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In the Name of Allah, the Gracious, the Merciful

The Arms, Ammunition and Explosives Act, 1986

Be it hereby made, by the Transitional Military Council, after the approval of the Council of Ministers, in accordance with the provisions of the Sudan Transitional Constitution, 1985, the following Act :-

Chapter I

Preliminary Provisions

Title and commencement

1. This Act may be cited as the, "Arms, Ammunition and Explosives Act, 1986", and shall come into force, as from the date of signature.

Repeal

2. The Arms, Ammunition and Explosives Act, 1932 shall be repealed; provided that the regulations made thereunder shall remain in force, until revoked, or amended.

Interpretation

3. In this Act, unless the context otherwise requires, :-  
"Arms", include firearms, ammunition, explosives, as the Arms Corps of the People's Armed Forces may specify;  
"Conveyance", means by any of the means of conveyance of goods, or passengers, used in the Sudan, and includes beasts of burden;

- "Commissioner", means the Commissioner of the Region's Police , the National Capital and the Commissioner of the Central Criminal Investigation Department;
- "Commissioner-General", means the Commissioner-General of Police;
- "Minister", means the Minister of Interior;
- "Private warehouse", means the warehouse, established for keeping arms, for the purpose of trading therein, in accordance with the provisions of this Act;
- "Pubic warehouse", means the public warehouse, for keeping arms, ammunition and explosives, provided for in section 11.

Particular arms excluded from  
the provisions of this Act

4. The provisions of this Act shall not apply to the arms, mentioned hereinafter :-
- (a) the arms specified for the use of the Sudanese Forces, or specified for the use of the forces of other governments present in the Sudan, upon the consent of the Sudan Government;
  - (b) the arms present on board a seagoing vessel, inside the territorial waters of the Republic of the Sudan, or inside an aircraft, in the Sudanese airspace, upon the permission of the Sudan Government, and part of which constitute the armament thereof, or the ordinary accoutrement of the same;

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Chapter II  
Import of Arms

Arms not imported without permit

- 5.(1) No arms shall be imported, save under a prior permit, issued by the licensing authority.
- (2) Any arms imported, without obtaining a permit prior to import, shall be confiscated, even though the permit has been obtained, after import thereof.
- (3) No permit shall be issued, to any person, to import arms, for the purpose of trade therein, unless the person has, in his possession, a licence to trade in arms.
- (4) The regulations shall specify the conditions of granting licences of import of arms.

Places across which arms may be imported

6. No arms shall be imported, into the Sudan, save across such customs points, as the Customs authorities may specify.

Arms to be deposited in the warehouse

- 7.(1) No arms, which have been imported, into the Sudan, in accordance with the provisions of this Act, shall be conveyed, save after obtaining the permit of the licensing authority, and as to such safeguards, as may be specified thereby.
- (2) The provisions set out in sub-section (1) shall not apply to such arms, as individuals may import, for their personal use in hunting, or self defense .

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Arms not deposited in a public warehouse registered

8. The arms, which have been imported, shall be registered, as the regulations may specify the identification thereof, where such arms do not bear such mark, or number, as may be sufficient to identify the same, and there is no need for the deposit thereof, in a public warehouse.

Loading, unloading or conveyance of arms without permit prohibited

9. No arms, other than the arms licensed for personal use, shall be loaded, unloaded or conveyed, in any place in the Sudan, or in the territorial waters thereof, from, or to any means of conveyance, without the existence of a permit for such loading, unloading, or carriage, from the competent authority.

Arms allowed to be imported

- 10.(1) No arms, other than the following arms, shall be imported :-
  - (a) automatic pistols, of calibre 6.35. of a millimetre;
  - (b) ordinary pistols – calibre . 35 of a millimetre;
  - (c) Magnum rifles- 200 – 375 – 4.243 – 458;
  - (d) rifles, of calibre 30.06 – 322 – 223 – 270 – 375 – 358 – 443 of an inch;
  - (e) shot guns, of calibre – 12 – 16 – 20 – 28 , of an inch ;
  - (f) Morris rifles, of calibre. 22, of a millimetre;
  - (g) air pressure pistols, of calibre . 8 , of a millimetre;
  - (h) air pressure rifles, of calibre – 22 – 177 .
- (2) The licensing authority may temporarily permit the import of arms of calibres, other than the calibres mentioned in paragraphs (c), (d), (e) and (f), for alien tourists, for the period of their sojourn, in the Sudan.

