

CHAPTER 114

THE FIREARMS ACT

SUBSIDIARY LEGISLATION

List of Subsidiary Legislation

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THE FIREARMS RULES

[Gazette Notice 2062 of 1953, Legal Notice 144 of 1963, Legal Notice 400 of 1963, Legal Notice 124 of 1964, Legal Notice 104 of 1964, Legal Notice 187 of 1968, Legal Notice 86 of 1982, Legal Notice 168 of 1989, Legal Notice 60 of 1990, Legal Notice 3 of 2001, Legal Notice 101 of 2001]

1. These Rules may be cited as the Firearms Rules.
2. The fees set out in the First Schedule shall be payable in regard to the respective matters therein contained.
3. The forms set out in the Second Schedule shall be used for the purposes of the Act and of these Rules.
4. (1) No firearms dealer shall sell, issue or return to any person, except to another firearms dealer, any firearm, or any barrel, bolt or chamber of a firearm, unless the firearm or part bears a mark or number of identification.
 (2) Every firearms dealer shall maintain equipment for the purpose of stamping marks and numbers of identification on firearms and parts of firearms in accordance with this rule.
 (3) Every firearms dealer shall comply with any directions given by the licensing officer of his area concerning the firearms or parts to be stamped, the manner in which stamping is to be effected and the marks or numbers to be used.
 (4) Every firearms dealer shall maintain securely under lock and key an accurate register of marks in the form prescribed, and shall record therein every mark or number of identification stamped by him, together with the make, type and calibre of the firearm or part stamped, the name and address of the person to whom it is issued and the mark or number of the firearm, if any, to which a part so stamped is affixed.
5. Every person required under the Act and these Rules to keep a dealer's register of transactions shall comply with any directions which may be given to him by a licensing officer concerning the manner in which the register shall be kept and entries made therein.
6. Every person who contravenes any of the provisions of rules 4 and 5, or of any directions given thereunder, shall be guilty of an offence and liable, in addition to any action which may be taken under subsection (3) of section 13 of the Act, to a fine not exceeding one thousand shillings.
7. The functions of a licensing officer under the Act may in the event of the illness or absence, or a vacancy in the office, of a licensing officer, be discharged by such officer as may be appointed by or under the authority of the Commissioner of Police.

FIRST SCHEDULE

[r. 2]

FEES

[L.N. 3/2001, r. 2, L.N. 101/2001, r. 2.]

On grant, renewal or replacement of firearm certificate, or a variation increasing the number of firearms to which the certificate relates—

Section of the Act	Shs
6(1) On grant, renewal or replacement of firearm certificate, or a variation increasing the number of firearms to which the certificate relates—	

Firearms

[Subsidiary]

	Per rifle or shotgun or combination rifle or shotgun	2,000
	Per pistol or revolver	5,000
	Per chemical mace	1,500
	Per injection gun industrial use	1,500
	Per fishing gun	2,000
	Per human kill	200
	Replacement of firearm certificate	5,000
7(11)	On grant, renewal or replacement of temporary permit to possess, relating to firearms and/or ammunition not already entered on the valid firearm certificate of another person:	
	Per firearm irrespective of type (except chemical mace)	500
	Per chemical mace	500
7(12)	On grant, renewal or replacement of temporary permit to possess, relating to firearms and/or ammunition not entered on the valid firearm certificate of another person:	
	Per firearm irrespective of type	500
13(2)	On registration of a firearms dealer	2,000
14(2)	For new certificate as a firearms dealer	2,000
27(5)	For import or export permit	
	For each permit of a registered firearms dealer	1,000
	For each permit for a resident of Kenya:	
	Per gun	200
	Per ammunition	100
	For each sport hunting permit	100
	For each permit for sporting bulk ammunition (not exceeding 500 rounds)	150

Firearms

[Subsidiary]

	For each permit for sporting bulk ammunition (not exceeding 500 rounds)	200
	For each fishing gun permit	200
29(1)	For each permit for person who is not a resident	300
	On the grant, renewal or replacement of removal permit, or a variation increasing the number of firearms to which the permit relates:	
30	For each removal permit	200
	On the grant, renewal or replacement of transit permit, or a variation increasing the number of firearms to which the permit relates:	
	For each transit permit	100

