



THE STATUTES OF THE REPUBLIC OF SINGAPORE

ARMS OFFENCES ACT 1973

2020 REVISED EDITION

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Arms Offences Act 1973

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An Act relating to the unlawful possession of arms and ammunition and the carrying and using of arms.

[8 February 1974]

Short title

1. This Act is the Arms Offences Act 1973.

Interpretation

2. In this Act, unless the context otherwise requires —

“arm” means any firearm, airgun, air pistol, automatic gun, automatic pistol and any other kind of gun or pistol from which any shot, bullet or other missile can be discharged or noxious liquid, flame or fumes can be emitted, and any component part thereof and includes any bomb or grenade and any component part thereof;

“imitation arm” means anything which has the appearance of being an arm;

“import” means to bring or cause to be brought into Singapore by any means from any place;

“scheduled offence” means any offence specified in the Schedule;

“trafficking in arms” means —

(a) to import, manufacture or deal in arms in contravention of the provisions of the Arms and Explosives Act 1913; or

(b) to lend, give, sell, hire or offer for sale or hire any arm to a person who has no licence to possess the arm issued under the Arms and Explosives Act 1913;

“unlawful possession” means possession or control contrary to the provisions of the Arms and Explosives Act 1913;

“use”, means —

(a) in relation to a firearm, an airgun, air pistol, automatic gun, automatic pistol and any other kind of gun or pistol from which any shot, bullet or other missile can be discharged or noxious liquid, flame or fumes can be emitted — to cause the shot, bullet or other missile to be discharged or the noxious liquid, flame or fumes to be emitted with intent to cause physical injury to any person; and

(b) in relation to a bomb or grenade — to throw the bomb or grenade, or to cause it to explode, with intent to cause physical injury to any person or property.

Penalty for being in unlawful possession of arms or ammunition

3.—(1) Subject to subsection (4), any person who is in unlawful possession of any arm or ammunition shall be guilty of an offence and shall on conviction be punished with imprisonment for a term of not less than 5 years and not more than 10 years and shall also be punished with caning with not less than 6 strokes.

(2) Subject to subsection (4), any person who unlawfully carries any arm shall be guilty of an offence and shall on conviction be punished with imprisonment for a term of not less than 5 years and not more than 14 years and shall also be punished with caning with not less than 6 strokes.

(3) Where any person at the time of committing or being apprehended for any scheduled offence has on his or her person any arm, the person shall be guilty of an offence and shall on conviction be punished with imprisonment for life and shall also be punished with caning with not less than 6 strokes.

(4) Where any person convicted of an offence punishable under subsection (1) or (2) is proved to have been previously convicted of a scheduled offence, the person shall on conviction be punished with imprisonment for a term of not less than 5 years and not more than 20 years and shall also be punished with caning with not less than 6 strokes.

Using or attempting to use arms

4.—(1) Subject to any exception mentioned in Chapter 4 of the Penal Code 1871 which may be applicable (other than section 95), any person who uses or attempts to use any arm shall be guilty of an offence and shall on conviction be punished with death.

(2) In any proceedings for an offence under this section, any person who uses or attempts to use any arm shall, until the contrary is proved, be presumed to have used or attempted to use the arm with the intention to cause physical injury to any person or property.

Using or attempting to use arms to commit scheduled offence

4A. Subject to any exception mentioned in Chapter 4 of the Penal Code 1871 which may be applicable (other than section 95), any person who uses or attempts to use any arm at the time of his or her committing or attempting to commit any scheduled offence shall, whether or not the person has any intention to cause physical injury to any individual or property, be guilty of an offence and shall on conviction be punished with death.

Punishment for accomplices

5. Where any arm is used by any person in committing or in attempting to commit any offence or where an offence under section 4A has been committed by any person, each of the person's accomplices present at the scene of the offence who may reasonably be presumed to have known that the person was carrying or had in the person's possession or under the person's control the arm, shall, unless the accomplice proves that he or she had taken all reasonable steps to prevent the use of the arm, be guilty of an offence and shall on conviction be punished with death.

Trafficking in arms

6.—(1) Any person trafficking in arms shall be guilty of an offence and shall on conviction be punished with —

(a) death; or

(b) imprisonment for life and with caning with not less than 6 strokes.

(2) Any person proved to be in unlawful possession of more than 2 arms shall, until the contrary is proved, be presumed to be trafficking in arms.

