



[L.S.]

I Assent,

James B. Carlisle,
Governor-General.

10th September, 2004.

ANTIGUA AND BARBUDA

No. 6 of 2004

ANACT to amend the provisions of certain Acts of Parliament.

[*Published in the Official Gazette Vol. XXIV
No. 66 dated 16th September, 2004.]*

ENACTED by the Parliament of Antigua and Barbuda as follows —

1. This Act may be cited as the Law Revision (Miscellaneous Amendments) Act, 2004. Short title.

2. The Firearms Act is amended —

(a) in section 2 (1) by the insertion of the following definition:

Amendment of
Firearms Act
Cap. 171.

"Firearms Licensing Committee" means the Committee established by section 15A.

(b) by the insertion, in Part II immediately before section 16, of the following:

"Firearms Licensing Committee.

15A. (1) There is hereby established a Firearms Licensing Committee (in this Act re-

ferred to as "the Committee") which shall consist of —

- (a) the Commissioner of Police or, in his absence, the Deputy Commissioner of Police, who shall be the Chairman;
- (b) the Commander of the Antigua and Barbuda Defence Force or, in his absence, an officer of the Defence Force, not below the rank of Captain, authorised by the Commander; and
- (c) one other person appointed by the National Security Council established by Cap. 132 of the Defence Act.

(2) The functions of the Committee shall be —

- (a) to consider applications for licences, certificates and permits under this Act and where appropriate, to grant or revoke such licences, certificates and permits; and
- (b) to perform such other functions as the Committee is authorised, by or under this Act to perform.
- (c) in sections 17, 18, 19, 20, 21, 22 and 23 by the deletion of all references to the Commissioner of Police and the substitution of references to the Firearms Licensing Committee.

"No bail to be granted in certain cases.

28. (1) Nothing contained in section 26 or 27 shall be construed as **authorising** a police officer to take bail for any person charged with any of the following offences:

- (a) high treason, **misprison** of treason and treasonable felony;
- (b) murder or attempted murder;
- (c) robbery or robbery with aggravation involving the use of a fire-
—;
- (d) an offence involving the possession or use of an offensive weapon;
- (e) **unlawful** possession of a firearm or ammunition or unlawful use of a firearm, **contrary** to any provision of the Firearms Act; **Cap. 171.**
- (f) contravention of any condition attached to a licence, certificate or permit granted under the Firearms Act; **Cap. 171.**
- (g) unlawful importation of firearms contrary to the provisions of the Firearms Act or any other law; **Cap. 171.**
- (h) offences under the Sexual Offences Act. **No. 9 of 1995.**

(2) In paragraph (d) of subsection (1), "offensive weapon" includes any article made or adapted for or capable of causing bodily harm or damage to property and intended by the person having it with him for that use by him."

ANTIGUA 4
AND
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*The Law Revision (Miscellaneous
Amendments) Act, 2004.* No. 6 of 2004.

Amendment of
the Sexual
Offences Act
No. 9 of 1995.

4. Section 30 of the Sexual Offences Act, 1995 is repealed.

Amendment of
the Small
Charges Act
Cap. 405.

5. The Small Charges Act is amended as follows —

- (a) in section 9, delete "five hundred" and "one month" and substitute therefor "two thousand" and "three months";
- (b) in section 12, delete "five hundred" and "one month" and substitute "five thousand" and "six months";
- (c) in section 13 (1), delete "two thousand" and "six months" and substitute therefor "five thousand" and "twelve months";
- (d) in section 18 (5), delete "two hundred and fifty" and substitute "five thousand";
- (e) in section 20, delete "one hundred" and substitute "two thousand or to imprisonment for a term not exceeding three months";

in section 23 (2), delete "five hundred" and "three months" and substitute "five thousand and "six months";
- (g) in section 29, delete "five hundred and "six months" and substitute "five thousand and "twelve months";
- (h) in section 33, delete "two thousand" and substitute "five thousand";
- (i) in section 37, delete "not exceeding five hundred dollars" and substitute "not exceeding five thousand dollars or to imprisonment not exceeding twelve months";
- (j) in section 38 (1), delete "two thousand dollars" and insert "five thousand dollars or imprisonment for a term not exceeding twelve months";

- (k) in section 38 (2), delete "twelve months" and insert "two years";
- (l) in section 46 (1), insert after the word "conviction" the words "to a fine not exceeding five thousand or";
- (m) in section 46 (3), delete "two thousand" and "nine months" and substitute "five thousand" and "twelve months";
- (n) in section 48, delete "two thousand" and "nine months" and substitute "five thousand" and "twelve months";
- (o) in section 53, insert after the word "liable" the words "to a fine not exceeding three thousand" and delete the words "three months" and insert "six months";
- (p) in section 54, insert **after** the word "liable" wherever these occur and substitute the words "to a fine not exceeding three thousand or";
- (q) in section 55, delete "two thousand" and "nine months" and substitute "five thousand" and "twelve months";
- (r) in section 56, insert after the word "liable" the words "to a fine not exceeding five thousand" or.

Passed the House of Representatives this 26th day of August, 2004.

Passed the Senate this 3rd day of September, 2004.

D. Giselle Isaac-Arrindell,
Speaker.

Dr. Edmond A. Mansoor,
President.

Y. Henry,
*Acting Clerk to the House of
Representatives.*

Y. Henry,
Acting Clerk to the Senate.

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