- (3) Without prejudice, to the generality of what is set out in subsections (1) and (2), the Minister may permit to possess any other calibres of the abovementioned arms exceptionally, for such circumstances, as he may appreciate; on condition that the person shall be entitled to possess an arm; provided that such power shall not be delegated .

### Chapter III

#### Public Warehouses

##### Arms deposited in a public warehouse registered

- 11.(1) There shall be registered, in the prescribed manner, any complete arm, or any part, or parts of an incomplete arm, or any ammunition, forthwith deposit thereof, in a public warehouse, in such manner, as the licensing authority may prescribe. Where such arm, or part of an arm, or package of ammunition does not bear a mark, or number, to identify the same, it shall be stamped, marked by a mark, or given such number, as may be sufficient for identification thereof.
- (2) There shall be registered, in the prescribed manner, all the arms imported, for the purpose of trading therein, to the effect of such purpose, upon depositing the same, for the first time, in a public warehouse, and upon every transfer, from such warehouse, to any other public, or private warehouse.
- (3) A person, who deposits an arm in a warehouse, shall furnish the person in charge of such warehouse, with such information necessary for registration, as he may require .

##### Arms withdrawn from public warehouse

- 12.(1) No arms, deposited in a public warehouse, shall be withdrawn , save upon a permit issued by the licensing authority .

- (2) No permit, for the withdrawal of any arms, from a public warehouse, shall be issued, save in the following cases, and as to such conditions, as the licensing authority may prescribe :-
- (a) for the purpose of transfer thereof, to another public warehouse, or private warehouse; or
  - (b) to any person licensed to carry such arm, for his legitimate personal use ; or
  - (c) for export, or disposal thereof, in accordance with the provisions of this Act.
- (3) There shall be specified, in the withdrawal permit, the place for which the arms shall be transferred, after withdrawal thereof, from the warehouse, and the place in which they shall be deposited .
- (4) The licensing authority, in the discretion thereof, may specify the quantity of the arms permitted to be withdrawn each time.
- (5) The licensing authority, before granting the permit to withdraw the arms, may require such security, as they may deem appropriate, for compliance with such conditions, as may be set out in the withdrawal permit.

#### Description of arms intended to be withdrawn

13. The permit to withdraw arms, from the public warehouse, shall include the mark, number and description of the arms intended to be withdrawn, and the purpose of such withdrawal.

### Chapter IV

#### Private Warehouses

##### Responsibility of the person licensed to operate a private warehouse

- 14.(1) A person licensed to operate a private warehouse shall be responsible for all the arms deposited in, and withdrawn, from such warehouse.

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(2) A person licensed to operate a private warehouse, shall keep a register of the deposited, and withdrawn arms, including the following particulars :-

- (a) the time of deposit, or withdrawal;
- (b) the date of deposit, or withdrawal;
- (c) the serial numbers;
- (d) details, marks and numbers of arms and types and calibres thereof;
- (e) the number, and date of the withdrawal, or deposit permit, and the issuing body;
- (f) the name and signature of the person permitted to withdraw;
- (g) the number and date of the granted permits;
- (h) any other details, as the licensing authority may deem fit to add.

Deposit in and withdrawal of arms  
from a private warehouse

15.(1) No arm shall be deposited in, or withdrawn, from a private warehouse, save upon a written request, in the prescribed form, and in accordance with the permit issued by the licensing authority.

(2) The register of registering arms in the private warehouse shall be identical to the quantity of the arms deposited in such warehouse, without increase, or decrease, and such register shall, as well, show any deposit, or withdrawal, as may have been made, the numbers and dates of the permits, under which the deposit, or withdrawal has been made.

Permit to withdraw arms from the private warehouse

16.(1) No permit, for the withdrawal of any arm from the private warehouse, shall be issued, save in the following cases :-

- (a) for the purpose of sale, or transfer of the arm, to any person licensed to carry the type of the arm intended to be withdrawn;
  - (b) for the purpose of exporting the arm to a country other than the Sudan;
  - (c) for the purpose of transfer of the arm, from a private warehouse, to another private warehouse, or public warehouse;
  - (d) for the purpose of exhibiting the arm, in such place, or places, as may be shown in the permit specified therefor;
  - (e) for any other purpose, as the licensing authority may deem fit to issue a permit with respect thereto .
- (2) The permit, issued under this section, shall include a description of the arms, and the numbers and marks thereof.

