

**DRAFT FIREARMS (JERSEY) LAW 199 (P.96/99): THIRD
AMENDMENTS**

**Lodged au Greffe on 28th September 1999
by Deputy G.C.L. Baudains of St. Clement**



STATES OF JERSEY

STATES GREFFE

Report

In essence, the draft Firearms Law is a revised version of the current Law with extra hoops added for firearm certificate holders to jump through. Simply dotting more i's and crossing more t's will not create a Law that further enhances public safety.

I believe a chance to make real progress in public safety has been missed by going down this road. Unfortunately, this road has led to the creation of technical offences that, whilst not adding one jot to public safety, nevertheless will make criminals out of ordinary, decent citizens who happen to own firearms. My Amendments seek to remove some of the worst examples.

Article 3

Whilst being aware that Orders are necessary so as not to bog down the House with small details, I nevertheless remain concerned when Orders can be made on fundamental issues which can have far-reaching consequences. These should always be by Regulations, to allow debate, when necessary.

Article 27

Does not allow for receiving a firearm by post from a registered firearm dealer or certificate holder.

Articles 28, 29 and 30

As worded, any delivery except that stated, such as by hand, would be unlawful.

Articles 41 to 44

It cuts across natural justice for a person effectively to have to prove his or her innocence.

Article 50

There is no provision for a visiting sportsman, from another country, to obtain a permit to shoot in the Island in, say, a visiting team, if the country of his residence does not issue firearm certificates for the type of gun he wishes to bring. For example, someone from the United Kingdom would not be able to apply for an air pistol permit here, because they are not on firearm certificates in the United Kingdom.

THIRD AMENDMENTS OF DRAFT FIREARMS (JERSEY) LAW
199- (P.96 of 1999)

PAGE 29, ARTICLE 3 -

(a) In paragraph (10) -

(i) for the words "The Committee may by Order" substitute the words "The States may by Regulations",

(ii) for the word "prescribed" substitute the word "specified";

(b) in paragraph (11) -

(i) for the words "An Order" substitute the word "Regulations",

(ii) for the words "the Order comes" substitute the words "the Regulations come".

PAGE 51, ARTICLE 27 -

In paragraph (2) -

(a) at the end of sub-paragraph (b) for the semi-colon substitute a full stop;

(b) delete sub-paragraph (c).

PAGE 51, ARTICLE 28 -

In paragraph (3) -

(a) at the end of sub-paragraph (b) for the semi-colon substitute a full stop;

- (b) *delete all the words from “and any such notice” to the end of the paragraph.*

PAGE 52, ARTICLE 29 -

In paragraph (3) -

- (a) *at the end of sub-paragraph (b) for the comma substitute a full stop;*

- (b) *delete all the words from “and any such notice” to the end of the paragraph.*

PAGE 54, ARTICLE 30 -

For paragraph (6) substitute the following paragraph -

“(6) A notice required by this Article shall be given within fourteen days of the disposal or other event, and, if sent from a place outside the Island, shall be sent in such manner as most closely corresponds to the use of the registered post or recorded delivery service.”.

PAGE 64, ARTICLE 41 -

Delete the words “(the proof of which shall lie on him)”.

PAGES 64 AND 65, ARTICLE 42 -

- (a) *In paragraph (1) delete the words “(the proof of which shall lie on him)”;*

- (b) *in paragraph (2) delete the words “(the proof of which shall lie on him)”.*

PAGE 65, ARTICLE 43 -

In paragraph (1) delete the words “(the proof of which shall lie on him)”.

PAGE 65, ARTICLE 44 -

Delete the words “(the proof of which shall lie on him)”.

PAGE 71, ARTICLE 50 -

(a) After paragraph (1) insert the following paragraph -

“(2) Any person who -

(a) is intending to visit the Island;

(b) wishes to bring to the Island a firearm or ammunition to which Article 2 applies; and

(c) prior to his arrival in the Island, satisfies the Chief Officer that, in his country of residence, a person may be in possession of such a firearm or such ammunition without being the holder of a valid certificate issued by the appropriate authority in that country,

may be issued with a permit under, and in accordance with the other provisions of, this Article.”;

(b) re-number existing paragraphs (2) to (4) as paragraphs (3) to (5) respectively.

DEPUTY G.C.L. BAUDAINS OF ST. CLEMENT