SECOND SCHEDULE

FORMS

FORM 1 (r. 5(1)) APPLICATION FOR A FIREARM CERTIFICATE

1. Name (in full)
 - (a) Postal address
 - (b) If above address is temporary only, state address to which communications should be sent
 - (c) Residential address
 - (d) Length of period resident at address (c)
3. Age
4. Nationality
5. Occupation
6. Reason for requiring the firearm(s) and ammunition specified at paragraph 7
7. Firearms and ammunition for which certificate required—
 - (a) *firearms*—
 - (i) possessed at date of application*
 - (ii) desired to be purchased or acquired*
 - (b) *ammunition*—

	<i>Quantity</i>	<i>Calibre and Type</i>
(i) possessed at date of application

Firearms

[Subsidiary]

- (ii) maximum amount
desired to be purchased or acquired at any one time
- (iii) total amount
desired to be purchased or acquired in one year
- (iv) maximum amount
desired to be possessed at any one time

- (a) Whether a firearm certificate has previously been held, or applied for, by applicant
- (b) Date and place of issue of any firearm certificate previously held

DECLARATION

9. I hereby apply for a firearm certificate in respect of the firearms and ammunition specified above, and I declare that the statements made above are true and complete in all respects.

Date

Signature

„State quantity, type, calibre, maker’s name and identification number or other distinguishing mark.

FORM 1A APPLICATION FOR GRANT/RENEWAL OF AIRGUN LICENCE

- (a) Surname (BLOCK LETTERS)
- (b) Other names
- (c) Name of Guardian if under 16 years
- (a) Postal address
- (b) Residential Address
- (c) How long have you been resident at the above address?

3. Age

4. Nationality

5. Occupation

6. Local Police Station

- (a) Airgun possessed at the date of application (state type, calibre, identification number and propellant)
- (b) Airgun desired to be acquired (state type and calibre)

8. Reason for requiring the above airgun

9. I hereby apply for the grant/renewal* of an airgun licence and declare that the statements made are true and complete in all respects.

Date

Signature of Applicant

Firearms

[Subsidiary]

(*Delete where inapplicable)

For use by Central Firearm Bureau Only

Fee paid Signature
(Licensing Officer)

Date commenced

Licence number Date

Expiry Date

FORM 2 _____ (r. 5(3))
FIREARM CERTIFICATE

This certificate is granted to of and relates to the firearms and ammunition specified hereunder—

(a) firearms—

- (i) possessed at date of grant (quantity, type, calibre, maker's name and identification number or other distinguishing mark)
- (ii) authorized to be purchased or acquired (quantity and type)

(b) ammunition—

authority to possess—

- (i) possessed at date of grant*
- (ii) maximum amount authorized to be possessed at any one time†

authority to purchase or acquire—

- (iii) total amount authorised to be purchased or acquired in any one year†
- (iv) maximum amount authorised to be purchased or acquired at any one time†

*State quantity, type and calibre

†State quantity and type

The following conditions shall be observed by the holder of this certificate—

- (1) All firearms and ammunition shall at all times when not in actual use be kept in a secure place with a view to preventing access to them by unauthorized persons.
- (2) The loss or theft of any firearm or ammunition shall be reported, as soon as discovered, to the officer in charge of the nearest police station.
- (3) Any change in the permanent address of the holder of the certificate shall be reported within 21 days to the licensing officer by whom the certificate was granted.
- (4) Other instructions (if any)

The following instructions shall be complied with by every person from whom the holder of this certificate purchases or acquires firearms or ammunition—

- (1) Every person selling, letting on hire, giving or lending a firearm or ammunition to the holder of this certificate must give a certificate of the transaction in one of the forms marked "A" attached to this certificate.
- (2) If the holder of this certificate is, known to the person from whom he purchases or acquires firearms, such person must obtain a receipt from the holder of this certificate and keep it for production if required.
- (3) The person from whom the holder of this certificate purchases or acquires any firearms or ammunition must, within 48 hours of the completion of the transaction in respect of which the certificate in form "A" was given, report in writing to the licensing officer who

Firearms

[Subsidiary]

granted this certificate any circumstances attending that transaction which appear to require investigation.

(4) Other instructions (if any)

This certificate shall continue in force for one year from the date hereof, unless previously revoked or cancelled.

Fee paid Signature (Licensing Officer)

Every firearm certificate shall include a supply of copies of the certificate of the transaction to be given in compliance with Instruction 1 in the firearm certificate, which shall be in the following form—

FORM A

I (Name) of (Address) certify that on the (date)

I (a) to of firearms as follows (b) and ammunition as follows (c)

I have inspected the firearm certificate and the records of previous transactions attached thereto, and I am satisfied that this transaction will not place him in possession of firearms or ammunition in excess of the amount authorised by the certificate or otherwise than in accordance therewith.

