

THE GOVERNOR OF SVALBARD'S GUIDELINES FOR FIREARMS AND PROTECTION AND SCARING DEVICES AGAINST POLAR BEARS

Adopted and enters into force on 20.07.2021 pursuant to Act No. 7 of 20 April, 2018 relating to firearms, firearm accessories and ammunition (the Firearms Act) and Sections 5-7 and 6-11 of regulation No. 1452 of 7 May 2021 relating to firearms, firearm accessories and ammunition etc. (the Firearms Regulations).

1. Types of firearms

1.1 Rifle

- Rifles are permitted to be acquired for use as polar bear protection in Svalbard pursuant to the Firearms Act and the Firearms Regulations

- The person applying to acquire firearms for this purpose must meet the general requirements for conduct, sobriety and suitability in Section 15 of the Firearms Act, as well as document "sufficient proficiency" in the use of the firearm in question, cf. Section 5-7 of the Firearms Regulations.

- Polar bear protection rifles must use ammunition of calibre 308 or 30.06. An expanding bullet shall be used where the projectile will weigh at least 10 grams and provide an estimated energy of at least 2,200 joule at a distance of 100 meters.

Out of consideration for precision, range, stopping power, functionality and reliability in cold conditions, the Governor of Svalbard recommends the use of a rifle as primary protection against polar bears rather than other types of weapons. Acquisition permits for single-handed weapons will only be granted in exceptional cases, cf. Section 5-7 of the Firearms Regulations.

Legal basis: Sections 15 to 17 of the Firearms Act, Sections 5-7 of the Firearms Regulations. Fees are stipulated in Section 12-2 of the Firearms Regulations.

1.2 Shotguns

- Shotguns are permitted to be acquired for use as polar bear protection in Svalbard pursuant to the Firearms Act and the Firearms Regulations

- The person applying to acquire firearms for this purpose must meet the general requirements for conduct, sobriety and suitability in Section 15 of the Firearms Act, as well as document "sufficient proficiency" in the use of the firearm in question, cf. Section 5-7 of the Firearms Regulations.

- Shotguns for use as polar bear protection must be at least of calibre 12 and should have at least a magazine for four shots (automatic and pump shotguns). It is recommended to use slugs (shotgun ammunition with one projectile) for polar bear protection.

The Governor points out that magazine shotguns may be susceptible to icing and condensation problems, and therefore require more of preventive maintenance to function in harsh conditions. The Governor advises against the use of double-barrelled shotguns for use as protection against polar bear attacks out of consideration for the number of shots available. It is not permitted to borrow/rent a shotgun for use as polar bear protection.

Legal basis: Sections 15 to 17 of the Firearms Act, Sections 5-7 of the Firearms Regulations. Fees are stipulated in Section 12-2 of the Firearms Regulations.

1.3 Single-handed weapon/revolver

- *As a general rule, revolvers are not allowed for use as polar bear protection in Svalbard*

- Acquisition of single-handed weapons (revolvers) may be permitted for use as polar bear protection pursuant to Section 5-7, second subsection, of the Firearms Regulations in the following cases:

- Where the applicant can document a factual need (e.g. trappers or others with a documented service need) for firearms that are easier to carry than rifles and shotguns, and
- where the applicant can document "sufficient proficiency in the use of weapons" with a revolver. This entails the same requirements that are imposed on competition shooters pursuant to Section 4-6 of the Firearms Regulations, and
- where the applicant meets the general requirements for conduct, sobriety and suitability, cf. Section 15 of the Firearms Act.

- Single-handed weapons for use as polar bear protection shall use ammunition with a projectile diameter of 10.9 millimetres or larger, with a bullet weight of at least 14.9 grams

- Please note special age requirements (21 years) for the acquisition and possession of single-handed firearms in section 15 of the Firearms Act

A revolver is short and easy to transport, and it is easy to carry both on the body and in vehicles. However, the actual use of the revolver places great demands on the user's shooting ability and the firearm has a limited range compared to the rifle. This affects, among other things, the ability to protect groups of people. The Norwegian Armed Forces Logistics Organisation concluded in 2015 that in practice there are few hand weapons suitable for self-defence against polar bears, and that in such a case, a revolver of 44 calibre or coarser is the best option.

