

Measures of the People's Republic of China for the Control of Firearms

(Approved by the State Council on January 5, 1981, and promulgated by the Ministry of Public Security on April 25, 1981)

Article 1 These Measures are formulated to maintain public order, to safeguard public security, and to prevent criminals from using firearms to commit sabotage.

Article 2 The term firearms (including the ammunition used with these firearms), as mentioned in these Measures, refers to the following firearms which belong to the non-military system: pistols, rifles, and submachine guns and machine guns for military use; various firearms for target shooting sports; rifles, shot-gun, and powder-gun for hunting; injection-gun for applying anaesthesia on animals; and air-guns for discharging pellets.

The military firearms used for fitting out the People's Liberation Army, the militia and the People's Armed Police Force shall be controlled in accordance with the pertinent provisions of the army and militia system.

Carrying and Allocation of Firearms

Article 3 The following personnel may carry firearms:

(1) personnel working in the people's courts, the people's procuratorates, and the public security organs who are required to carry firearms for discharging their duties;

(2) party and government leading cadres working in the border areas, coastal defence areas, and other remote areas who have the necessity, as deemed by the people's governments of the provinces and autonomous regions, to carry firearms:

(3) confidential couriers working in the Party and government departments at or above the provincial level, and confidential messengers working in the county or municipal Party and government departments in the border areas or in post and telecommunications departments who have the necessity to carry firearms;

(4) personnel working in the Customs who are required to carry firearms to discharge their duties;

(5) guards and transport escorts working in war industries.

Article 4 Firearms for official use may be allocated to the following units:

(1) the security sections of factories and mines, enterprises, government departments, schools and universities, research institutions, that have the necessity to be fitted out with firearms;

(2) important financial and banking units and important warehouses, radio stations, and research institutions which are located in remote area without armed guards that have the necessity to be fitted out with firearms;

(3) geological prospecting teams and survey and drawing teams that work in remote areas or at sea, that have the necessity to be fitted out with firearms;

(4) coastal and ocean-going passenger-liners, freighters and oil tankers and other operation vessels operating on the sea;

(5) civil airports and civil air-liners that have the necessity to be fitted out with firearms.

Article 5 Sports guns may be allocated to sports committees at or above the county level that promote target-shooting sports.

Article 6 Personnel and units engaged in hunting as their specialized line of production may carry or be allocated with hunting rifles. As regards the non-professional hunting personnel, only citizens aged eighteen or over may keep hunting rifles, and each can keep no more than two hunting rifles.

Article 7 Injection-guns may be allocated to such units as hunting production units, scientific research and teaching units, wild animal breeding and livestock farms, and veterinary hospitals that have the necessity to apply anaesthesia on animals.

Article 8 Film studios, in order to meet the needs of film production, may purchase old and obsolete firearms as stage properties. With the exception of just a small number of firearms used for creating special stage effects,

all firearms must undergo technical treatment so that they can no longer be used for discharging live ammunition.

Manufacture and Purchase of Firearms

Article 9 Various kinds of firearms shall be manufactured and repaired by factories designated by the State only; no units and individuals may manufacture, repair or assemble firearms without authorization.

Article 10 For the purchase of military firearms, the purchasing units shall submit to the local public security organs a report listing such details as the categories of firearms to be purchased, their quantities, uses, and scope of carrying and allocation. After obtaining the approval, they shall apply to the department designated by the State for appropriations.

The purchase of various categories of firearms for target-shooting sports shall be approved by the sports committee at a higher level and have the consent of and the purchase permit granted by the county or municipal bureau of public security at the place where the purchasing units are located: only with the purchase permit may a purchasing unit make purchases of firearms at the department designated by the State.

The purchase of hunting rifles and injection-guns shall be approved by the competent forestry department at the county level or higher and have the consent of and the purchase permit granted by the public security organ; only with the purchase permit, may a purchasing unit make purchases at the department designated by the State. The distributors of hunting rifles shall go through the procedures of registration at the public security organ at the

county or municipal level or higher.

With the exception of the units designated by the State or approved by the competent department, no units or individuals may sell or purchase firearms and ammunition.

Control of Firearms

Article 11 The firearm-carrying personnel shall obtain the consent of the person in charge of their unit, and have the approval of the competent department at the county level or higher. The firearm-equipped unit shall obtain the approval of the people's government at the county level or higher.

Without permission through legal procedures, no units or individuals may keep firearms and ammunition privately. Firearms and ammunition kept without permission shall be handed over to the local public security organ, and shall not be disposed of privately.