I am authorized to be in possession of firearms and ammunition by virtue of (d)

Date Signature

(a) Insert "sold", "let on hire", "gave" or "lent" as the case may be.

(b) Insert quantity, type, calibre, maker's name and identification number or other distinguishing mark.

(c) Insert quantity, type and calibre.

(d) Insert particulars of firearm certificate, dealer's registration certificate, permit or other authority of the seller, etc., to possess firearms or ammunition.

FORM 3

(r. 5(4) & (6))

APPLICATION FOR RENEWAL OR VARIATION OF A FIREARM CERTIFICATE

1. Name (in full)

(a) Postal address

(b) If above address is temporary only, state address to which communications should be sent

(c) Residential address

(d) Length of period resident at address (c)

3. Nationality

4. Occupation

5. Reason for requiring the firearm(s) and ammunition specified in at paragraph 6

6. Firearms and ammunition for which certificate required—

(a) firearms—

(i) possessed at date of application*

(ii) desired to be purchased or acquired*

(b) ammunition—

Quantity Calibre and Type

Firearms

[Subsidiary]

- (i) possessed at date of application
- (ii) maximum amount desired to be purchased or acquired at any one time
- (iii) total amount desired to be purchased or acquired in one year
- (iv) maximum amount desired to be possessed at any one time

7. Details of firearm certificate to be renewed or varied—

Certificate No. Date of certificate

DECLARATION

8. I hereby apply for the renewal/variation of the above certificate, and I declare that the statements made above are true and complete in all respects.

Date Signature

* State quantity, type, calibre, maker's name and identification number or other distinguishing mark.

FORM 4

(s. 16(2))

NOTICE TO LICENSING OFFICER OF SALE, LETTING ON HIRE, GIFT OR LOAN OF FIREARM

(To be sent by registered post within 48 hours from any sale, letting on hire, gift or loan of a firearm to a person in Kenya other than a registered firearms dealer.)

I, of hereby give you notice that on (date) I sold, let on hire, gave, lent, (cross out words inapplicable) the firearm(s) described below to—

(Name)

(Address)

Particulars of firearm certificate produced (a) or Nature of evidence that the person acquiring the firearm(s) was entitled to do so without holding a firearm certificate (a)

Number and nature of firearm(s) (b)

Period of hiring or loan

I have obtained and have retained for production, if required, a receipt for the firearm(s) (c).

In compliance with the instruction on the firearm certificate produced I have to add (d)

Signature

Address

(e)

(a) Act, section 16(1)—" No person shall sell or transfer to any other person in Kenya, other than a registered firearms dealer, any firearm or ammunition unless that other person produces a firearm certificate authorizing him to purchase or acquire it or shows that he is by virtue of this Act entitled to purchase it, or, as the case may be, to acquire it by means of transfer, without holding a certificate".

Firearms

[Subsidiary]

- (b) Give quantity, type, calibre, maker's name and identification number or other distinguishing mark.
- (c) Registered dealers may strike this out in the case of sales, etc., to customers known to them.
- (d) See Instruction 3 in the certificate, and add here anything that may be necessary.
- (e) Give particulars of your own firearm certificate, or other authority for possession of firearms. If you are a registered dealer you are reminded of the provisions of the Act applying specially to such dealers, e.g. section 17.

**FORM 5
IMPORT/EXPORT PERMIT**

(s. 27(5))

Place of issue Permit No.

Permission is hereby granted to (name in block letters) of (postal address) (residential address) to import/export the following firearms and ammunition into/from Kenya—

Firearms (quantity, type, calibre, maker's name and, if available, identification number or other distinguishing mark)

Ammunition (quantity, type and calibre)

The above permission is subject to following special conditions—

.....

Date *Signature*

.....

Rank or Office

**FORM 6
REMOVAL PERMIT**

(s. 29)

Permission is hereby granted to (Name) of (Address) to remove/transport or cause to be removed/transported the following firearms and ammunition —

Firearms (type, calibre, maker's name and identification number or other distinguishing mark)

Ammunition (quantity, type and calibre) from to by the following means of transport (delete where inapplicable)—

- Air.
- Road.
- Rail.

This permit is valid until (date) unless previously revoked.

Date *Signature*

(Licensing Officer)

**FORM 7
PERMIT TO REMOVE FIREARM FROM OR TO A SHIP, OR SIGNALLING APPARATUS FROM OR TO AN AIRCRAFT OR AERODROME**

(r. 7(6))

Place of issue Permit No.