#### Inspection of private warehouses

17. The licensing authority, at any time, may conduct inspection of any private warehouse, for the purpose of ensuring compliance with the provisions of this Act.

### Chapter V

#### Trading in Arms

##### Sale and transfer of arms

18. No person shall sell, or transfer, to any other person, any arm, or dispose of the same, in any of the forms of disposal, save in accordance with the provisions of this Act.



Trading in arms or operation of a private warehouse  
prohibited save upon permit

- 19.(1) No person shall work in arms trade, or operate a private warehouse for arms, without a permit from the licensing authority.
- (2) The holder of a permit shall comply with the conditions shown therein, and by any other conditions, as the licensing authority may prescribe .
- (3) No procedure of sale of arms, and no disposal thereof, shall be conducted, save by the owner of the permit, and the place specified therein .

Chapter VI

Export of Arms

Permit to export arms

20. No arm shall be exported, save upon a permit, from the licensing authority, as to such conditions, as they may specify.

Cases of exporting arms

21. The licensing authority shall not issue a permit for the export of arms, save in the following two cases :-
- (1) personal use, for the purpose of self-defense, or sports;
  - (2) such arms, as may be purchased, in the Sudan, for the purpose of immediate export, to any other country.

## Chapter VII

### Transit Arms

#### Permit required to import transit arms

22. No arms shall be imported across the Sudan, to any other country, save upon a permit, from the licensing authority, and as to such conditions, as they may specify.

#### Transit arms

- 23.(1) An importer of transit arms shall present a certificate, written by the state, to which he intends to export the arm, proving the acceptance of such state, to export such type of arm thereto.
- (2) The licensing authority may issue a permit to a person travelling, across the Sudan, to any other country, to carry any arms in his legitimate possession, for his personal use, without the right to use such arms in the Sudan.

## Chapter III

### Manufacture and Repair of Arms

#### Manufacture of arms prohibited

24. No person shall manufacture, assemble or amend, in the Sudan, any arms, or perform any part of such manufacture, assembly or amendment, save at such place, as the Council of Ministers may specify for such purpose .

#### Repair or altering arms prohibited

- 25.(1) No person shall alter any arm, or part thereof, or repair the same, save in such place, as the Council of Ministers may specify, or the place licensed for such purpose.
- (2) No person shall carry on the trade of gunsmith, save upon the written approval of the licensing authority, and as to such conditions, as they may specify.

Chapter IX  
Arms Licences  
Arms licence

26.(1) No person shall possess, use or carry any arm, unless he is in possession of a valid licence, from the licensing authority, empowering him to possess, use or carry such arm, other than the following cases :-

- (a) the arms deposited, in a public, or private warehouse ;
- (b) transit arms;
- (c) such arms, as may have been purchased, for immediate export.

(2) Notwithstanding the provisions of sub-section (1), the licensing authority may grant a temporary licence, for the period of one month, for possession and use of an arm, for any alien visitor inside the Sudan, in a legitimate way; provided that where the period of residence of such visitor exceeds one month, he shall obtain a licence for possession of an arm, in accordance with the provisions of this Act.

Termination of validity of arm licence

27. The validity of any arm licence shall terminate, on the thirty first of December of every year, unless renewed on such day, or within 14 days after such date .

Non-issue or revocation of licence

28. The licensing authority may, in their discretion, refuse to issue any licence for an arm, and may also revoke such licence, after the issue thereof, and the decision of the same shall, in this case, be final.

### Conditions and safeguards of granting licence

29. The regulations and orders shall specify the conditions and safeguards of granting arms licences .

### Payment of prescribed fees

30. Every applicant, for licence to possess an arm, shall pay such fees, as the licensing authority may prescribe, in consultation with the Minister of Finance and Economic Planning.

### Report of loss of arms

- 31.(1) A person licensed for an arm shall report the loss of such arm, to the police station, within the limits of jurisdiction of which the loss has occurred, and shall likewise report, to the licensing authority, who have issued such licence.
- (2) The licensee person shall, upon presenting a report, in accordance with the provisions of sub-section (1), present all such particulars, as may be required therefrom, and connected to such report.
- (3) The licensing authority, upon receipt of the report , in accordance with the provisions of sub-section (1), shall record, on the registers thereof, to the effect of the report of loss.
- (4) The licensing authority shall issue a circular, to all police units, to notify the same of the loss of the arm reported thereon.
- (5) The person, who presents the report shall not be granted another licence for carrying an arm, unless the licensing authority has ensured that the loss has not been by reason of negligence.

