

**Interior Ministers Council
League of Arab States
General Secretariat**

**Arab Model Law on
Weapons, Ammunitions, Explosives
and Hazardous Material**

Tunisia 2002

**Section 1
Definitions**

Article 1: Meanings of the following words and expressions within this law:

1. Military weapons: Firearms specially designed for the use in military operations, such as machine guns, cannons, missiles and their spare parts. This excludes other weapons illustrated in other articles in this article.
2. Single weapons: normal weapons designed for the use of a single individual, such as guns, normal, semi automatic and automatic rifles and their spare parts.
3. Hunting weapons: firearms with a barrel, smoothed or bored barrel, specially designed for hunting, and its spare parts.
4. Practise weapons: Shooting weapons that fire using pressure and without gunpowder, and their spare parts.
5. Relic weapons: rare single weapons with historical value and that became unusable.
6. Weapons subject to licensing: single weapons, hunting weapons, practise weapons and relic weapons and their spare parts.
7. Ammunition: bullets containing a combustion primer, propelling force, projectile, and that are specialised for the use in military weapons, single weapons, hunting weapons; and bullets to be used in practice weapons by pressure and without gun powder.
8. Explosives:
 - A. Any material/substance or a mixture of chemicals that are mixed in different percentages, and that could suddenly transform and under the effect of a catalyst to gas that has high pressure and high temperature and that would result in an explosion, such as dynamite, TNT, Potassium chloride, Nitrocellulose, gunpowder.
 - B. Explosion supplements: such as slow fuse, blasting fuse, fire and electric detonator (normal and electric capsules) and all devises used to trigger explosive materials.

Chemical materials and explosion supplements (clause A & B) should be specified and categorised according to its chemical components, specifications, level of dangerousness, usage, in a decree by the Minister of Interior.

9. Fireworks: Games, arrows, flares that are usually shot during feasts and festivals and stable chemicals that are self combustible without the oxygen that it is manufactured of.
10. Firecracker: things formed from gunpowder and chemicals that fracture when hitting a solid object.
11. Smuggling: bringing materials to or out of a country illegally.
12. Transport: to move materials from one place to another inside a country.
13. Transfer: to move materials from one country to another.
14. Firearm: a barrelled weapon used in firing a bullet or other projectile propelled by the pressure resulting from the burning of a propellant.
15. Hazardous materials: Materials that harm living creatures such as poisonous or radioactive substances.

Section 2 **Weapons and Ammunitions**

Chapter 1 *Manufacturing of weapons and ammunitions* *and their import, export, trade, transport and repair*

Article 2

Non governmental authorities are prohibited from manufacturing, importing, selling, possession, circulation, acquisition or repair of military weapons and their ammunitions.

Article 3

It is forbidden to manufacture single weapons, hunting weapons, practice weapons and their ammunition without a permit/license.

Article 4

It is forbidden to import, export, transport, repair or trade weapons and their ammunition without a license.

Article 5

Those who have a license/permit to repair weapons are only allowed to repair weapons after confirming that they are licensed according to the regulations in this law. It is also forbidden to make any adjustment to the weapon's loading mechanism while repairing it.

Chapter 2 *Possession of weapons and ammunitions*

Article 6

It is forbidden to possess weapons subjected to licensing, and their ammunition, without a permit/license. This does not include government weapons and their ammunition granted to members of national forces such as the army, police, general security and National Guard, who are authorised to carry them within the laws and regulations.

Article 7

Possession of “cold steel/swords, daggers ...” does not require a license or a permit. They can only be carried by those whose job necessitates their possession.

Article 8

A ministerial decree issued by the Minister of Interior indicates the quantity of ammunition that a licensed individual can possess or carry, and its buying regulations.

Article 9

It is forbidden to manufacture, import, possess, use, trade or repair silencers or noise reducers or telescopes that could be outfitted on weapons.

Article 10

The maximum limits for weapons subject to licensing that can be licensed and possessed by one person are as follows: one rifle, one gun, two hunting weapons.

Article 11

- A. A Ministerial decree from the Minister of Interior indicates locations where and situations when the possession and usage of licensed weapons are forbidden.
- B. Licensed weapons cannot be used for a purpose other than that specified in the licence.

Article 12

Members of official delegations, their accompanied guards and others on official duties may carry their usual single weapons and their ammunition, not to exceed 25 bullets per weapon. According to “common international understanding” and based on the principle of reciprocity and with a previous authorization from the Minister of Interior.