Permission is hereby granted to (name) of (address)
(Rank or other description)

Firearms

[Subsidiary]

to remove the following firearm/signalling apparatus*—

..... from/to)))	<i>state particulars of the ship, aircraft or aerodrome, and also where situated.</i>
to/from)))	<i>state the other address to or from which the firearm or signalling apparatus is to be removed.</i>

This permit is valid until (date)

..... Date of issue Signature of police officer or licensing officer
------------------------	--

Possession of a firearm or a signalling apparatus otherwise than in accordance with the terms of this permit renders the possessor subject to the provisions of the Firearms Act, which imposes heavy penalties for breaches of its provisions.

FORM 8 (s. 7(11) & (12))
TEMPORARY PERMIT TO POSSESS FIREARM OR AMMUNITION

Note:— This is Not a Firearm Certificate.

Permit No. Licensing Office

.....
(name)
of
(full residential address and P.O. Box No.)

is hereby permitted to have in his possession until, 20 or until the firearm(s)/ammunition has/have been disposed of (whichever be earlier) the following firearms and ammunition—

*Firearms
†Ammunition

on the terms that the permit-holder shall—

- (1) inform a licensing officer forthwith of the name and address of any person purchasing or acquiring any of the above firearms or ammunition;
- (2) take all reasonable precautions to ensure the safe custody of the firearms and ammunition, and shall immediately report any loss or theft to the nearest police office and to a licensing officer;
- (3) return this permit to a licensing officer as soon as its period of validity expires, or as soon as a firearm certificate has been issued in respect of the firearms and ammunition.

Date
Signature of licensing officer

* Describe the firearm or signalling apparatus, stating type, calibre, maker's name and identification number or other distinguishing mark.

* Description, including type, calibre, maker's name and identification number or other distinguishing mark.

† Quantity, type and calibre.

Firearms

[Subsidiary]

* Describe the firearm or signalling apparatus, stating type, calibre, maker's name and identification number or other distinguishing mark.

* Description, including type, calibre, maker's name and identification number or other distinguishing mark.

† Quantity, type and calibre.

FORM 9 (s. 13, 14(2) & 15(2)) APPLICATION FOR REGISTRATION OR RE-REGISTRATION AS FIREARMS DEALER, OR NOTIFICATION OF FRESH PLACE OF BUSINESS

[Act No. 8 of 1988, s. 11.]

Note.—It is an offence under the Act for any person to make any statement which he knows

to be false, for the purpose of procuring registration as a firearms dealer or of procuring the entry of any place of business in a register of firearms dealers.

To the Chief Licensing Officer, Central Firearms Bureau, Nairobi.

A. To be completed by a person applying for registration or re-registration as a firearms dealer.

I, (name in full) apply to be registered as a firearms dealer, and submit the following particulars—

..... (full residential address and P.O. Box No.)

..... (nationality)

Address of each place of business Name under which business will be carried on at each address *Nature of firearms business at each address

.....
.....
.....

(* State whether manufacture, repair, test or proof, sale (wholesale or retail) or hire; and whether business will be confined to any particular type of firearm or ammunition.)

Other business (if any) to be carried on at the above address or addresses (i.e. by whom carried on, nature and name under which business will be carried on)

.....

Facts (to be stated by applicant) indicating that he can be permitted to carry on business as a firearms dealer without danger to the public safety or to the peace

.....

Name and address of a responsible householder of Kenyan nationality who can testify concerning the applicant, if required

.....

Address to which certificate of registration, if granted, is to be sent

Date Signature.....

B. To be completed by a registered firearms dealer notifying a place of business not already entered in the Register.

Firearms

[Subsidiary]

I, (name in full), being registered as a firearms dealer, apply to carry on business as such at a place of business which is not entered in the Register, and submit the following particulars—

Postal address

Residential address

Address of proposed place of business

Nature of firearms business at proposed address, whether manufacture, repair, test or proof, sale (wholesale or retail) or hire, and whether business will be confined to any particular type of firearm or ammunition

.....

Other business (if any) to be carried on at proposed address (i.e. by whom carried on, nature and name under which business will be carried on)

Number and place of issue of certificate of registration

.....

Date

Signature of registered dealer

A fee of Sh.100 is payable on registration. A registered dealer is required also, on or before 1st January each year, to—

- (a) surrender his certificate of registration of to the Chief Licensing Officer;
- (b) apply on this form for a new certificate;
- (c) pay a fee of Sh.100.