Legal basis: Sections 15 to 17 of the Firearms Act, Sections 5-7 of the Firearms Regulations. Fees are stipulated in Section 12-2 of the Firearms Regulations.

2 Rental of firearms as protection against polar bear attacks

- It is permissible to borrow/rent a rifle approved for polar bear protection. It is not permitted to borrow/rent a single-handed firearm or shotgun for use as polar bear protection.

- Rental of a rifle can take place on the following conditions:

- Rental of firearms may only be carried out by firearms dealers with a permit to operate rental, cf. Section 23 of the Firearms Act and Section 9-1 of the Firearms Regulations
- In the case of rental, the rules for lending apply:
 - The person renting a firearm must present a Norwegian firearms licence, a European firearms passport or a valid loan permit. Applications for permits to borrow firearms for protection against polar bear attacks are assessed according to the same rules as for acquisition pursuant to Section 5-7 of the Firearms Regulations and the requirements of the Firearms Act for conduct, sobriety and suitability.
- Rented firearms should not be handed over to others

- The owner shall provide the borrower with a rental declaration in accordance with Section 6-9 of the Firearms Regulations
- The borrower shall always have in his possession the rental declaration together with the rental permit/firearms card when he/she carries or brings a firearm or ammunition.
- The owner shall otherwise comply with the requirements set out in Chapter 9 of the Firearms Regulations

Legal basis: Section 18 of the Firearms Act, Sections 6-9 to 6-11 of the Firearms Regulations.

3 Rental of firearms as protection against polar bear attacks

3.1 Lending between private individuals

- Anyone who has a permit to own firearms and firearm accessories pursuant to Sections 5 or 6 may borrow similar firearms. If the borrower does not have a Norwegian firearms permit or a European firearm passport for either a rifle or shotgun, or on a higher category of weapon¹, he/she must apply for a permit to borrow firearms as protection against polar bear attacks. Applications for permits to borrow firearms are assessed according to the same rules as for acquisition pursuant to Section 5-7 of the Firearms Regulations and the requirements of the Firearms Act for conduct, sobriety and suitability.
- Only rifles and shotguns can be borrowed for use as polar bear protection. It is not permitted to lend single-handed firearms for this purpose between private individuals.
- Application for a permit for loan of firearms incurs a fee according to rates stipulated in the Firearms Regulations
- Rented firearms should not be handed over to others
- The lender shall provide the borrower with a loan declaration in accordance with Section 6-9 of the Firearms Regulations
- The loan declaration shall be linked to a specific weapon and the relevant firearms number shall be stated on the loan declaration.
- The period of the loan must be stated in the loan declaration

Legal basis: Section 18 of the Firearms Act, Section 6-11 of the Firearms Regulations.

3.2 Lending from companies etc. to members or employees of the organisation

- Anyone who has a permit to own firearms and firearm accessories pursuant to Section 5 or 6, may borrow similar firearms. Persons who do not have a firearms permit for a similar type of firearm must apply for a permit to borrow firearms.
- Lending of firearms from companies to members or employees of the organisation for use as polar bear protection shall take place in accordance with sections 6-9 and 6-10 of the Firearms Regulations. The company shall have an appointed firearms officer who meets the requirements for conduct, personal characteristics and proficiency in the use of firearms.
- Companies may lend single-handed firearms to employees or members of the organisation in accordance with Sections 6-9 and 6-10 of the Firearms Regulations. This presupposes that the

¹ The lender must ensure that the borrower has a Norwegian firearms permit or a European firearms passport for either a rifle or shotgun or a "higher category of weapon" (single-handed/high-capacity weapon). Firearms categories (from low-high):

