

LAW N^o 2016/015 OF 14 DEC 2016

TO LAY DOWN GENERAL WEAPONS AND AMMUNITION
REGULATIONS IN CAMEROON



*The Parliament deliberated and adopted,
the President of the Republic hereby
enacts the law set out below:*

PART I
GENERAL PROVISIONS

SECTION 1.- This law lays down general weapons and ammunition regulations in Cameroon.

As such, it shall govern the manufacture, importation, exportation, transfer, purchase, transit, transportation, tracking, keeping and bearing of weapons and ammunition.

CHAPTER I
DEFINITIONS

SECTION 2.- For the purposes of this law and the implementation instruments thereof, the following definitions shall apply:

Accessory: any additional part of a weapon that does not affect the normal discharge of the weapon, including any device intended to diminish the noise caused by firing the weapon.

Riot-control agent: any chemical, not listed on the table of toxic chemical products, which can produce rapidly in humans sensory irritation or disabling physical effects which disappear within a short time following termination of exposure.

Microbial agent: any living microorganism (algae, fungi, bacteria, toxins, etc.) having harmful properties capable of disabling or killing living things and used as biological agents.

Arm or weapon: any object or device that can be used to kill, wound, knock, incapacitate or cause bodily injury.

Sound or blank arms: any object or device that has the appearance of a firearm or not, designed or intended to generate only a sound effect upon the discharge of ammunition, and whose characteristics exclude firing.

Firearm: any barrelled weapon capable of firing lead, bullets or projectiles using an explosive charge as a propellant, and designed for that purpose or to be converted for that purpose.

Dane gun: any indigenously made barrelled firearm capable of firing lead, bullets or projectiles using an explosive charge as a propellant that can kill, injure or incapacitate the victim.

Old and collection weapon: any weapon of an ancient model that has been disabled and declassified by the ministry in charge of defence and is listed in its register of armaments.

Airgun and recreational weapon: any object or device designed for sport, discharged by means of compressed air.

Native gun: any traditionally made object or device that can be used to kill, injure or produce a sound effect.



Cluster munitions weapon: any classical weapon designed to spread or release explosive cluster munitions, weighing less than twenty (20) kilogrammes each and comprising such explosive cluster munitions.

Biological weapon: any weapon that uses vectors or vehicles carrying biological agents or pathogens to a target, intended to cause disability or death of humans.

Pointed or edged weapon: any weapon whose perforating, slitting or breaking action is solely due to human force or a device through which it has been propelled, excluding explosion.

Chemical weapons: The following elements, considered together or separately:

- Toxic chemicals and their precursors, except where intended for purposes not prohibited under this law, as long as the types and quantities concerned are consistent with such purposes;
- Munitions and devices, specifically designed to cause death or other harm through the toxic properties of those toxic chemicals;
- Any equipment specifically designed for use directly in connection with the use of munitions and devices.

Hunting gun: a firearm used for game and sport hunting, and not classified as a weapon of war or a defensive firearm.

Defensive firearm: any industrially manufactured small-calibre personal weapon that uses live ammunition intended by nature to kill, injure, neutralize or cause disability.

Weapon of war: any weapon, munitions or component of conventional weapons designed or intended for warfare.

Special weapons of war: any weapon used in or as part of the three dimensional surface-air-sea combined military manoeuvres.

Armoury: a place where weapons, weapon components and ammunition are manufactured, traded, exchanged, leased, repaired or converted.

Certificate of final destination and of non-re-exportation: a document used to know, monitor and ascertain the end-user and end use of a product before the import or export licence is issued by the competent authorities.

Visitor's pass: a document that gives temporary authorization to a visitor and for the duration of his stay in a State, to bring in or transit with and, where necessary, to use his or her weapons for purposes determined by the competent national body.

Paramilitary corps: a group of agents made up of customs, forestry and prison administration staff.

Brokering: any intermediary activity intended to establish a relation between parties, organize or facilitate the conclusion of arms and ammunition deals, in exchange for a financial or other form of consideration.

Destruction: the process whereby a weapon, ammunition or an explosive device is permanently disabled such that it can no longer work as it was designed.

Radiological dispersal device: any device which, by detonation, causes radioactive material to be disseminated as dust from an explosion.

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Weapon component: part of a weapon that is essential for its functioning, including the barrel, frame, cylinder head, locking system, cylinder, conversion, and their related power systems.

Ammunition part: an essential part of ammunition such as projectile, primer, primed socket, loaded socket, primed and loaded socket.