Failure to comply with these requirements may result in the removal of the dealer's name from the register.

For Licensing Office Use Only.

A. Fee of Sh.100 received on (date)

Signature

Certificate of Registration No. Book No.

issued on (date)

B. Fresh place of business entered in register

Date Signature

FORM 10 (s. 14(1))
CERTIFICATE OF REGISTRATION AS A FIREARMS DEALER

Serial No. Dealer's Registration No.

This is to certify that carrying on business at under the name of has been registered as a firearms dealer.

Additional places of business (addresses, and name and nature of business at each address)

This certificate is valid until 31st December, 20

Date Signature
..... Licensing Officer

Firearms

[Subsidiary]

Unless a fresh certificate is applied for, and a fee of Sh.100 paid, on or before 1st January in each year, or within such time thereafter as the Chief licensing Officer may allow, the name of the dealer will be removed from the register.

FORM 11 (s. 13(1))
REGISTER OF FIREARMS DEALERS

Name of dealer

Particulars of places of business at date of registration—

<i>Addresses</i>	<i>Name of business at each address</i>	<i>Nature of business at each address</i>
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Date of registration

Particulars of places of business notified subsequently—

<i>Addresses</i>	<i>Name of business at each address</i>	<i>Nature of business at each address</i>	<i>Notified on</i>	<i>Entered in register by</i>
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(s. 17(1))

DEALER'S REGISTER OF TRANSACTIONS
PART 1-FIREARMS

(A separate folo to be used for each type of firearms, ie pistols/revolvers/shotguns/rifles/combination firearms/others)

Type

Entry No.	ACQUISITION				DISPOSAL			
	2	3	4	5	6	7	8	9
	Source (in case of imports state country), and full name and address of firm or person from whom acquired	Make, calibre and identity no	No. and date of import license (if any)	Date	Name and address of person to whom issued	Firearm certificate or other authority of person to whom issued	Kenya firearm certificate (any) of person from whom acquired	Remarks and additional information
1								

Firearms

[Subsidiary]

PART II-AMMUNITION
(A separate folio to be used for each calibre of ammunition)

Calibre.....	
Date	From whom acquired or to whom issued full name and address
Quantity	No. and date of import/export licence (if any)
Kenya firearm certificate no. (if any) of person with whom transaction made	Balance in stock

PART III-COMPONENT PARTS
(ie bolts, barrels, chambers or magazines-e separate folio to be used for each)

Nature of Part.....

Date	From whom acquired or to whom issued full name and address	Description (make calibre, etc)	Quantity	No. and date of import/export licence (if any)	Kenya firearm certificate no. (if any) of person with whom transaction made	Balance in stock

Firearms

[Subsidiary]

PART IV-REPAIRS, ALTERATIONS, STORAGE, TESTING, ETC.

1	Date	2	Full name and address of depositor	3	Reason for depositing	4	Make, type, calibre and identification no. of firearm or component part deposited	5	Quantity and calibre of ammunition deposited	6	Date removed	7	By whom removed (full name and address)	8	Fire am certificate no or other authority of person removing	9	Remarks

Firearms

[Subsidiary]

AUCTIONEER'S PERMIT

Permit No.

Permission is hereby granted to:—

(Name)

of (Address)

to have in his possession, for sale by auction, the following firearms and ammunition:

Firearms (description, including type, calibre, maker's name and identification number or other distinguishing mark)

Ammunition (quantity, type and calibre) on the terms that the permit-holder shall—

(1) inform the licensing officer forthwith of the name and address of any person purchasing or acquiring any of the above firearms or ammunition;

(2) take all reasonable precautions to ensure the safe custody of the firearms and ammunition, and shall immediately report any loss or theft to the nearest police officer nd to the licensing officer;

(3) return this permit to the licensing officer as soon as the firearms and ammunition to which it relates have been disposed of.

Date Signature of Licensing Officer

.....

FORM 15 (s. 27(5)) FIREARMS DEALER'S IMPORT PERMIT

Place of Issue Permit No.

(Permission) is hereby granted to [name in BLOCK letters]

of [postal address] [residential address] to import the following firearms and ammunition into Kenya—

Firearms (quantity, type, calibre, maker's name and, if available, identification number or other distinguishing mark)

.....

Ammunition (quantity, type and calibre)

.....

The above permission is subject to the following special conditions:

.....

Signature

Date (Rank or Office)

.....

Fee, for import only, by registered firearms dealer: Sh. 40.

Fee paid: Sh. Signature

Dealer's application reference number

