



**INTRODUCTION AND MOTIVATION FOR ARMS AND AMMUNITION
AMENDMENT BILL, 2018**

By;

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**HONOURABLE SPEAKER OF THE NATIONAL ASSEMBLY AND THE
DEPUTY HONOURABLE SPEAKER, HONOURABLE MEMBERS OF
PARLIAMENT.**

1. I rise to introduce amendments to the Arms and Ammunition Act, 1996 (Act 7 of 1996) in order to address identified gaps regarding the control of firearms, ammunition and other related materials.

***Honourable Speaker,
Honourable Members,***

2. The Arms and Ammunition Bill is aimed at amending the Arms and Ammunition Act, 1996 (Act 7 of 1996) so as to provide to certain definitions; for the renewal of licence to possess firearm; for devices not regarded as firearms; for competence testing and competency certificate; for firearm free zones, for disposal of firearms in case of death, inherited firearms and winding up of business; for the use of firearms in theatre and cinema; for state owned firearms; for brokering and to provide for incidental matters.
3. From 2008 to 2016, consultative meetings with various stakeholders which include among others, Government Institutions, Gun Dealers, Namibia Professional Hunting Association, Traditional Leaders, Regional Governors have been conducted in order to ensure that the proposed amendment takes into consideration a wide range of public views. At these consultation meetings, shortcomings and loop holes in the Arms and Ammunition Act, 1996 (Act 7 of 1996) were identified, discussed and decided upon to be part of the amendment before this august house.
4. Among others, it was identified that the current legislation does not make provision for Competency Test to ensure that only people who are capable of handling and or dealing with firearms are eligible to be issued with competency certificates and licences to possess firearms. Competency, which constitutes the starting point in applying for a firearm license, is determined by a combination of factors of which training is the most important accompanied by personal interviews of relatives, friends

and so forth, in order to determine whether the applicant is fit and proper. Further more, the proposed amendment makes provision among requirements for the applicant of competency certificate to be mentally fit/does not suffer from or not alleged to suffer from any mental illness. Therefore, medical clearance may be required in addition to the certificate of good conduct issued the Namibian Police.

5. According to a study conducted in 2004, at the start of implementation of the Arms and Ammunition Act, 1996 (Act 7 of 1996) there were only 97, 262 firearm licences. However, current number of licenced firearms issued civilians, stands at 210 000 according the Ministry' database. Therefore, the number of licenced firearms has considerably increased over the past 13 years. In 2004 there were around 5.04 firearms per 100 persons in Namibia compared 9 licenced firearms per 100 persons today.

The third quarter of 2018/2019 the Ministry dealt with 4, 870 applications to possess firearms although there is a slight decrease compare to the period of 2017/2018 which was 5, 424. It was observed with concern that 50% of the applications were for handguns (pistols and revolvers). The justification for the demand of handguns is self-defense. This trend is likely to continue in the near future. Therefore there is a need to improve on arms and ammunition control mechanism by promulgating enabling legislations. The Arms and Ammunition Amendment Bill therefore aims to bring about better control of firearms and related materials.

Honourable Speaker

Honourable Members

6. Cases of stolen or lost firearms are have increased at an alarming rate. Eighty (80%) per cent of those firearms reported stolen or lost are handguns. Some of these are the firearms are the ones being used in committing crimes. I therefore wish to call up all those who have been issued with licences to possess firearms to make sure that your firearm is always locked up in safe if not on you so that it does not fall in the hands of criminals .

6. ANTICIPATED OUTPUTS/IMPACT

6.1. The mechanism of firearms control particularly the applications for licence to possess firearms have identified as the main setback why so many firearms licence were issued to people who could possible not fit to possess firearms. To be specific the Performance Audit Report on the issuance and control of firearm licences in Namibia presented by Auditor General to the Parliament of the Republic of Namibia recommended to the Ministry of Safety and Security to develop a policy to determine the competency and fitness level of firearms owners prior to the issuance of licences, a subject which can no longer be prolonged.

6.2. It is suggested that all persons in Namibia aspiring to either possess a firearm, trade in firearms, manufacture firearms or to carry on business as a gunsmith must be competence-tested by an accredited training facility. The idea behind competency is to ensure that only those people who are competent of handling and/or dealing with a firearm will be issued with a firearm license. It is the sifting mesh that separates course from finer materials and allow the authorities to maintain a manageable database. The Arms and Ammunition Bill 2018 obliges the Registrar to only issue a competency certificate where the applicants comply with all the applicable requirements and not to issue a license to any person who is not in possession of the relevant competency certificate.

7. HUMAN RESOURCE REQUIREMENTS

The implementation of the act will be done within the existing structure of the Ministry and does impact on human resource requirements.

8.FINANCIAL IMPLICATIONS

There will be financial implications during the implementation as members of the police will go under training and new equipment will also be required for the expansion of E-Policing Firearms Database.

9.CONULTATIONS

Between 2008 and 2016, various consultations took place between my Ministry, Government Insitutions, Gun Dealers, the Namibia Professional Hunting Association, Traditional Leaders, Regional Governors and other

stakeholders to ensure that the amendment received collectively views. At these consultations, shortcomings and loop holes in the Arms and Ammunition Act, 1996 (Act 7 of 1996).

10.IMPLEMENTATION STRATEGY

The Ministry of Safety and Security draw from experience gained during the implementation of the Arms and Ammunition Act,1996 to effectively implement the Arms and Ammunition Bill 2018. Further more the Ministry of Safety and Security is considering the to outsourcing of the service for the expansion of E-Policing Database to include the ballistic test and competence testing.

11. COMMUNICATION STRATEGY

The Ministry will continue using its existing strategy of communications through Community Affairs Officers.

12. CONCLUSION

In Conclusion Honourable Speaker, control and managing of firearms and ammunition in Namibia become a challenge as the current Arms and Ammunition Act,1996 (Act 7 of 1996) becomes outdate, the solution is for this Honourable House to debate on the amendment as have introduced to curb the prolification of small arms and light weapons in Namibia.

I thank you.