Consorting with person carrying arms

7. Any person who consorts with, or is found in the company of, another person who is unlawfully carrying or is in unlawful possession of any arm in circumstances which raise a reasonable presumption that he or she knew that that other person was carrying or had in his or her possession or under his or her control any such arm shall, unless he or she proves that he or she had reasonable grounds for believing that that other person was not unlawfully carrying or was not in unlawful possession of such arm, be guilty of an offence and shall be liable on conviction to the like punishment as that other person with whom he or she was consorting or in whose company he or she was found.

Penalty for exhibiting imitation arm when committing scheduled offence

8. Any person who at the time of committing or attempting to commit or abetting the commission of any scheduled offence exhibits any imitation arm in a manner likely to put any other person in fear of death or hurt shall be guilty of an offence and shall be liable on conviction to imprisonment for a term which may extend to 10 years and shall also be punished with caning with not less than 3 strokes.

Presumption

9. Where any arm is found in or on any premises, the occupier of the premises is deemed to be in possession of the arm unless the occupier proves that some other person was in possession thereof, or the occupier had no knowledge or reasonable means of knowing that the arm was in or on the premises and that the occupier had taken all reasonable precautions against the arm being kept in or on the premises.

Exemptions

10. Nothing in section 3 applies to —

- (a) a member of any visiting force lawfully present in Singapore or of the police force or of a volunteer force or local force constituted under any written law for the time being in force in Singapore, when the member is carrying

any arm in, or in connection with, the performance of the member's duty;

- (b) any person who carries an arm as part of the person's official or ceremonial dress on any official or ceremonial occasion;
- (c) any person licensed or authorised to carry or possess an arm under or by virtue of any written law relating to arms for the time being in force in Singapore; or
- (d) a member of any organisation or association specially authorised by the Minister by notification in the *Gazette*, when the member is carrying any arm in, or in connection with, the performance of the member's duty.

Saving of other written law

11. The provisions of this Act have effect without affecting the provisions of the Arms and Explosives Act (Cap. 13) or of any other written law for the time being in force in Singapore relating to unlawful possession of arms or ammunition.

Power to amend Schedule

12. The Minister may at any time by order add to, amend or vary the Schedule.

THE SCHEDULE

Sections 2, 3(3) and (4), 4A, 8 and 12

SCHEDULED OFFENCES

1. Being a member of an unlawful assembly under sections 143 to 145 of the Penal Code 1871.
2. Rioting under sections 147, 148 and 152 of the Penal Code 1871.
3. Offences against the person under sections 302, 304, 307, 324 to 327, 329 to 333, 356, 357 and 506 of the Penal Code 1871.
4. Abduction or kidnapping under sections 361, 363 to 367 of the Penal Code 1871; and sections 3 to 5 of the Kidnapping Act 1961.
5. Extortion under sections 384 to 389 of the Penal Code 1871.

THE SCHEDULE — *continued*

6. House-breaking under sections 442, 448 to 453, 458A, 459 and 460 of the Penal Code 1871.

7. Robbery under sections 392 to 397, 399 and 402 of the Penal Code 1871.

8. Preventing or resisting arrest under sections 224 and 225 of the Penal Code 1871.

9. Vandalism under section 3 of the Vandalism Act 1966.

10. Mischief under sections 435, 436, 438 and 440 of the Penal Code 1871.

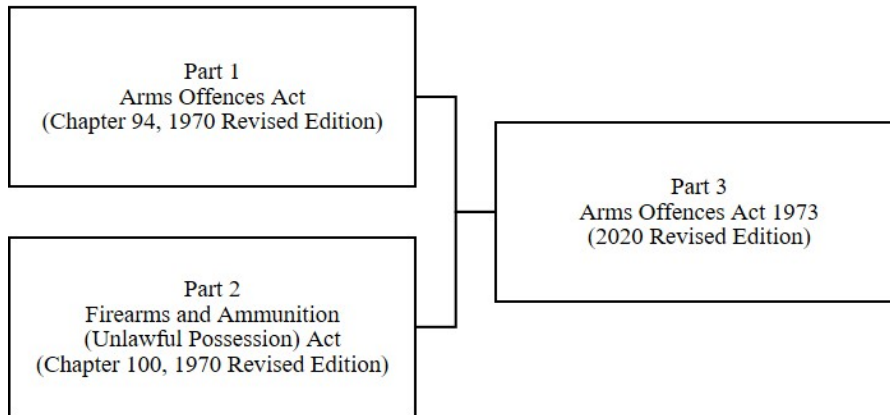
[15/2019]

LEGISLATIVE HISTORY

ARMS OFFENCES ACT 1973

This Legislative History is a service provided by the Law Revision Commission on a best-efforts basis. It is not part of the Act.