### Damage of arm

- 32.(1) A person licensed for an arm shall in case of damage of such arm, present a certificate, from the Arms and Accoutrements Corps of the People's Armed Forces, to the effect that such arm has become unfit for use, and has been destroyed thereby.

- (2) The licensing authority, upon receipt thereby; of the certificate, provided for in sub-section (1), shall denote the registers thereof, to the effect of damage and destruction of the arm.

#### Licence or arm produced upon request

- 33.(1) The licensing authority may require any person, in whose possession is an arm, to produce the licence, which empowers him to carry, or possess such arm, and may also require the production of such arm.
- (2) In case of non-production of the licence, the licensing authority may seize such arm, and the possessor thereof shall be granted seven days to bring the same, and where he does not produce it, within such period, he shall be deemed to have committed a contravention, under the provisions of this Act.

### Chapter X

#### Explosives

##### Inspector of explosives appointed

34. The Minister of Defense may appoint an inspector of explosives, who shall have the powers and functions specified in this Chapter.

##### Powers of the inspector of explosives

35. The inspector of explosives may exercise the following powers, to :-
- (1) enter and search, at any time, any place, or means of land, sea or air conveyance, where he has reason to believe that there is, or have been explosives, in such place, or means, and take samples therefrom;
  - (2) remove, destroy or seize any explosives, as he may obtain, where the same is necessary, or issue any order, as he may deem fit, in such circumstances .

- Appeal of the order of the inspector of explosives**
36. Any person aggrieved by any decision of seizure, or order issued by the inspector of explosives, under both paragraphs (a) and (b), may appeal such order, or decision, to the competent Province Judge.

**Powers of some persons other than the inspector of explosives**

37. Any magistrate of the first, or second class, any officer of the People's Armed Forces, or the police of the rank of Lieutenant-Colonel, or higher, when he is authorized by the inspector of explosives, in writing, and, likewise, any officer of the said forces, in case of danger, may exercise any of the powers of the inspector of explosives, set out in this Act, and any one of them shall notify the inspector of explosives of such measures, as he may have taken, and such circumstances, as may have called therefor.

**Investigation in accidents of explosion of explosives**

- 38.(1) In case of the occurrence of any accident, by reason of explosion, or fire, in or about any place, or means of conveyance, in which there is, or has been explosives, the person in charge of such place, or means of conveyance shall notify the officer in charge of the nearest police station.
- (2) The officer in charge of the police station, who has been informed of the accident, in accordance with the provisions of sub-section (1), shall take such measures, as may be necessary for preventing the change of the features of the place of the accident, or touching any debris, or remains resulting from the accident, or such as the necessity of removal of bodies, first aid of casualties or saving any property, from the danger of fire, may require, pending the conduct of investigation.

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- (3) Where the officer in charge of the police station deems the conduct of investigation necessary, he shall either conduct the investigation himself, or order one of his subordinates, to perform the same, where there has resulted, from the accident, casualties in lives, or serious injuries, to persons, or property.
- (4) Before conducting investigation, the officer in charge of the police station shall ensure whether the inspector of explosives desires to attend such investigation. Where he desires to attend, the officer in charge of the police station, or the prosecution attorney shall adjourn the investigation, pending his attendance, and call any person, as the inspector of explosives may deem the attendance thereof necessary, for the purpose of investigation.
- (5) The officer in charge of the police station, who conducts the investigation, under this section, shall have the powers conferred on any of them, under the Criminal Procedure Act.

#### Trespass

39. No unlicensed person shall enter, without permission, into any :-
- (a) private warehouse, licensed for keeping explosives, or trespass upon such warehouse, of any of the annexes thereof;
  - (b) a workshop licensed for any work, relating to explosives, or any of the annexes of the same;
  - (c) a factory, arsenal or public building, used for the manufacture, or storage of explosives, or any of the annexes thereof.

#### Acts causing explosion in the explosives warehouse

41. Any person, who commits an act, attempts or abets the commission of any act, which causes, or is likely to cause fire, or explosion, in or around a public, or private warehouse, a workshop, factory, depot or building, used for keeping,

manufacture or storage of explosives, may be arrested without an arrest warrant , and may be tried, in accordance with the provisions of this Act, in addition to any other law.