Supplier State: a State that manufactures, or supplies weapons and ammunition to the purchasing State or which, after having taken over ownership thereof in accordance with international agreements, transfers them to a new purchasing State.

Production of a chemical: formation of a product through chemical reaction

Purposes not prohibited (under this law):

- Industrial, agricultural, research, medical, pharmaceutical or other peaceful purposes;
- Protective purposes, namely those purposes directly related to protection against toxic chemicals and to protection against chemical weapons;
- Military purposes not connected with the use of chemical weapons and not dependent on the use of the toxic properties of chemicals as a method of warfare;
- Law enforcement, including domestic riot control, purposes.

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Asphyxiating gas: a gas that causes pulmonary oedema, which suffocates the victim.

Toxic gas: a gas whose toxic properties are used as war weapon, or against a civilian population.

Chemical weapons production facility: any equipment, as well as any building housing such equipment, that was designed, constructed or used for the production of chemical weapons.

Nuclear facilities: facilities used for the irradiation, extraction and processing of raw materials, in particular, mines, radioactive substances, radioactive waste management facilities and any other place where radioactive material is produced, processed, used, handled, stored or disposed of, at such a scale that protection and security are taken into account.

Marking: an inscription on a weapon or ammunition permitting the identification thereof.

Nuclear material: any element that can be used directly or indirectly to produce a nuclear weapon, namely plutonium, uranium enriched into uranium 235, uranium 233 and thorium.

Ammunition: the whole set of cartridge and its components, including cartridge cases, primers, propellant powder, bullets or projectiles used in firearms.

Competent national body: the agency responsible for overseeing and monitoring the implementation of international conventions as well as national laws and regulations relating to weapons and ammunition.

Bear or carry a weapon: to be in physical possession of a weapon.

Powder: mixture of deflagrating powdered potassium nitrate, also known as saltpetre, charcoal and sulphur, used as explosives.

Precursor: any chemical reactant which takes part at any stage in the production by whatever method of a toxic chemical.

Discrete organic chemical: means any chemical belonging to the class of chemical compounds consisting of all compounds of carbon except for its oxides, sulphides and metal carbonates, excluding.

- oligomers, whether or not containing phosphorus, sulphur or fluorine;
- chemicals that contain only carbon and metal.

Toxic chemical: any chemical which through its chemical action on life processes can cause death, temporary incapacitation or permanent harm to humans or animals.

Special fissionable material: any product containing plutonium-239, uranium-233 and uranium enriched in the isotope 235 or 233 with the exception of source materials.

Cluster munitions remnants: failed cluster munitions, abandoned cluster munitions, unexploded submunitions and unexploded bomblets.

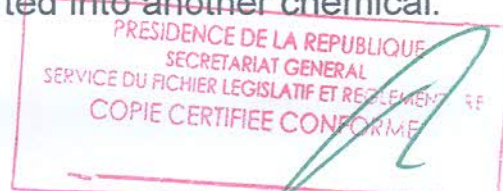
Explosive submunitions: conventional munitions that, in order to perform its task, is shot from or released by a cluster weapon and is designed to function by detonating an explosive charge prior to impact, at the time of impact, or after impact.

Unexploded submunitions: explosive submunition that has been shot from or released by a cluster weapon, or has broken away from it in any other way and should have exploded but did not.

Explosive substance: a substance or mixture of substances which is in itself capable, by chemical reaction, of producing gas at such a temperature and pressure and at such a speed as to cause damage to the surroundings.

Traceability: the possibility to track a firearm and its numbered items, by identifying its successive holders, from its manufacture to its destruction or neutralization.

Processing of a chemical: a physical process such as formulation, extraction and purification, in which the chemical is not converted into another chemical.



Transfer: the importation, exportation, transit, transshipment and transportation or any other form of movement, whatsoever, of arms, their ammunition and of any part and component that can be used in manufacturing, repairing and assembling arms into, on and from the national territory.

Transfer of cluster weapons: removal or introduction of cluster weapons from or into the national territory. It also means the transfer of the right of ownership and control over cluster weapons.

Toxin: a toxic plant by-product or microorganism capable of causing disability or death of humans, and which can be used as a biological agent.

Vector: an organism used to transmit pathogens and biological agents into its target.