Article 12 Firearm-carrying personnel and firearm-equipped units shall apply to the local county or municipal bureau of public security for firearm licenses, which shall be granted after examination and approval.

Firearm-carrying personnel, when going out with their firearms, shall carry them with firearm licenses for examination. Personnel carrying firearms for official use and who perform duties in places other than their own county or municipality must apply to the local county or municipal bureau of public security for firearm-carrying pass.

Article 13 Firearms which bear historic significance kept on display in exhibition halls, museums, etc., shall be registered at the local county or municipal bureau of public security, and shall not be used for other purposes.

Article 14 It is strictly prohibited to fire shots at will in cities, towns, residential areas, scenic spots, airports, along communication lines, or in any other places where shot-firing is prohibited according to regulations. It is prohibited to fire shots and hunt in non-hunting areas.

Article 15 In some particular areas or places where firearms are banned, firearm-carrying personnel shall leave the firearms they carry with the public security organ or a designated unit for safe-keeping, and have them given back when leaving.

Article 16 All categories of firearms shall be kept properly and safe. Firearms kept collectively shall be well taken care of by persons specially designated for the job; special warehouses (or cabinets) shall be used for keeping the firearms, and firearms and ammunition shall be kept separately; strict measures shall be taken against loss, theft or other accidents.

In case that firearms are lost or stolen, it must be reported immediately to the public security organ, and the scene of the incident shall be kept intact.

Article 17 Firearm-equipped units and firearm-carrying personnel are not permitted, without official approval, to lend out their firearms and ammunition or give them to others as gifts. In the event that a

firearm-equipped unit has been disbanded or a firearm-carrying person been transferred to a new unit, the unit or the person shall return the firearms to the original firearm-allocating unit, and return the firearm licence(s) to the original licence-issuing public security organ for cancellation.

Persons who hold hunting rifles shall, upon moving away from the county or city of their original residence, return for cancellation their firearm licences to the original licence-issuing public security organ and obtain firearm-transport passes. On their arrival at their destinations, they shall present the firearm-transport passes to the local security organ and go through the procedures for obtaining new firearm licences.

Article 18 To transport firearms and ammunition, it is imperative to apply to the county or municipal bureau of public security stationed at the destination of transportation for a transport pass. Upon arrival at the destination, the applicant shall present the transport pass to the local public security organ and go through the procedures for registration or for obtaining a new firearm licence.

Article 19 To carry hunting rifles into the country from abroad, it is imperative to obtain, in advance, the approval of the county or municipal bureau of public security stationed in the locality of the applicant's residence. Upon entering the country, the applicant shall declare at the Customs, and a carrying-transport permit shall be issued after examination and approval by the border inspection office. Upon arrival at the destination, the applicant shall go through the procedures for obtaining a firearm licence by presenting the carrying-transport permit.

To carry hunting rifles out of the country, it is imperative to return for cancellation the firearm licence to the original licence-issuing public security organ for a carrying-transport permit. On exit, the applicant shall declare at the Customs, and surrender the carrying-transport permit to the local border inspection office.

Article 20 Firearms that have fallen into disuse shall be registered by the firearm-holding units in detailed lists, which shall be submitted for approval to the competent departments of the province, autonomous region, or municipality directly under the Central Government, and, then, again to the local county or municipal bureau of public security for examination; after that, the disused firearms shall undergo a treatment of disfigurement before they are sent, under the supervision of the unit in charge of the destruction, to a smeltery designated by the public security department (bureau) of the province, autonomous region, or municipality directly under the Central Government for melting down and complete destruction.

Article 21 Air guns that discharge metal pellets shall be controlled in accordance with the provisions concerning the control of sports guns, when used by sports departments in target-shooting sports, and in accordance with the provisions concerning the control of hunting rifles when used for hunting by hunting units. Privately purchased and held pellet-discharging air guns are also required to go through registration procedures and to be placed under control; and the control measures shall be formulated by the public security department (bureau) of the province, autonomous region, or municipality directly under the Central Government.

Article 22 Firearm licences, firearm-carrying passes, purchase permits for sports guns, hunting rifles and injection-guns, transport passes for firearms and ammunition, and carrying-transport permits shall all be devised solely by the Ministry of Public Security, be printed solely by the public security department (bureau) of the province, autonomous region, or municipality directly under the Central Government, and be signed and issued by the county or municipal bureau of public security.

