

**ISLAMIC REPUBLIC OF AFGHANISTAN
MINISTRY OF JUSTICE**

OFFICIAL GAZETTE

Law on Firearms, Ammunitions and Explosives

Mr. Sarwar Danish, Minister of Justice!

The Law of firearms, ammunitions and explosives which is ratified by the Ministers' Council in 3 chapters and 16 articles and has been approved according to the (20) decree dated 21st June 2005 is being sent to you to be published in the Official Gazette.

Ahmad Zia Massoud
1st Vice President of Afghanistan

Decree of the President of Islamic Republic of Afghanistan on the Law of Firearms, Ammunitions and Explosives

Issue No. (20)

Date: 21st June 2005

Article 1:

The Law of firearms, ammunitions and explosives is being endorsed which is ratified by the Ministers' Council in 3 chapters and 16 articles in 2005, issue (9).

Article 2:

This decree is endorsed after the publishing of this Law in the official gazette.

Ahmad Zia Massoud
1st Vice President of Afghanistan

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Law of Firearms, Ammunitions and Explosives

Chapter One General Provisions

Objective

Article 1:

This Law is applicable to the obtaining, carrying, keeping, production, use, purchase, selling, import and export of firearms, ammunitions and explosives.

Terminology

Article 2:

The following terms have these meanings:

Firearm: is an instrument which is operated by the power of gas, gunpowder or other burning materials for different purposes in shooting.

Ammunitions: are synthetic materials which are built with fuses and cause explosions.

Explosives: are chemical substances which have a fuse and may explode as a result of heat, stroke, friction, and flame. This covers gunpowder and explosive materials.

Legal Warrant

Article 3:

Carrying, keeping, exporting, importing, production, use, purchasing and selling of firearms is accomplished according to the provisions of this Law.

Ministry of Defense, Ministry of Interior Affairs and National Security General Department are excluded from this provision mentioned in the first paragraph of this article, and the use of firearms, ammunitions and explosives is accomplished according to specific terms.

Other military organizations and companies can use, carry and keep weapons by having legal documents.

Ownership

Article 4:

All firearms, ammunitions and explosives are under the mandate of the Government throughout the Country; other individuals do not have the right to produce, import and export, obtain and use it without legal documents.

Ministry of Interior Affairs can distribute weapons and ammunitions in emergency and critical cases to rightful individuals for defending the property of the government, private property and self defense according to the provisions of this Law.

The rules of weapon's distribution by the Ministry of Interior Affairs are to be found in chapter 2 of this Law according to a separate code.

Implementing Authority

Article 5:

Ministry of Interior Affairs is the only responsible authority to implement the provisions of this Law throughout the Country.

Chapter Two

Issuance of License and Weapons Distribution

Permit

Article 6:

The permit for obtaining, keeping, carrying and use of the firearms for hunting and sport firearms, shotguns, antique weapons and other ammunitions is distributed by the Ministry of Interior Affairs in the center.

The permit for obtaining, keeping, carrying and use of the weapons mentioned in the paragraph 1 of this article in the center, provinces and districts is distributed and registered by the related security commands according to the guidance of the Ministry of Interior Affairs.

The issuance of weapons for hunting birds and animals is restricted for ten years after the endorsement of this Law.

Private Security Companies have to comply with this Law and their activities are organized according to a separate code.

Obtaining firearms and non-hunting weapons permit

Article: 7

Rightful individuals who are not members of Government forces can obtain firearms and weapons for self-protection and safekeeping of their property according to paragraph 2 of article 4 in this Law.

Sale and Purchase of Firearms and Hunting Weapons

Article 8:

Rightful individuals who have trade permits can sell and purchase hunting weapons, shotguns, non-military firearms and antique weapons after obtaining the permit from the Ministry of Interior Affairs.

Chapter Three

Miscellaneous Provisions

Duration of the Weapon and Ammunition Registration

Article 9:

Afghan and foreign citizens who inhabited Afghanistan and possessed hunting weapons, shotguns, non-military sport guns, antique weapons and other ammunitions before the endorsement of this Law, shall register their weapons within three months after the endorsement of this Law as mentioned in paragraph 1 and 2 of article 6 to obtain the permit.

Offence of Not Registering

Article 10:

A person who does not register the weapons and ammunitions mentioned in article 9 until the imparted deadline shall pay a fine corresponding to the price of the weapon or ammunition.

Where a person does not register the weapons and ammunitions mentioned in paragraph 1 of this article until the imparted deadline and is found out and arrested by a security organization, the mentioned weapons and ammunitions will be confiscated and that person will be liable to prosecution.

The Ministry of Interior Affairs can sell the weapons and ammunitions mentioned in paragraph 2 according to a separate code and the amount will be transferred to the bank for the import accounts of the government.

Illegal Keeping of Weapons and Ammunitions

Article 11:

A person who produces, imports, keeps, purchases, sells and transfers firearms, ammunitions and explosives in contravention of article 4 of this Law, will be responsible according to the provisions of Penal Law.

Destruction and Loss of Weapons

Article 12:

A person who receives weapons and ammunitions with a legal permit and misuses or loses those without any justifiable reason is considered responsible according to the provisions of Law.

Counterfeiting of Documents

Article 13:

A person who makes or transfers false documents pertaining to firearms, ammunitions and explosives mentioned in this Law for the production, import, export, keeping, transfer and obtaining, is considered responsible according to the provisions of Law.

Weapon Handover

Article 14:

A person who possesses firearms, ammunitions and explosives after the disarmament and demilitarization program enters in force must hand these over to the Ministry of Interior Affairs in the center and security commands in the provinces and districts and will receive a receipt.

Considering the provision of article 4 in this Law, the firearms, ammunitions and explosives of armed groups are collected by a commission and sent to the centers built for this purpose, and after registering these weapons are officially transferred to the concerned department.

A person who does not handover the weapons, ammunitions and explosives to the concerned departments on time, will, besides confiscation, be responsible according to the provisions of Law.

Enactment of Procedure

Article 15:

The Ministry of Interior Affairs, for better implementation of the provisions of this Law, enacts particular procedures for registering, reporting and transferring receipts of the firearms, ammunitions and explosives.

Enforcement of Law

Article 16:

This Law is enforced from the date of publishing, and by its enforcement, the former provisions and those inconsistent with it are repealed.