CHAPTER II CLASSIFICATION AND TRANSIT

I - CLASSIFICATION

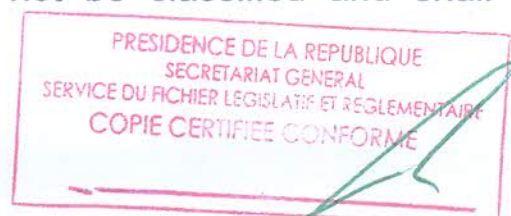
SECTION 3.- Warfare equipment, weapons, ammunition and weapon components are classified into eight (08) categories:

- Category 1: Firearms and ammunition designed for warfare;
- Category 2: Specific warfare weapons;
- Category 3: Nuclear, biological, chemical weapons and gas poisoning control equipment;
- Category 4: Firearms and ammunition for defence purposes;
- Category 5: Hunting weapons and ammunition;
- Category 6: Pointed or edged and sound weapons;
- Category 7: Airguns and recreational weapons;
- Category 8: Old and collection weapons.

SECTION 4. (1) The minister in charge of defence shall be authorized to establish a classification of weapons and ammunition, upon an opinion of the competent national body whose organization and functioning shall be laid down by regulation.

(2) The specific nomenclature, characteristics and intended use of each of the weapons and ammunition falling under any of the categories referred to in Section 3 above shall be determined by regulation.

SECTION 5.- Traditionally made weapons shall not be classified and shall be prohibited.



II - TRANSIT

SECTION 6.- (1) The transit of weapons, ammunition and the accessories thereof on the national territory shall be subject to prior authorization by the President of the Republic.

(2) The conditions for obtaining the authorization referred to in Sub-section (1) above shall be laid down by regulation.

PART II SPECIFIC PROVISIONS APPLICABLE TO VARIOUS CATEGORIES OF WEAPONS AND AMMUNITION

CHAPTER I CATEGORIES 1, 2 AND 3 WEAPONS AND THEIR AMMUNITION

I - CATEGORIES 1 AND 2 WEAPONS AND THEIR AMMUNITION

SECTION 7.- (1) The introduction into the national territory, the manufacture, processing, transport, stockpiling, acquisition, sale, transfer, possession, bearing, exportation and brokering of Categories 1 and 2 weapons and their ammunition shall be subject to prior authorization by the President of the Republic.

(2) The procedure and conditions for obtaining the authorization referred to in Sub-section (1) above shall be laid down by regulation.

(3) Categories 1 and 2 weapons and their ammunition acquired for defence and security forces and for paramilitary corps shall not be exported, sold or transferred to anyone without the prior written consent of the Government of the supplier State.

SECTION 8. The President of the Republic may authorize the minister in charge of defence and the heads of defence and security services attached to the Presidency of the Republic to issue the certificate of final destination and of non-re-exportation.

SECTION 9- The transportation of Categories 1 and 2 weapons and ammunition shall fall within the spheres of competence of the authorities referred to in Section 8 above.

II – CATEGORY 3 WEAPONS AND THEIR AMMUNITION

A – Nuclear weapons and radiation-emitting devices

SECTION 10.- (1) The transfer, manufacture and acquisition of nuclear weapons or other nuclear explosive devices into, on or from the national territory shall be prohibited.

(2) However, the prohibition referred to in Sub-section (1) above must not affect the right to develop research, production or use of nuclear energy for peaceful purposes.



SECTION 11 (1) The nuclear material being moved into or from the country must be protected during transportation, in accordance with the regulations in force.

(2) The transportation, transshipment, transit, conveyance and receipt of radioactive material shall be subject to prior authorization by the competent radiation protection body in accordance with the regulations in force.

(3) The holder of the authorization referred to in Sub-section (2) above shall be the main person responsible for the safety and security of radioactive material during transportation.

SECTION 12.- The source or special fissionable material, equipment or material specially designed or prepared for the processing, use or production of special fissionable material, may not be moved into or from the country to a non-nuclear-weapon State, except where such source or special fissionable material is not subject to international safeguards required for this purpose.

SECTION 13. (1) The State system of accounting for and control of nuclear materials shall be established and kept by the competent radiation protection body.

(2) The conditions for accounting for and controlling such nuclear material shall be laid down by regulation.

SECTION 14. Information relating to nuclear weapons or other nuclear devices, source materials or special fissionable material, equipment or material specially designed or prepared for the processing, use or production of special fissionable material shall be subject to top-defence secrecy.



B – Biological weapons

SECTION 15.- (1) It shall be prohibited to develop, produce, stockpile, acquire, transfer and retain:

- microbial or other biological agents, or toxins whatever their origin and/or method of production, type and quantity that have no justification for prophylactic, protective or other peaceful purposes;
- weapons, equipment or means of delivery designed to use such agents or toxins for hostile purposes or in armed conflict.

