

A BILL

ENTITLED

AN ACT Further to Amend the Firearms Act.

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BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Representatives of Jamaica, and by the authority of the same, as follows:-

1. Short title and construction.

1. This Act may be cited as the Firearms (Amendment) (No. 2) Act, 2008, and shall be read and construed as one with the Firearms Act (hereinafter referred to as the principal Act) and all amendments thereto.

2. Amendment of section 4 of principal Act.

2. Section 4 of the principal Act is amended in paragraphs (a)(ii), (b)(ii), and (c)(ii), of subsection (2) by inserting immediately after the word "life", in each case, the words "or such other term, being not less than fifteen years, as the Court considers appropriate".

3. Amendment of section 9 of principal Act.

3. Section 9 of the principal Act is amended in paragraphs (a)(ii) and (b)(ii) of subsection (2) by inserting immediately after the word "life", in each case, the words "or such other term, being not less than fifteen years, as the Court considers appropriate".

4. Amendment of section 10 of principal Act.

4. Section 10 of the principal Act is amended in paragraph (a)(ii) of subsection (7) by inserting immediately after the word "life" the words "or such other term, being not less than fifteen years, as the Court considers appropriate".

5. Amendment of section 20 of principal Act.

5. Section 20 of the principal Act is amended in paragraphs (a)(ii), (b)(ii) and (c)(ii) of subsection (4) by inserting immediately after the word "life", in each case, the words "or such other term, being not less than fifteen years, as the Court considers appropriate".

6. Amendment of section 24 of principal Act.

6. Section 24 of the principal Act is amended in paragraph (b) by inserting immediately after the word "life" the words "or such other term being not less than fifteen years, as the Court considers appropriate".

7. Amendment of section 25 of principal Act.

7. Section 25 of the principal Act is amended in subsection (3)(b) by inserting immediately after the word "life" the words "or such other term, being not less than fifteen years, as the Court considers appropriate".

MEMORANDUM OF OBJECTS AND REASONS

A decision has been taken to amend the Firearms Act in order to provide for a minimum sentence of fifteen years for a person convicted before the Circuit Court of any of the following offences-

(a) contravention of restriction on importation, exportation and transshipment of firearms and ammunition (section 4(2)(a)(ii), (b)(ii) and (c)(ii));

(b) contravention of restriction on manufacture and dealing in prohibited firearms and ammunition (section 10(7)(a)(ii));

(c) contravention of restrictions upon purchase, acquisition, sale or transfer of a prohibited weapon on conviction before a Circuit Court (section 10(7)(a)(ii));

(d) possession of firearms and ammunition (section 20(4)(a)(ii), (b)(ii) and (c)(ii));

(e) possession of firearm or ammunition with intent to injure (section 24); and

(f) use and possession of firearm or imitation firearm in certain specified circumstances (section 25).

This Bill seeks to give effect to that decision, which is intended to emphasize the serious nature of those offences, and is a companion to other proposed legislation aimed at reducing crime.

TREVOR MACMILLAN
Minister of National Security.