Article 23 The public security organs at various levels shall exercise supervision over such affairs as the carrying, use, safe-keeping, and changes of firearms in the non-military departments of their locality, and carry out inspection at regular intervals.

Control of Firearms of Foreigners

Article 24 Foreign diplomatic missions and consular posts in China, and their personnel, that are to carry firearms into China shall apply in advance to the Ministry of Foreign Affairs of the People's Republic of China; after obtaining the consent, they shall declare at the Customs on entering the country and then be issued the carrying-transport permits by the border inspection office after examination. Upon arrival at the destination, the applicants shall report to the local municipal bureau of public security, and go through the registration procedures for their firearms.

No firearms belonging to foreign diplomatic missions and consular posts in China and to their personnel, with the exception of their shotguns which may be used in hunting grounds, shall be carried out of the confines of the

aforesaid missions and posts.

Foreign diplomatic missions and consular posts in China and their personnel that are to carry their firearms out of China shall send a note to the Ministry of Foreign Affairs of the People's Republic of China, and make an application to the municipal bureau of public security at the locality of their residences for registration cancellation and for the issuance of carrying-transport permits. On exit, they shall declare at the Customs, and submit the carrying-transport permit to the local border inspection office.

Article 25 Members of foreign political party, government, military or parliamentary delegations and their guards that are to carry firearms into China shall obtain in advance the consent from the Ministry of Foreign Affairs of the People's Republic of China or from the host units, which shall notify the border inspection office and submit a report to the Ministry of Public Security for the record.

Article 26 Foreign sports teams that come to China to take part in a shooting tournament with their sports rifles and pistols shall obtain in advance the approval by the Physical Culture and Sports Commission of the People's Republic of China. On entering the country, they shall declare at the Customs, and then the border inspection office shall issue them the carrying-transport permits after examination. On arrival at the locality of the tournament, they shall go through the registration procedures for the record at the local county or municipal bureau of public security, and cancel the registration before leaving. Foreign sports teams that travel via China shall obtain in advance the approval of the Physical Culture and Sports

Commission of the People's Republic of China, which shall notify the border inspection authorities, and the inspection office at the entry point shall put paper slip seals on the firearms and permit them to pass through the country.

Article 27 Firearms and ammunition on board foreign civil air-liners or vessels registered in foreign countries, shall be sealed up by the border inspection office when the air-liners and vessels enter a port of China, and unsealed when the air-liners and vessels leave the country.

Article 28 Apart from those who come to China as stipulated in Articles 24, 25 and 26 of these Measures, no foreigners are permitted to carry firearms and ammunition into the territory, unless approved by the competent departments of the People's Republic of China and by the public security department (bureau) of the province, autonomous region, and municipality directly under the Central Government at the places of their destination. Those who carry firearms and ammunition with them must, on entering the territory, declare at the Customs, and the border inspection office shall temporarily seal up the firearms and ammunition for safe-keeping at the entry port, and give them back when the owners leave the country; or the firearms and ammunition shall be re-transported out of the territory by the original carriers. Those who have obtained the approval to carry firearms and ammunition into or out of the territory shall go through the procedures in accordance with the stipulations of Article 19 of these Measures. Those in transit shall declare at the Customs, and the border inspection office shall seal the firearms up after examination, and permit them to pass through the country. Those who fail to declare at the Customs shall be dealt with, without exception, as cases of illegal transport of firearms and ammunition.

Article 29 Foreigners who wish to buy hunting rifles in China, shall obtain the approval of and certificates from the foreign affairs office of the province, autonomous region or municipality directly under the Central Government, or the host unit. They shall then apply to the local county and municipal bureau of public security for purchase permits and make their purchases at designated stores after approval.

Penalties

Article 30 The chief person-in-charge and the direct offender, who are held responsible for the violation of these Measures, shall receive penalties ranging from disciplinary sanction, punishment in accordance with the regulations on the maintenance of public order, to an investigation by the judicial organ of the criminal responsibilities of the offender, depending on the seriousness of the case.

Miscellaneous

Article 31 People's governments of various provinces, autonomous regions and municipalities directly under the Central Government and the various ministries and commissions under the State Council may, in accordance with these Measures, formulate specific provisions for the control of firearms, and report thereon to the Ministry of Public Security for the record.

Article 32 These Measures shall go into effect after the approval by the State Council and the promulgation by the Ministry of Public Security. The Interim Measures Concerning the Control of Firearms, approved by the Government Administration Council and promulgated by the Ministry of Public

Security on June 27, 1951, shall be abrogated at the same time.