(2) However, the prohibition referred to in Sub-section (1) above must not jeopardize economic, scientific and technological development in the field of bacteriological activity, including the international exchange of bacteriological agents and toxins, as well as of equipment for the development, use or production of biological agents and toxins for peaceful purposes.

C – Chemical weapons

SECTION 16.- The following shall be prohibited:

- the development, production, stockpiling, use, keeping, retention, acquisition, sale, operation, importation, exportation, transit, trade and brokering of chemical weapons;
- the initiative of preparatory activities, or participation therein, with a view to using chemical weapons, helping, encouraging or urging others to undertake any related activity;
- the use of riot-control agents as a method of warfare;
- the design, construction or use of ;
 - a facility, including its manufacturing equipment, exclusively for the production of unfilled chemical munitions, or any other non-chemical part or equipment specifically designed for use directly in connection with the employment of chemical weapons;
 - a facility for the manufacture of chemicals listed on Schedule 1 of toxic chemicals and their precursors for purposes other than medical, pharmaceutical and research purposes or for protection against chemical weapons;
- the conversion of facilities or equipment of any kind, in order to engage in an activity prohibited under this law;
- the release of any information, the transfer of any chemical weapons production equipment or of any document or technology and information device to enable or facilitate the violation of the provisions of this law.

SECTION 17 (1) Toxic chemicals and their precursors shall be classified under Schedules 1, 2 and 3, depending on the level of danger they pose, in accordance with international conventions.

(2) The classification of toxic chemicals and their precursors other than those listed in the Schedules referred to in Sub-section (1) above shall be established by regulation upon the proposal of the competent national body.

(3) The classification of toxic chemicals and their precursors in the Schedules referred to in Sub-section (1) above shall be laid down by regulation.

SECTION 18.- (1) The development, production, acquisition, transfer, use, possession, retention, stockpiling, importation, exportation, transit, trade and brokering of toxic chemicals listed in Schedule 1 referred to in Section 16 above shall be prohibited, except for medical, pharmaceutical, research or protective purposes, and in quantities strictly limited to those that may be justified for such purposes.



(2) Where they are to be used for non-prohibited purposes, the development, manufacture, acquisition, sale, use, possession, retention or stockpiling of toxic chemicals listed in Schedule 1 shall be subject to authorization by the competent national body.

SECTION 19.- (1) The manufacture of Schedule 1 toxic chemicals for pharmaceutical, medical, research or protective purposes shall be subject to authorization by the competent national body and may only be undertaken within a single facility.

(2) The manufacture, processing and use of Schedules 2 and 3 toxic chemicals shall be subject to a declaration with the competent national body.

(3) The products referred to in Sub-section (1) above may also be manufactured within the limit of the maximum annual aggregate quantity:

- solely for protective purposes within a single facility in addition to that referred to in Sub-section (1) above;
- for medical, pharmaceutical or research purposes, in other facilities.

Such facilities shall be subject to authorization by the competent national body.

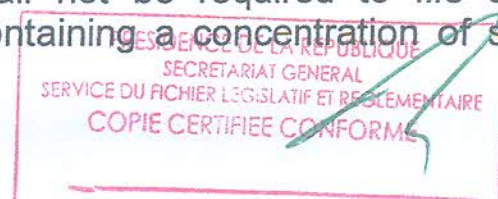
(4) The products referred to in Sub-section (2) above shall not be subject to such declaration, where the mixtures with a concentration of such chemicals are below specified levels.

(5) The rates and amounts referred to in C (Chemical weapons) shall be fixed by regulation.

SECTION 20.- (1) Laboratories that synthetically produce Schedule 1 chemicals for medical, pharmaceutical and research purposes within the annual quantity limit set by regulation and facilities for processing or use of Schedule 1 toxic chemicals, shall file a declaration with the competent national body.

(2) Facilities for the manufacture, processing or use of Schedules 2 and 3 toxic chemicals shall be required to file a declaration with the competent national body where they manufacture, process or use quantities above the thresholds laid down by regulation. Such facilities shall not be subject to a declaration where they manufacture, process or use only mixtures containing a concentration of these products below the rates fixed by regulation.

(3) Facilities for the synthetic production of discrete toxic organic chemicals not listed in any of the Schedules referred to above shall file a declaration with the competent national body where they produce quantities above the thresholds set by regulation. Such facilities shall not be required to file such declaration where they produce only mixtures containing a concentration of such products below the rates fixed by regulation.



