSE	SECTION AMENDED	EXISTING PENALTY	INCREASED PENALTY
<b>Clause 26</b>	<b>Section 33 (5)</b>	Section 33 of the Act empowers the Commission of Police to grant a person permission to take a firearm abroad. A person who commits an offence under this section is liable on summary conviction to a fine of <b>\$75,000.00</b> and to imprisonment for <b>15 years</b> and on conviction on indictment to a fine of <b>\$225,000.00</b> and to imprisonment for <b>20 years</b> .	Under the proposed Bill the fine on summary conviction is increased to <b>\$250,000.00</b> and the fine on conviction on indictment is increased to <b>\$500,000.00</b> .

31. **Clause 27** of the Bill provides for an amendment to **section 34 (3)** of the Act.

CLAUSE	SECTION AMENDED	EXISTING PENALTY	INCREASED PENALTY
<b>Clause 27</b>	<b>Section 34 (3)</b>	Section 34 creates an offence relating to firearms on an aircraft or a vessel. A person who commits an offence under this section is liable on summary conviction to a fine of <b>\$75,000.00</b> and to imprisonment for <b>15 years</b> and on conviction on indictment to a fine of	Under the proposed Bill the fine on summary conviction is increased to <b>\$250,000.00</b> and the fine on conviction on indictment is increased to <b>\$500,000.00</b> .

		<b>\$225,000.00</b> and to imprisonment for <b>20 years</b> .	
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32. **Clause 28** of the Bill provides for an amendment to **section 40 (8)** of the Act.

CLAUSE	SECTION AMENDED	EXISTING PENALTY	INCREASED PENALTY
<b>Clause 28</b>	<b>Section 40 (8)</b>	Section 40 deals with custody of firearms and ammunition. A person who fails to comply with this section is liable on summary conviction to a fine of <b>\$15,000.00</b> or to imprisonment for <b>6 years</b> .	Under the proposed Bill the fine on summary conviction is increased to <b>\$100,000.00</b> and the term of imprisonment is not amended.

## REFERENCES

### KEY LEGISLATION

- **Firearms (Amendment) Bill, 2019**  
<http://www.ttparliament.org/legislations/b2019s05.pdf>
- **Firearms Act Chap. 16:01**  
[http://rgd.legalaffairs.gov.tt/laws2/alphabetical\\_list/lawspdfs/16.01.pdf](http://rgd.legalaffairs.gov.tt/laws2/alphabetical_list/lawspdfs/16.01.pdf)



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May 10, 2019

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