Article 13

- A. People crossing a country might be permitted to carry their licensed single weapons and their ammunition, not to exceed 25 bullets per weapon.
- B. People arriving in the country for hunting purposes might be permitted to carry their licensed hunting weapons. They are not permitted to use it for hunting prior to the issuance of hunting, carrying and possessing permits from specialised authorities.
- C. A decree issued by the Minister of Interior determines conditions for issuing permits (in clauses A&B), authorities issuing the permits, and means for proving that the weapons and ammunition have left the country with the licensed individual.

Section 3 Explosives, Fireworks and Firecrackers

Chapter 1 Explosives

Article 14

It is forbidden to manufacture explosives without a license.

Article 15

It is forbidden to: import, export, trade, possess, buy, sell, transport, store, circulate, present, carry, use, experiment, execute or dispose of explosives specified for civilian purposes without a permit.

Article 16:

This law does not apply to:

1. Explosives used by the Armed Forces and internal security forces for military purposes in accordance with applied laws and regulations. Storage, transportation, usage and observation of these materials are regulated by a joint ministerial decree from the Minister of Defence and the Minister of Interior.
2. Chemicals that are not self explosive and that are used as primary material in industries or fertilizers.

Article 17

Permits for the possession and use of explosives are only granted to government authorities and to individuals and entities whose jobs require the use of explosives, on condition that quantities: are indicated in the license; are within the maximum limits for every occupation; are determined by the Minister of Interior in accordance with specialised authorities.

Article 18

It is forbidden to use explosives for purposes other than those stated in the license. Licensed individuals should send back any remaining quantity of explosives, if valid, to the authorities specified in the permit and be reimbursed for their value. Otherwise, they should be disposed of according to instructions issued by the Minister of Interior

Chapter 2 Fireworks and Firecrackers

Article 19

It is forbidden to manufacture, import, export, trade, sell, transport, store, or dispose of fireworks without a license.

Article 20

It is forbidden to manufacture, import, sell, possess and transport firecrackers without a license.

Article 21

It is forbidden to shoot fireworks in the streets, inside houses, at public stores, and at meeting places.

Section 4 Reciprocal Regulations

Article 22

Annual quantities of weapons subject to be license, ammunition, explosives, and fireworks to be imported should be determined by a decree from the Minister of Interior.

Article 23

A- Any applicant for a license should:

1. Be a citizen or a foreign resident. [Essential for the license to carry and to possess a weapon]
2. Be over 21 years and fully responsible /be of sound mind
3. Not have been: stripped of his civil rights; convicted of a felony or a misdemeanour; banned from carrying a weapon; convicted of any crime regarding state security or any sentence related to weapons, explosives, sedatives or alcoholism; imprisoned for assault, smuggling, disobedience, rebellion, hiding criminals, encouraging deception.
4. Not be homeless or under police surveillance.
5. Not have been denied a residency or have been deported (for foreigner requesting a license).
6. Be physically fit for the purpose of the licence request. Physical fitness conditions to be determined by the Minister of Interior.
7. Prove his professional qualifications, if the requested permit is for carrying, possessing, manufacturing weapons subject to licensing, repairing weapons, manufacturing or using explosives, or manufacturing fireworks. Qualifications to be determined by the Minister of Interior.

B- If applicant is a entity, conditions in paragraph A apply to the director, and to all agents/representatives.

Article 24

Licenses mentioned in this law are issued by the Minister of Interior or his authorized representative, with the exception of military weapons or transfers of explosives, for which permission is to be issued by the Minister of Defence after obtaining the approval of the Minister's Council.

Article 25

Licenses given by this law are personal, cannot not be transferred or renounced, and are only valid at the location stated in the license.

Article 26

- A. Licenses for the transport or transfer of weapons subject to licensing, ammunition, explosives and fireworks should include: licensed quantity to be transported or transferred, its type, origin, sender's name, destination, receiver's name, transporters, route, transportation time and any other conditions that the permit-granting authorities may find necessary to preserve national and general safety.
- B. An individuals granted a transportation or transfer permit for weapons subjected to licensing, ammunition, explosives or fireworks, should obtain a transportation or transfer card for every operation from the authorisation that

issued him the permit; and present this card when requested by “general force” employees; should inform the nearest general force office immediately and by any available means in case of any changes in the transportation or transfer destination for any reason.

- C. Transportation, transfer and unloading of weapons subject to licensing, ammunition, explosives, and fireworks should be under the supervision and escort of security forces assigned by the Minister of Interior.
- D. The authorities that granted the transfer permit for weapons subject to licensing, ammunition, explosives or fireworks should inform the border unit from which the transfer to another country will take place of the permit, its details and date of transfer, prior to the transfer operation.

Article 27

Maximum quantity of fireworks and explosives should be stated in the permit for selling outlets. These should not contain any flammable materials.