SECTION 21.- The provisions of C (Chemical weapons) shall not apply to activities relating to the production of hydrocarbons or explosive substances.

SECTION 22.- Every year, operators of facilities for the manufacture of chemicals for pharmaceutical, medical, research or protective purposes shall inform the competent national body of:

- the quantities of Schedule 1 toxic chemicals acquired, sold, used or stored and the quantities of precursors listed in one of the Schedules used in the manufacture of such chemicals;
- the quantities of Schedule 1 toxic chemicals that they plan to produce in the next year.

SECTION 23.- (1) The importation, exportation and transit of Schedule 1 chemicals shall be prohibited where the said chemicals are derived from or bound for a State not party to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction.

In the other cases, such activities shall be subject to authorization by the competent national body. Without prejudice to the provisions of the Customs Code, the conduct of authorized import and export transactions shall be subject to prior declaration with the competent national body.

(2) Trade in and brokerage of the chemicals referred to in Sub-section (1) above shall be:



(a) prohibited, where such transactions are carried out on products derived from or bound for a State not party to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction;

(b) subject to authorization by the competent national body, where they are carried out on products derived from or bound for a State party to the Convention referred to in Sub-section (1) above.

(3) The export, trade in and brokerage of Schedule 2 products derived from or bound for a State not party to the Convention referred to in Sub-section (1) above shall be prohibited.

(4) The import, export, trade in and brokerage of Schedule 3 products derived from or bound for a State not party to the Convention referred to in Sub-section (1) above shall be subject to authorization by the competent national body.

(5) The authorization referred to in Sub-section (4) above shall not be granted where, upon the request of the national body, the receiving State fails to produce a certificate of final destination and of non-re-exportation.

SECTION 24.- (1) The import or export authorizations referred to in this Sub-section may be suspended or cancelled, either to ensure the implementation of measures taken pursuant to an international agreement ratified, or where carrying out the transaction may be detrimental to the interests of the State or national defence.

(2) The conditions for granting authorizations and the conditions for validity of the declarations referred to in this Sub-section shall be laid down by regulation.

SECTION 25- (1) Any information provided by virtue of this Sub-section shall be placed under top-defence secrecy.

(2) The release of information placed under top-defence secrecy shall be in accordance with the procedure laid down by regulation.

SECTION 26.- The use of asphyxiating, poisonous or other similar gases and of any like liquids, materials or processes shall be prohibited, including during the clampdown on disturbance of public order.

SECTION 27.- (1) International verification missions shall be conducted by inspectors designated by the Organization for the Prohibition of Chemical Weapons and approved by the national body.

(2) National verification missions shall be conducted by inspectors designated by the competent national body.

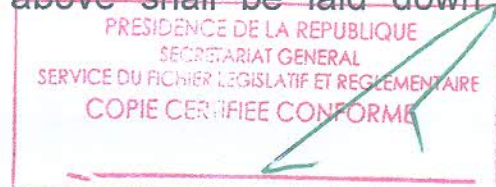
(3) Conditions for the conduct of national verification missions shall be laid down by regulation.

CHAPTER II **CATEGORIES 4 AND 5 WEAPONS** **AND THEIR AMMUNITION**

SECTION 28.- (1) The introduction into the national territory, the manufacture, conversion, repair, acquisition, purchase, possession, transportation, transfer, sale, exportation of and trade in Categories 4 and 5 weapons and ammunition shall be subject to prior authorization by the minister in charge of territorial administration.

(2) The authorization referred to in Sub-section (1) above may be withdrawn.

(3) The requirements and procedures for the issuance and withdrawal of the authorization referred to in Sub-section (1) above shall be laid down by regulation.



SECTION 29.- No one may be granted more than one authorization to acquire, purchase and possess a Category 4 or 5 weapon.

SECTION 30.- The authorization referred to in Section 29 above shall not be granted to a person less than twenty-one (21) years old, even if emancipated, or to an adult with disability.

CHAPTER III
CATEGORIES 6, 7 AND 8 WEAPONS
AND THEIR AMMUNITION

SECTION 31.- The manufacture of Category 6 weapons that use powder shall be subject to prior authorization by the Senior Divisional Officer having territorial jurisdiction.

SECTION 32.- (1) The use of Category 6 weapons that use only powder shall be allowed during funeral and cultural ceremonies.

(2) The use referred to in Sub-section (1) above shall be subject to prior declaration with the administrative authority having territorial jurisdiction.

(3) The use of firearms during funeral or cultural ceremonies shall be prohibited.