PICTORIAL OVERVIEW OF PREDECESSOR ACTS



LEGISLATIVE HISTORY DETAILS

PART 1 ARMS OFFENCES ACT (CHAPTER 94, 1970 REVISED EDITION)

1. Ordinance 37 of 1947 — Arms Offences Ordinance, 1947

Bill	:	G.N. No. S 353/1947
First and Second Readings	:	Information not available
Third Reading	:	13 November 1947
Commencement	:	12 December 1947

2. G.N. No. S 394/1948 — “The Arms Offences Ordinance, 1947”

Commencement	:	12 December 1948
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3. Ordinance 42 of 1949 — Arms Offences (Amendment) Ordinance, 1949

Bill	:	G.N. No. S 400/1949
First Reading	:	20 September 1949
Second and Third Readings	:	19 October 1949
Commencement	:	27 October 1949

4. **G.N. No. S 476/1950 — “The Arms Offences Ordinance, 1947”**
Commencement : 12 December 1950
5. **Ordinance 11 of 1951 — Arms Offences (Amendment) Ordinance, 1951**
Bill : G.N. No. S 530/1950
First Reading : 19 December 1950
Second and Third Readings : 16 January 1951
Commencement : 29 January 1951
6. **G.N. No. S 488/1951 — “The Arms Offences Ordinance, 1947”**
Commencement : 12 December 1951
7. **G.N. No. S 455/1952 — “The Arms Offences Ordinance, 1947”**
Commencement : 12 December 1952
8. **G.N. No. S 353/1953 — “The Arms Offences Ordinance, 1947”**
Commencement : 12 December 1953
9. **G.N. No. S 366/1954 — “The Arms Offences Ordinance, 1947”**
Commencement : 12 December 1954
10. **G.N. No. S 409/1955 — “The Arms Offences Ordinance, 1947”**
Commencement : 12 December 1955
11. **1955 Revised Edition — Arms Offences Ordinance (Chapter 112)**
Operation : 1 July 1956
12. **G.N. No. S 338/1956 — “The Arms Offences Ordinance”**
Commencement : 12 December 1956
13. **G.N. No. S 333/1957 — “The Arms Offences Ordinance”**
Commencement : 12 December 1957
14. **G.N. No. S 302/1958 — “The Arms Offences Ordinance”**
Commencement : 12 December 1958
15. **G.N. No. S (N.S.) 177/1959 — Singapore Constitution (Modification of Laws) (No. 3) Order, 1959**
Commencement : 20 November 1959
16. **G.N. No. S (N.S.) 178/1959 — Singapore Constitution (Modification of Laws) (No. 4) Order, 1959**
Commencement : 20 November 1959

- 17. G.N. No. S (N.S.) 179/1959 — Singapore Constitution (Modification of Laws) (No. 5) Order, 1959**
Commencement : 20 November 1959
- 18. G.N. No. S (N.S.) 196/1959 — “The Arms Offences Ordinance”**
Commencement : 12 December 1959
- 19. G.N. No. S 286/1960 — “The Arms Offences Ordinance”**
Commencement : 12 December 1960
- 20. G.N. No. S 269/1961 — “The Arms Offences Ordinance”**
Commencement : 12 December 1961
- 21. G.N. No. S 356/1962 — “The Arms Offences Ordinance”**
Commencement : 12 December 1962
- 22. L.N. 326/1963 (G.N. Sp. No. S 44/1963) — Modification of Laws (Arms and Explosives and Arms Offences) (Singapore) Order, 1963**
Commencement : 28 November 1963
- 23. G.N. Sp. No. S 57/1963 — “The Arms Offences Ordinance”**
Commencement : 12 December 1963
- 24. G.N. Sp. No. S 211/1964 — “The Arms Offences Ordinance”**
Commencement : 12 December 1964
- 25. G.N. Sp. No. S 210/1965 — “The Arms Offences Ordinance”**
Commencement : 12 December 1965
- 26. G.N. No. S 243/1966 — “The Arms Offences Ordinance”**
Commencement : 12 December 1966
- 27. G.N. No. S 224/1967 — “The Arms Offences Ordinance”**
Commencement : 12 December 1967
- 28. G.N. No. S 309/1968 — “The Arms Offences Ordinance”**
Commencement : 12 December 1968
- 29. G.N. No. S 260/1969 — “The Arms Offences Ordinance”**
Commencement : 12 December 1969