Article 28

It is forbidden for establishments specialised in manufacturing weapons or explosives, and those who manufacture or trade fireworks, to sell or give any weapons, ammunition, explosives or fireworks to any individual before ensuring that he has the necessary license, with the exception of [those who buy fireworks for utilization]

Article 29

Duration of the license is two years and can be renewed for a similar period each time. Applicants should apply for permit renewal at least one month prior to the expiration of their license. The duration of transport and transfer permits is to be determined in the granted permit.

Article 30

- A. Establishments specialised in manufacturing weapons subject to licensing, ammunition or explosives; those licensed to import, export, trade, repair, or use explosives; and those licensed to manufacture, import, export, trade or sell fireworks, should have official log books to register all their activities.
- B. Regulations for preparing log books, its prices, ways of obtaining it, registering in it and duration to keep it, are to be decided by the Minister of Interior.

Article 31

Licensed individuals should present their permit when requested by general force or security authorities to do so.

Article 32

Under exceptional cases and due to security measures, the Minister of Interior is to decide: to halt the granting permits and licenses indicated in this law, at any location and for the duration he indicates; cancellation of any granted permit; temporary withdrawal of any granted permit; to limit permit issuances to certain weapons, ammunition, explosives or fireworks; or to control it by any regulations.

Article 33

Any permit/license granted under this law will be cancelled and withdrawn from a licensed individual in the following cases, unless a reasonable explanation was accepted by the authorities granting the permit:

1. The individual/entity files a request to abandon licensed weapons, ammunition, explosives and fireworks or liquidation of business.
2. The licensed individual does not present a renewal application at least one month prior to the expiration of the permit.
3. If one of the terms stated in the permit does no longer apply.
4. Bankruptcy.
5. Usage of licensed weapons or explosives for purposes other than stated in the license.
6. Handing over licensed weapons, ammunition or explosives to an unlicensed individual.
7. Transfer of licensed weapons, ammunition, explosives or fireworks to another individual prior to the issuance of the permit or license for the new owner in accordance to this law.
8. Juridical sentence to confiscate weapons, explosives or fireworks.
9. Death of licensed individual or liquidation of entity.
10. Obtaining permit by presenting false documents, lies or untrue facts.
11. Violations of articles 5-27-43 of this law.
12. Licensed individual caught drunk while possessing weapon.

Article 34

- A. In case of cancellation or withdrawal of permit as a result of any of the conditions stated in clauses 1, 2, 3 of article 33 of this law, the individual should hand over the permit within 3 days from the date of notification, as well as all weapons, ammunition, explosives and fireworks in his possession, to the authority specified by the Minister of Interior. Within 6 months from the date of cancellation or withdrawal, the individual is allowed to sell those items either personally or through a representative to a qualified individual as stated in this law. This duration, for those who are not of sound mind, is calculated from the authorization's notification date regarding previous items. Otherwise, ownership will be transferred to the government and original owner will not be compensated – except in the case of temporary withdrawal. Should the individual refuse to hand over the items, he would be prosecuted. Weapons sent for repair are to be returned to their owners.
- B. In case of bankruptcy or liquidation of an entity, duties stated in clause A to be transferred to the person in charge of the liquidation. Weapons, ammunition, explosives and fireworks to be sold in an auction.

Article 35

Individual who inherits weapons, ammunition, explosives or firework and as a successor of the original owner, he has to inform the specialised authorities at the Ministry of Interior within 3 days from the date of ownership transfer. He has to hand over what was transferred to him to the authority specified by the Minister of Interior.

He is allowed to issue necessary permit/license as cited in this law. In case of unwillingness or unfeasibility, he should handle the above mentioned items according to clause A of article 34 of this law, or he would be considered relinquishing his ownership rights to the government without compensation. Should he refuse to hand items over he will be prosecuted.

Article 36

Weapons, ammunition, explosives and fireworks transferred to the government should be assigned to the Ministry of Interior. The Minister of Interior is to decide ways of managing them.

Article 37

In case of permit loss or damage, a licensed individual should refer to the authority that granted him the permit within 15 days from the date of loss or damage, in order to obtain a substitute permit

Article 38

In case of loss or robbery of weapons, ammunition, explosives or firework, licensed individual should refer to the nearest police station within 3 days to report the incident. If theft or loss is confirmed, missing or stolen items to be listed and the permit withdrawn unless there was a reason to keep it with licensed individual. Should missing or stolen items be found, the permit will be returned to the owner, if not expired.

Article 39

Possession of licensed weapons, ammunition, explosives and fireworks can not be transferred to another individual unless licensed.

Article 40

Permits/licenses, applications, forms and log books indicated in this law are according to the sample accredited by the Minister of Interior.

Article 41

Whoever finds weapons, ammunition, explosives or fireworks, is to hand them over immediately to the nearest general force centre.