Hunting firearms (rifle and shotgun) – **single-handed firearms** (revolver and pistol) – **high capacity firearms with a high injury potential** (semi-automatic firearms). You can acquire/borrow/rent down in the categories, but not the other way around. This means that if you have a firearms permit for a single-handed firearm, you can rent a rifle for polar bear protection. However, you cannot buy a revolver for use as polar bear protection if you only have a firearms permit for a rifle.

borrower has a Norwegian firearms permit or a European firearms passports for a firearm in the same category – i.e. a revolver or a pistol

- The rental period shall be specified and shall coincide with the length of the employment relationship, possibly a shorter period of time based on specific needs
- Employees/members who have a valid firearms permit/lending permit may borrow firearms from the company's firearms pool. The company's firearms officer decides which firearm to lend in exchange for a loan declaration.

Legal basis: Section 18 of the Firearms Act, Sections 6-9 of the Firearms Regulations.

4 Ammunition and other scaring devices

4.1 Rubber bullets for shotguns

- Rubber bullets (rubber slugs) for shotguns are allowed to be acquired for use as protection against polar bear attacks
- The Governor emphasises that the use of rubber bullets for this purpose requires special expertise and may entail risk. To avoid injuring the polar bear, the shot should, as far as possible, be directed towards the back of the animal.
- The dealer of this type of ammunition is obliged to inform that rubber bullets are a secondary and defensive means of protection. Rubber bullets cannot under any circumstances replace firearms with ball ammunition

4.2 Bear spray/pepper balls

- The use of bear spray and pepper balls for use as protection against polar bear attacks in Svalbard is not permitted. Section 3-6 no. 2 of the Firearms Regulations prohibits the use of pepperspray. Applications for a permit pursuant to section 5-10 are not granted for this purpose.

4.3 Flare gun, signal pen and trip flares

- Flare gun, signal pen, trip flares and ammunition for these are exempt from the permit obligation, cf. Section 2-3, no. 2 and Section 2-3 of the Firearms Regulations.
- Signal gun, signal pen and trip flares are permitted to be acquired, borrowed and rented for use as **deterrence**

5 Transport and shipping of firearms and ammunition

- When carrying firearms on your body within a built-up area, the vital part of the firearm should be removed
- The rules in Section 6-6 second subsection of the Firearms Regulations apply corresponding to those for motor vehicles in Svalbard. Exceptions apply to firearms and ammunition transported on snowmobiles outside built-up areas. Outside built-up areas, you can leave the snowmobile without removing the vital part of the firearm. Within built-up areas, the vital part of the firearm must always be removed when leaving the snowmobile.

N.B:

Anyone who has a permit to acquire, borrow or rent firearms for use as polar bear protection must meet the general requirements for conduct, sobriety and suitability pursuant to Section 15 of the Firearms Act.

As a general rule, it is permissible to possess *one* firearm for use as polar bear protection per person, cf. Section 5-7 of the Firearms Regulations.

The need for polar bear protection ceases when you leave or move from Svalbard. If you move from the archipelago and possess a firearm for polar bear protection, this must be disposed of or change of use registered immediately.

Processing of applications

The Governor of Svalbard does not process firearms applications from persons residing on the Norwegian mainland. These must apply to their own district.

Additional documentation for firearms applications must be translated into Norwegian or English.

The requirement for "sufficient proficiency in the use of firearms", cf. Section 5-7 of the Firearms Regulations

"Sufficient proficiency in the use of firearms" is a general requirement for acquiring, renting or borrowing firearms for use as polar bear protection. This may be documented, for example, with sports shooting, completed national service, registration in the hunter register and documented completed approved safety course in the handling of firearms, (e.g. under the auspices of UNIS). In addition, the granting authority may approve other documented long-term use of firearms. The applicant must document that the conditions have been met. Please note that the documentation will be assessed specifically and individually.