

The Arms Act, 1878
(ACT NO. XI OF 1878)

¹♣An Act to consolidate and amend the law relating to Arms, Ammunition and Military Stores.

Preamble

WHEREAS it is expedient to consolidate and amend the law relating to arms, ammunition and military stores; It is enacted as follows:-

CHAPTER I
PRELIMINARY

Short title	1. This Act may be called the Arms Act, 1878; and it extends to the whole
Local extent	of Bangladesh.
Savings	But nothing herein contained shall apply to- (a) arms, ammunition or military stores on board any seagoing vessel and forming part of her ordinary armament or equipment, or (b) the manufacture, conversion, sale, import, export, transport, bearing or possession of arms, ammunition or military stores by order of the Government, ² [* * *], or by a public servant ³ [* * *] in the course of his duty as such public servant ⁴ [* * *].
Commencement	2. This Act shall come into force on such days as the Government by notification in the official Gazette appoints.
[Repealed]	3. [Repealed by section 2 and Schedule of Act No. I of 1938.]
Interpretation-clause	4. In this Act, unless there be something repugnant in the subject or context,-

"cannon" includes also all howitzers, mortars, wall-pieces, mitrailleuses and other ordnance and machine-guns, all parts of the same, and all carriages, platforms and appliances for mounting, transporting and serving the same:

5[* * *]

"arms" includes fire-arms, bayonets, swords, daggers, spears, spearheads and bows and arrows, also cannon and parts of arms, and machinery for manufacturing arms:

"ammunition" includes also all articles specially designed for torpedo service and submarine mining, rockets, gun-cotton, dynamite, lithofracteur and other explosive or fulminating material, gunflint, gun-wads, percussion-caps, fuses and friction-tubes, all parts of ammunition and all machinery for manufacturing ammunition, but does not include lead, sulphur or saltpetre:

"military stores", in any section of this Act as applied to any part of Bangladesh, means any military stores to which the Government may from time to time, by notification in the official Gazette, specially extend such section in such part, and includes also all lead, sulphur, saltpeter and other material to which the Government may from time to time so extend such section:

"license" means a license granted under this Act, and "licensed" means holding such license.

Interpretation- clause

4. In this Act, unless there be something repugnant in the subject or context,-

"cannon" includes also all howitzers, mortars, wall-pieces, mitrailleuses and other ordnance and machine-guns, all parts of the same, and all carriages, platforms and appliances for mounting, transporting and serving the same:

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"arms" includes fire-arms, bayonets, swords, daggers, spears, spearheads and bows and arrows, also cannon and parts of arms, and machinery for manufacturing arms:

"ammunition" includes also all articles specially designed for torpedo service and submarine mining, rockets, gun-cotton, dynamite, lithofracteur and other explosive or fulminating material, gunflint, gun-wads, percussion-caps, fuses and friction-tubes, all parts of ammunition and all machinery for manufacturing ammunition, but does not include lead, sulphur or saltpetre:

"military stores", in any section of this Act as applied to any part of Bangladesh, means any military stores to which the Government may from time to time, by notification in the official Gazette, specially extend such section in such part, and includes also all lead, sulphur, saltpeter and other material to which the Government may from time to time so extend such section:

"license" means a license granted under this Act, and "licensed" means holding such license.

CHAPTER II

MANUFACTURE, CONVERSION AND SALE

Unlicensed manufacture, conversion and sale prohibited

5. No persons shall manufacture, convert or sell, or keep, offer or expose for sale, any arms, ammunition or military stores, except under a license and in the manner and to the extent permitted thereby.

Nothing herein contained shall prevent any person from selling any arms or ammunition which he lawfully possesses for his own private use to any person who is not by any enactment for the time being in force prohibited from possessing the same; but every person so selling arms or ammunition to any person other than a person entitled to possess the same by reason of an exemption under section 27 of this Act shall, without unnecessary delay, give to the Magistrate of the district, or to the officer in charge of the nearest police-station, notice of the sale and of the purchaser's name and address.

CHAPTER III**IMPORT, EXPORT AND TRANSPORT****Unlicensed importation and exportation prohibited**

6. No person shall bring or take by sea or by land into or out of Bangladesh any arms, ammunition or military stores except under a license and in the manner and to the extent permitted by such license.

Importation and exportation of arms and ammunition for private use

Nothing in the first clause of this section extends to arms (other than cannon) or ammunition imported or exported in reasonable quantities for his own private use by any person lawfully entitled to possess such arms or ammunition; but the Collector of Customs or any other officer empowered by the Government in this behalf by name or in virtue of his office may at any time detain such arms or ammunition until he receives the orders of the Government thereon.

Explanation - Arms, ammunition and military stores taken from one part of Bangladesh to another by sea or across intervening territory not being part of Bangladesh are taken out of and brought into Bangladesh within the meaning of this section.

Sanction of Government required to warehousing of arms, etc.

7. Notwithstanding anything contained in the ⁶[Customs Act, 1969], no arms, ammunition or military stores shall be deposited in any warehouse licensed under section 16 of that Act without the sanction of the Government.

[Repealed]

8. [Repealed by the Amending Act, 1891 (Act No. XII of 1891).]

[Repealed]

9. [Repealed by the Amending Act, 1891 (Act No. XII of 1891).]

Power to prohibit transport

10. The Government may, from time to time, by notification in the official Gazette,-

(a) regulate or prohibit the transport of any description of arms, ammunition or military stores over the whole of Bangladesh or any part

thereof, either altogether or except under a license and to the extent in the manner permitted by such license, and

(b) cancel any such notification.

Transshipment of arms

Explanation – Arms, ammunition or military stores transhipped at a port in Bangladesh are transported within the meaning of this section.

Power to establish searching stations

11. The Government may, at any places along the boundary-line between Bangladesh and foreign territory, and at such distance within such line as it deems expedient, establish, searching-posts at which all vessels, carts and baggage-animals, and all boxes, bales and packages in transit, may be stopped and searched for arms, ammunition and military stores by any officer empowered by the Government in this behalf by name or in virtue of his office.

Arrest of persons conveying arms, etc., under suspicious circumstances

12. When any person is found carrying or conveying any arms, ammunition or military stores, whether covered by a license or not, in such manner or under such circumstances as to afford just grounds of suspicion that the same are being carried by him with intent to use them, or that the same may be used, for any unlawful purpose, any person may without warrant apprehend him and take such arms, ammunition or military stores from him.

Procedure where arrest made by person not Magistrate or Police-officer

Any person so apprehended, and any arms, ammunition or military stores so taken by a person not being a Magistrate or Police-officer, shall be delivered over as soon as possible to a Police-officer.

All persons apprehended by, or delivered to, a Police-officer, and all arms and ammunition seized by or delivered to any such officer under this section, shall be taken without unnecessary delay before a Magistrate.

CHAPTER IV

GOING ARMED AND POSSESSING ARMS, ETC.

Prohibition of going armed

13. No person shall go armed with any arms except under a license and to the extent and in the manner permitted thereby.