30. G.N. No. S 281/1970 — “The Arms Offences Ordinance”

Commencement : 12 December 1970

31. 1970 Revised Edition — Arms Offences Act (Chapter 94)

Operation : 15 April 1971

32. G.N. No. S 251/1971 — “The Arms Offences Act”

Commencement : 12 December 1971

33. G.N. No. S 310/1972 — “The Arms Offences Act”

Commencement : 12 December 1972

34. G.N. No. S 400/1973 — “The Arms Offences Act”

Commencement : 12 December 1973

PART 2

FIREARMS AND AMMUNITION
(UNLAWFUL POSSESSION) ACT
(CHAPTER 100, 1970 REVISED EDITION)**35. Ordinance 34 of 1946 — Fire-arms and Ammunition (Unlawful Possession) Ordinance, 1946**

Bill : G.N. No. S 171/1946

First and Second Readings : Information not available

Third Reading : 17 October 1946

Commencement : 18 October 1946

36. Ordinance 18 of 1947 — Fire-arms and Ammunition (Unlawful Possession) (Amendment) Ordinance, 1947

Bill : G.N. No. S 101/1947

First and Second Readings : Information not available

Third Reading : 24 April 1947

Commencement : 9 May 1947

37. 1955 Revised Edition — Fire-arms and Ammunition (Unlawful Possession) Ordinance (Chapter 115)

Operation : 1 July 1956

38. 1970 Revised Edition — Firearms and Ammunition (Unlawful Possession) Act (Chapter 100)

Operation : 15 April 1971

PART 3
ARMS OFFENCES ACT 1973
(2020 REVISED EDITION)

39. Act 61 of 1973 — Arms Offences Act, 1973

Bill	:	53/1973
First Reading	:	28 August 1973
Second Reading	:	30 November 1973
Notice of Amendments	:	30 November 1973
Third Reading	:	30 November 1973
Commencement	:	8 February 1974

40. Act 6 of 1978 — Arms Offences (Amendment) Act, 1978

Bill	:	20/1977
First Reading	:	9 November 1977
Second and Third Readings	:	31 January 1978
Commencement	:	23 March 1978

41. Act 25 of 1984 — Arms Offences (Amendment) Act 1984

Bill	:	17/1984
First Reading	:	29 June 1984
Second and Third Readings	:	26 July 1984
Commencement	:	31 August 1984

42. 1985 Revised Edition — Arms Offences Act (Chapter 14)

Operation	:	30 March 1987
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43. Act 30 of 1993 — Arms Offences (Amendment) Act 1993

Bill	:	21/1993
First Reading	:	30 July 1993
Second and Third Readings	:	30 August 1993
Commencement	:	1 November 1993

44. 1998 Revised Edition — Arms Offences Act (Chapter 14)

Operation	:	30 May 1998
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45. 2008 Revised Edition — Arms Offences Act (Chapter 14)

Operation	:	31 March 2008
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46. Act 15 of 2019 — Criminal Law Reform Act 2019

(Amendments made by section 170 of the above Act)

Bill	:	6/2019
First Reading	:	11 February 2019
Second Reading	:	6 May 2019
Notice of Amendments	:	6 May 2019
Third Reading	:	6 May 2019
Commencement	:	1 January 2020 (section 170)

Abbreviations

C.P.	Council Paper
G.N. No. S (N.S.)	Government Notification Number Singapore (New Series)
G.N. No.	Government Notification Number
G.N. No. S	Government Notification Number Singapore
G.N. Sp. No. S	Government Notification Special Number Singapore
L.A.	Legislative Assembly
L.N.	Legal Notification (Federal/Malaysian Subsidiary Legislation)
M. Act	Malayan Act/Malaysia Act
M. Ordinance	Malayan Ordinance
Parl.	Parliament
S.S.G.G. (E) No.	Straits Settlements Government Gazette (Extraordinary) Number
S.S.G.G. No.	Straits Settlements Government Gazette Number