SECTION 33.- The sale of Categories 6, 7 and 8 weapons and their ammunition shall be unrestricted, subject to compliance with applicable regulations.

CHAPTER IV
CLUSTER WEAPONS

SECTION 34.- The development, acquisition, use, stockpiling, retention, production, marketing and transfer of cluster weapons shall be prohibited.

SECTION 35.- (1) The provisions of Section 34 above notwithstanding, the following shall be authorized:

- (a) the retention or acquisition of a limited number of cluster weapons and the explosive submunitions thereof for purposes of development and of training relating to cluster weapons and explosive submunitions detection, clearance or destruction techniques, or for developing cluster munitions counter measures;
- (b) the transfer of cluster weapons to another State for destruction or for all the purposes described in Sub-section (1) (a) above.



(2) The amount of explosive submunitions retained or purchased shall not exceed the minimum number absolutely necessary for the purposes referred to in Sub-section (1) (a) above.

SECTION 36.- Every year during which Cameroon retains, acquires or transfers to another State cluster munitions or explosive submunitions for the purposes referred to in Section 35 above, the minister in charge of defence shall, no later than 1 April of the following year, submit a comprehensive report on the current and planned use, type, quantity and batch number of cluster weapons and explosive submunitions to the minister in charge of external relations for onward transmission to the Secretary General of the United Nations.

SECTION 37- (1) The clearance and destruction of cluster munitions remnants and risk reduction education shall fall within the sphere of competence of the minister in charge of defence, upon consultation with the competent national body.

(2) The procedures for the clearance and destruction of cluster munitions remnants and for the risk reduction education referred to in Sub-section (1) above shall be laid down by regulation.

SECTION 38.- Cluster weapons seized within the country shall be kept separate from retained ammunition for operational use, and marked for destruction.

CHAPTER V MARKING OF FIREARMS



Section 39.- During their manufacture, firearms shall be marked with information about the manufacturer, the country or place of manufacture, the year of manufacture, model, calibre and serial number. Similarly, they shall bear their proof marks prior to marketing.

SECTION 40.- The elementary packaging of complete ammunition intended for firearms shall, prior to marketing, be marked with information about the manufacturer's name, batch identification number, the calibre and type of ammunition. Prior to commissioning for use within the country, the ammunition must be marked with a national management code.

SECTION 41. (1) During manufacturing, permanent marks shall be placed on one or more components of the firearm and must be legible without having to dismantle it.

(2) The serial number shall be inscribed at least on the weapon frame.

(3) Marking may also consist in affixing an alphanumeric code, provided that the code helps to determine that the weapon or ammunition was manufactured by a third country.

(4) The proof mark shall be affixed on all parts highly used in operating the firearm.

CHAPTER VI MANAGEMENT OF ARMOURIES

SECTION 42.- Trade within the country in Categories 4 and 5 weapons and their ammunition shall be subject to authorization by the minister in charge of territorial administration, in accordance with the conditions and procedures laid down by regulation.

SECTION 43.- The import into the country of Categories 4 and 5 weapons and their ammunition shall be subject to authorization by the minister in charge of territorial administration, upon the opinion of the minister in charge of trade.

SECTION 44.- (1) Categories 4 and 5 weapons and their ammunition shall be kept and stored in armouries.

(2) The armouries referred to in Sub-section (1) above shall be open to requisitioning and inspection by competent authorities.

SECTION 45.- (1) The officer in charge of the armoury shall keep a digital file and a physical file of all activities carried out in the armoury.

(2) The information recorded in the files referred to in Sub-section (1) above shall include, in particular:

- entry and exit dates;
- characteristics of the weapons and ammunition;
- quantity stored;
- quantity sold;
- various authorizations relating to stocks;
- customer information including, authorization, identification, domicile and / or residence.



(3) Every six (6) months, a copy of each of the files shall be forwarded to the president of the Court of First Instance, the administrative authority and the head of the decentralized service in charge of trade with territorial jurisdiction.

SECTION 46.- Once every quarter, the relevant authorities shall conduct inspection missions in armouries, in accordance with the conditions and procedures laid down by regulation.

SECTION 47.- (1) In the event of theft, loss or disaster in an armoury, the official in charge of the store shall, without delay, submit a report to the minister in charge of territorial administration, through the local administrative officer.

(2) The officials in charge of defence, security and justice shall each be informed of such an incident.

SECTION 48.- The conditions for keeping and warehousing, as well as the conditions for the inspection missions referred to in Section 45 above, shall be laid down by regulation.