Article 42

Stores for manufacturing, storage and repair of weapons, ammunition, explosives and firework, are considered dangerous and are subject to regulations and rules stated by the law.

Article 43

Manufacturing establishments of licensed weapons, ammunition, and explosives and those licensed to import, export, trade, repair, transport, possess, store, use, experiment, destroy or to manufacture fireworks or to import, export, trade, sell, transport, possess, use, experiment or destroy it, must take severe safety measures to preserve lives and financial security while manufacturing, storing, repairing, transporting, possessing, using, experimenting, or destroying it, in accordance to the regulations stated by the Minister of Interior for this purpose, and must inform the

nearest general force centre immediately and by any available means of every accident that occurs during those actions.

Article 44

- A. Establishments equipped for manufacturing and storage of weapons, explosives and fireworks as well as transfer permits for military weapons and explosives, are under the supervision of the Ministry of Defence.
- B. The following falls under the supervision of the Ministry of Interior:
 - 1. Shops for the sale of licensed weapons, ammunition, and its transport and transfer
 - 2. Shops for the sale of explosives, transport operations, usage, experimentation and destruction.
 - 3. Shops that sells, transport or destroy fireworks.

Article 45

Issuance or renewal fees of any permits or licenses stated in this law to be determined by a decree.

Article 46

Fees for the possession and carrying of weapons are not implemented on:

- 1. Officially appointed guards for farms and villages
- 2. Appointed government employees whose jobs require carrying weapons
- 3. Accredited diplomats and consuls (to state the name of the country), on the principle of reciprocity.
- 4. Whoever the Minister of Interior exempts from paying the fees for reasons he sees fit.

Section 5 Judicial Police and Penalties

Article 47

Judicial crimes indicated in this law to be apprehended by general force employees who legally represent judicial police. They are allowed to enter licensed shops that manufacture fireworks, trade weapons or ammunition or explosives or store or repair weapons at anytime and to search them and review their log books, documents, invoices and other business related documents to certify the implementation of this law.

Article 48

Imprisonment punishment (from two to ten years) a fine from -- to --:

- 1. All who smuggled military weapons
- 2. All who smuggled weapons, ammunition or explosives subject to licensing.
- 3. All who violated articles 2-3-14 of this law

Article 49

Imprisonment punishment (from one to three years) and a fine from -- to--:

1. All who smuggled fireworks or firecrackers
2. All who violated articles 4-15-19-20 of this law

Article 50

Imprisonment punishment (from 6 months to 3 years) and a fine from -- to --:

1. All those who obtained a permit based on false information and documents
2. All who violated article 5-6-9-11A-18-27-28-34-35-39-41-43 of this law

Article 51

Imprisonment punishment (from three months to one year) a fine from -- to -- to all who violated articles 25-26-29 of this law

Article 52

Imprisonment punishment (from one month to three months) a fine from -- to --, or either of these two punishments, to all who violated articles 7-8-11A-13B-21-31-37-38 of this law

Article 53

Intensification of punishments indicated in this law on repeat offenders according to the intensification regulations stated in the general criminal law.

Article 54

The penalties in this law do not cancel severe penalties stated in other laws

Article 55

When issuing a verdict on a violator with any of the penalties in articles 48-49-50 in this law, verdict should include confiscation of weapons, ammunitions, explosives, fireworks, silencers, voice reducers and telescopes subject of crime as well as the confiscation of equipments and tools used in its illegal manufacturing and the closure of unlicensed factories or stores

Article 56

Exemption from penalties/punishments

1. All who intended/planned to carry out any of the indicated crimes in this law should he informs authorities prior to the execution of the crime
2. On implementation date of this law. All those who possess weapons, ammunition, explosives or fireworks that violate regulations of this law, should they request a permit within a month of the aforementioned date or hand over their stock of firecrackers and silencers and noise reducers and telescopes to any of the general force centers, during this period, to be in state's possession without any compensation.

Sector 6 Closure Verdicts

Article 57

An administrative regulated reward determined by the Minister of Interior to be granted for those who report unlicensed weapon or weapons of military weapons or in working condition weapons subject to licensing or ammunitions or explosives or fireworks or firecrackers or silencers or noise reducers or telescopes, when his reporting leads to its confiscation and issuance of a conviction verdict according to this law

Article 58

Licenses and permit owners, as stated in this law, should adjust their status within six months from its implementation date.

Article 59

The manufacturing of other dangerous materials such as radiant or toxic materials and its import, export, possession, use, transport and other affairs are regulated by its own laws.

Article 60

The Minister of Interior issues necessary decrees for the implementation of this law

Article 61

Cancellation or annulment of any articles or clauses that contradict with this law

Article 62

To publish this law in the official newspaper or publication.