

**GOVERNMENT NOTICE NO. .... OF 2024**

**The Parliament of Lesotho**

**Statement of Objects and Reasons of the Internal Security (Arms and Ammunition) (Amendment) Bill, 2024**

**(Circulated on the authority of the Honourable Lehlohonolo Hlaphisi, Member of Parliament)**

The purpose of the Bill is to amend the Internal Security (Arms and Ammunition) Act No.17 Of 1966 for the purpose of empowering the courts of law to depart from the punishments set out in that Act where the courts are of the view that under certain circumstances it is necessary to do so.

The Act was enacted in 1966 and since then there has been a drastic increase in the unlawful acquisition and misuse of arms and ammunition. Inevitably this has led dramatic levels of violent crimes being committed against the population especially the vulnerable members of society.

The Act, in an effort to curb the rampant misuse of arms and ammunition, empowers the courts of law either to increase the punishments (as the circumstances may dictate) stipulated in the Act.

Despite the above, the Act also makes provision for minimum punishments and as stated earlier, the courts may still impose higher or lower punishments depending on the circumstances.

**INTERNAL SECURITY (ARMS AND AMMUNITION)  
(AMENDMENT) BILL, 2024**

**A BILL**

**For**

An Act to amend the Internal Security (Arms and Ammunition) Act 1966 to make provision for the increase of the penalties imposed therein and for related matters.

**ENACTED** by the Parliament of Lesotho

**Short title and commencement**

1. This Act may be cited as the Internal Security (Arms and Ammunition) (Amendment) Act, 2023 and shall come into operation on the date of its publication in the Gazette.

**General amendment**

2. The Internal Security (Arms and Ammunition) Act 1966 (to be called “the principal law”) is amended by deleting the word “rands” wherever it appears and substituting the word with “maloti”.

**Penalties**

3. The principal law is amended in section 43 and substituting by-
  - (a) In subsection (1), deleting “a fine not exceeding four hundred rands or imprisonment not exceeding one year” and substituting with “imprisonment not less than five years”.

- (b) In subsection (2), deleting “a fine not exceeding two hundred rands or imprisonment not exceeding six months” and substituting with “imprisonment not less than three years”.
- (c) In subsection (3), deleting “a fine not exceeding fifty rands or imprisonment not exceeding three months” and substituting with “imprisonment not less than two years”.
- (d) In subsection (4), deleting “a period not exceeding five years” and substituting with “for a period not less than five years”;
- (e) In subsection (5), deleting “for a period not exceeding ten years” and substituting with “for a period not less than ten years”;
- (f) Inserting a new subsection (7) :

“Notwithstanding subsection (1),(2),(3),(4) and (5) , if the court is satisfied that substantial and compelling circumstances exist which justify the imposition of a lesser sentence than the sentence prescribed in those sections, it shall enter those circumstances on the proceedings and may thereupon impose the lesser sentence.

#### **NOTE**