PART III

PENALTIES **CHAPTER I**



PENALTIES RELATING TO CATEGORIES **1, 2, 4, 5 AND 8 WEAPONS AND THEIR AMMUNITION**

SECTION n 49.- (1) Whoever, without authorization, engages in the manufacture or production of weapons, ammunition or components of Categories 1 and 2 weapons shall be punished with imprisonment for from fifteen (15) to twenty-five (25) years and fine of from five million (5,000,000) CFA francs to one hundred million (100,000,000).

(2) Whoever, without authorization, engages in the manufacture of weapons, ammunition or components of Category 4 weapons shall be punished with imprisonment for from five (5) to ten (10) years and fine of from one million (1,000,000) CFA francs to twenty million (20,000,000).

(3) Where the weapons, ammunition or weapon components concerned are of Category 5, the punishment shall be imprisonment for from two (2) to five (5) years and fine of from five hundred thousand (500,000) CFA francs to ten million (10,000,000).

(4) The provisions of the Sub-sections above shall not apply to powders or explosive substances used for cultural purposes.

SECTION 50.- (1) Whoever, without authorization, introduces into the country, transports, imports, converts or keeps weapons, ammunition or weapon components of Categories 1 and 2 shall be punished with imprisonment for from fifteen (15) to twenty-five (25) years and fine of from five million (5,000,000) CFA francs to fifty million (50,000,000).

(2) Where the weapons, ammunition or weapon components concerned are of Category 4, the punishment shall be imprisonment for from five (5) to ten (10)

years and fine of from one million (1,000,000) CFA francs to twenty million (20,000,000).

(3) Whoever, without authorization, introduces into the country, transports or keeps powders or explosive substances shall be punished with the penalties referred to in Sub-section (2) above.

(4) Where the weapons, ammunition or weapon components concerned are of Category 5, the punishment shall be imprisonment for from two (2) to five (5) years and fine of from five hundred thousand (500,000) CFA francs to ten million (10,000,000).

SECTION 51.- (1) Whoever, without authorization, acquires, keeps, bears, transfers, sells or brokers weapons, ammunition or weapon components of Categories 1 and 2 shall be punished with imprisonment for from ten (10) to thirty (30) years and fine of from one million (1,000,000) CFA francs to ten million (10,000,000).

(2) The penalties referred to in Sub-section (1) above shall apply to whoever, without authorization, acquires, keeps, transfers or sells explosive substances.

(3) Where the weapons, ammunition or weapon components concerned are of Category 4, the punishment shall be imprisonment for from two (2) to five (5) years and fine of from five hundred thousand (500,000) CFA francs to five million (5,000,000).

(4) Where the weapons, ammunition or weapon components concerned are of Category 5, the punishment shall be imprisonment for from one (1) to two (2) years and fine of from five hundred thousand (500,000) CFA francs to two million (2,000,000).

SECTION 52.- Whoever uses a firearm during a funeral or cultural ceremony shall be punished with imprisonment for from three (3) months to one (1) year and fine of from one hundred thousand (100,000) CFA francs to five hundred thousand (500,000).

SECTION 53.- Any holder of a licence to keep a weapon of a specified category found in possession of a weapon of a different category shall be punished with imprisonment for from one (1) to two (2) years and fine of from five hundred thousand (500,000) CFA francs to two million (2,000,000).

SECTION 54.- Any holder of an authorization to introduce weapons and ammunition into the country or deal therein, who:



- transfers one or more of such weapons and ammunition to an individual not holding an authorization to purchase or introduce into the country duly issued by a competent authority;
- transfers to an individual holding the required authorization, a weapon with characteristics not matching those specified in the said authorization;

shall be punished with imprisonment for from two (2) to five (5) years and fine of from one million (1,000,000) CFA francs to ten million (10,000,000).

SECTION 55.- (1) Any holder of an authorization to buy and a licence to bear a weapon, who:

- lends, transfers or rents out his weapon to a third party;
- is found in possession or in keeping of a weapon with characteristics not matching those specified on the said authorization;

shall be punished with imprisonment for from three (3) to five (5) years and fine of from one million (1,000,000) CFA francs to ten million (10,000,000).

(2) The penalty provided for in Sub-section (1) above shall be doubled where:

- the weapon so lent, transferred or rented out is used to commit a crime or misdemeanour;
- the perpetrators are soldiers, police, prison administration, customs and forestry officers as well as elements of any other law enforcement agency, who use their service weapons for purposes other than their normal duties.