### Chapter XI

#### General Provisions

##### Power to seize arms and ammunition with respect to which a contravention has been committed

42. Any policeman, soldier of the People's Armed Forces, any member of the Game Rangers Forces or Customs officer may seize any arms, or ammunition, with respect to which a contravention of the provisions of this Act has been committed, or there is reasonable suspicion that a contravention has been committed, with respect thereto, and any of those mentioned shall notify the competent magistrate.

##### Shooting to execute detention

43. Any policeman, soldier of the People's Armed Forces or any other person working at any of the points of the international borders of the Republic of the Sudan , may shoot, for the purpose of executing detention of any person, in whose possession, or who is reasonably suspected to have arms in his possession unlawfully, and such measures, as may be possible, shall be taken for executing detention, before shooting.

##### Making regulations

44. The Minister shall make such regulations, as may be necessary, for the implementation of the provisions of this Act. Without prejudice, to the generality of the foregoing, such regulations may include :-



- (a) the conditions and safeguards of granting arms licences;
- (b) specifying the licences fees;
- (c) the rents due for the arms deposited in a public warehouse;
- (d) safeguards of loading, unloading, storage or conveyance of arms;
- (e) safeguards of the import, or export of arms;
- (f) safeguards of the possession, sale and disposal of arms;
- (g) specifications of the private warehouses and workshops, and the safeguards of using the same;
- (h) keeping and examining the registers, relating to private warehouses;
- (i) specifying the forms used to implement the provisions of this Act;
- (j) specifying the penalties inflicted for contravention of the provisions of the regulations;
- (k) specifying the safeguards of the procedure of renewal of arms licences.

## Chapter XII

### Contraventions and Penalties

- 45.(1) Any person, who commits any of the contraventions, mentioned in Column I, of the Schedule hereto, shall be punished, with the penalty specified for such contravention, in Column III of the same Schedule.
- (2) In case of the conviction of any person, for contravention of the provisions of this Act, the court may, in addition to the prescribed penalty, issue an order to revoke the licence, and confiscate the arms, with respect to which the contravention has been committed, and may, as well, order the confiscation of any

means of conveyance, warehouse or house, or any other estate, which has been used for the conveyance, or storage of the arm subject of the contravention .

(3) Without prejudice, to what is set out in sub-section (2), such court, after passing the decision of the court for confiscation of the arms, the subject of trial, shall issue an order to deliver the arms, to the Arms Corps of the Peoples Armed Forces.

The Schedule  
( See section 44(1))

No.	Contraventions	Section referring to contravention	Penalties
1	Import of arms without licence	5(1)	Imprisonment, for a term, not exceeding five years, and fine.
2	Loading, unloading or conveyance of arms without permit	9	Imprisonment, for a term, not exceeding five years, and fine
3	Import of prohibited arms	10(1)	Imprisonment , for a term, not less than ten years, and fine
4	Deposit and withdrawal of arms, from a private warehouse, without permit	15	Imprisonment, for a term, not less than five years, and fine
5	Sale, transfer and disposal of arms, in contravention of the provisions of this Act	18	Imprisonment, for a term, not less than seven years, and fine
6	Trading in arms, or operation of a private warehouse therefor, without permit	19(1)	(1) imprisonment, for a term, not less than ten years, and fine ;or (2) Death, or imprisonment, for a term, not less than ten years, in such places, as the President of the Republic, by an order thereof, may specify

No.	Contraventions	Section Referring to contravention	Penalties
7	Export of arms, without permit	20	Imprisonment, for a term, not less than ten years, and fine
8	Export of arms, otherwise than in the allowed cases	21	Imprisonment, for a term, not less than ten years, and fine
9	Import of arms, across the Sudan, to another country, without the necessary permit	22	Imprisonment, for a term, not less than ten years, and fine
10	Manufacture, assembly or amending arms, otherwise than in the place specified therefor	24	Imprisonment, for a term, not less than ten years, and fine
11	Repair, or altering arms, otherwise than in the place specified and licensed for such purpose	25	Imprisonment, for a term, not less than two years, and fine
12	Possession, use or carrying arms, without licence	26	(1) Imprisonment, for a term, not less than <u>two years, and fine</u> ; or (2) Death, or imprisonment, of a term, not less than ten years, in such areas, as the President of the Republic, by an order thereof, may specify.

No.	Contraventions	Section referring to contravention	Penalties
13	Trespass	39	Imprisonment, for a term, not less than five years, and fine
14	Act causing explosion in the explosives warehouse	41	Imprisonment, for a term, not less than ten years, and fine
15	Any other contravention	-	Imprisonment, for a term, not exceeding five years, and fine