SECTION 56.- Whoever manufactures, sells or uses a traditional firearm shall be punished with imprisonment for from two (2) to ten (10) years and fine of from five hundred thousand (500,000) CFA francs to ten million (10,000,000).

SECTION 57.- Without prejudice to disciplinary action, any administrative authority who:

- grants authorizations for the purchase in excess of legally allowed quantities;
- grants a licence to bear a weapon to an individual who does not meet the required conditions;
- grants an authorization for the purchase or a licence to bear a weapon of a category not falling within his/her competence;

shall be punished with a fine of from one million (1,000,000) CFA francs to twenty million (20,000,000).

CHAPTER II
PENALTIES RELATING TO CATEGORY 3 WEAPONS
I - PENALTIES RELATING TO CHEMICAL WEAPONS

SECTION 58.- (1) Whoever develops, manufactures or uses:

- chemical weapons;
- unfilled chemical ammunition and material meant to be used in chemical weapons;
- chemicals for purposes other than industrial, agricultural, medical, pharmaceutical and research purposes or for protection against deliberate or accidental release of chemicals, or for purposes of maintenance of law and order;

shall be punished with life imprisonment and fine of from thirty million (30,000,000) CFA francs to five hundred million (500,000,000).

(2) The punishment shall be death where the offences referred to in Sub-section (1) above are committed in a group.

SECTION 59.- (1) Whoever stockpiles, keeps, transfers, imports, exports, uses, causes the transit of, trades in or brokers:

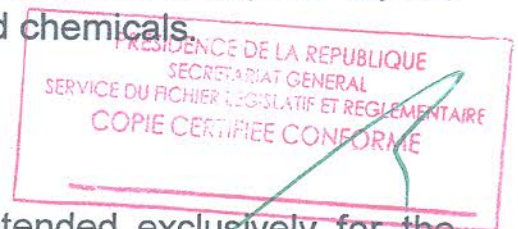
- chemical weapons;
- chemicals for purposes other than industrial, agricultural, medical, pharmaceutical and research purposes or for protection against deliberate or accidental release of chemicals, or for purposes of maintenance of law and order;

shall be punished with imprisonment for from fifteen (15) to twenty-five (25) years and fine of from five million (5,000,000) CFA francs to fifty million (50,000,000).

(2) The penalties referred to in Sub-section (1) above shall apply to whoever imports, exports, causes the transit of, trades in or brokers chemical weapons production material or any document or information and technology device to enable or facilitate the production, stockpiling, keeping, transfer, import, export, transit, trade in or brokering of unauthorized weapons and chemicals.

SECTION 60.- (1) Whoever designs, builds or uses:

- a facility, including its production equipment, intended exclusively for the manufacture of unfilled chemical munitions, or any other non-chemical part or material specifically designed for use directly in connection with the employment of chemical weapons;



- a facility for the manufacture of chemicals listed in Schedule 1 of toxic chemicals and their precursors for purposes other than medical, pharmaceutical and research purposes or for protection against chemical weapons;

shall be punished with life imprisonment and fine of from thirty million (30,000,000) CFA francs to five hundred million (500,000,000).

(2) The same penalties shall apply to whoever modifies the facilities referred to in Sub-section (1) above.

SECTION 61.- Whoever leads or organizes a group with the aim of using, developing, producing, stockpiling, keeping, retaining, acquiring, transferring, importing, exporting, causing the transit of, trading in or brokering:

- chemical weapons;
- unfilled chemical ammunition and material meant to be used in chemical weapons by the holder thereof;
- chemicals for purposes other than industrial, agricultural, medical, pharmaceutical and research purposes or for protection against deliberate or accidental release of chemicals, or for purposes of maintenance of law and order;

shall be punished with life imprisonment and fine of from thirty million (30,000,000) CFA francs to five hundred million (500,000,000).

SECTION 62.- (1) Whoever obstructs the seizure of a chemical weapon or chemical product shall be punished with imprisonment for from one (1) to four (4) years and fine of from two million (2,000,000) CFA francs to ten million (10,000,000).

(2) Where such obstruction is perpetrated by a group, the punishment shall be imprisonment for from five (5) to fifteen (15) years and fine of from five million (5,000,000) CFA francs to twenty million (20,000,000). In this case, mitigating circumstances and suspended sentence may not be granted.

SECTION 63.- Whoever keeps:

- a chemical weapon;
- unfilled chemical ammunition and material meant to be used in chemical weapons;
- Schedules 1, 2 and 3 chemical product;



