Law of the PRC on the Control of Firearms

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Chapter I — General Provisions

Article 1 — This Law is enacted for the purposes of strengthening the control of firearms, maintaining public security and social order, and protecting the safety of people's lives and property.

Article 2 — Firearms within the territory of the People's Republic of China shall be subject to control. No entity or individual may possess or hide firearms in violation of the provisions of the law. The State shall strictly control firearms. The State shall prohibit any entity or individual from illegally possessing, manufacturing, trading, transporting, renting, or lending firearms in violation of the law.

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Article 3 — The public security authorities under the State Council shall be in charge of the control of firearms nationwide. The public security authorities of local people's governments at or above the county level shall be in charge of the control of firearms within their respective administrative regions. Other relevant state authorities at higher levels shall, in accordance with their respective duties, assist the public security authorities in the proper control of firearms within the scope of their duties.

Article 4 — The public security authorities, state security authorities, prisons, and organs in charge of reeducation through labor, people's police, people's procuratorates that need to be armed with firearms for the performance of their duties, customs' anti-smuggling police, and important defense industrial units guarded by military personnel, guard units for important storage facilities guarded by military personnel, and guard units of important state organs may be equipped with official-use firearms. Enterprises and institutions that meet the requirements for the configuration of civilian-use firearms as prescribed by the public security authorities under the State Council, and specialized hunting units and units raising large animals in pastoral areas may be equipped with civilian-use firearms.

Article 5 — The competent authorities in charge of shooting sports may be equipped with sporting firearms. Units operating shooting ranges for commercial use may be equipped with sporting firearms upon approval by the public security authorities of provincial-level people's governments. Specialized hunting guns in hunting areas and shotguns in wildlife protection, animal husbandry, and hunting units may be equipped with hunting guns upon approval by the public security authorities of the people's governments at the level of a city divided into districts.

Chapter II — Administration of Firearms

Article 6 — The manufacturing of firearms shall be subject to a license system. Enterprises manufacturing firearms shall be subject to the examination and approval of the public security authorities under the State Council and shall obtain a license for the manufacturing of civil-use firearms. Enterprises manufacturing firearms shall manufacture firearms in strict accordance with the variety, model, and quantity prescribed by the license, and shall not manufacture firearms outside the scope of the license.

Article 7 — Firearms shall be sold through a special distribution system. Enterprises distributing firearms shall be subject to the examination and approval of the public security authorities of provincial-level people's governments and shall obtain a license for the distribution of civil-use firearms. Enterprises distributing firearms shall not sell firearms beyond the scope of the license, and shall not sell guns to individuals, except for the units and individuals approved by the public security authorities to purchase firearms.

Article 8 — Units specially engaged in the business of shooting ranges for commercial use that purchase sporting guns must apply to the public security authorities of the people's governments at the provincial level and shall obtain a permit for the purchase of civil-use firearms. Units that need to purchase civilian-use firearms shall apply to the public security authorities of the people's governments at the provincial level and shall obtain a permit for the purchase of civil-use firearms. After purchasing firearms, units must apply to the public security authorities for a gun license within 30 days.

Article 9 — The holding of firearms shall be subject to a license system. Units equipped with firearms shall, upon approval, obtain a license for holding a firearm. Where a unit needs to equip itself with official-use firearms, it shall apply to the public security authorities under the State Council for approval.

Chapter III — Carrying and Transporting Firearms

Article 10 — Persons equipped with or holding firearms must comply with the following provisions: (1) Firearms carried by relevant personnel must be approved by the unit that has been approved by the public security authorities under the State Council or a provincial-level people's government to equip firearms; (2) Persons who carry firearms must obtain a firearms carrying permit issued by the public security authorities of

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the people's government at the provincial level or above; and (3) Persons carrying guns shall carry their permits with them and shall produce them for inspection when required by the public security authorities.

Article 11 — The transportation of firearms shall be subject to a permit system. Any unit that needs to transport firearms must truthfully report to the public security authorities the variety and quantity of firearms to be transported, as well as the route and means of transportation, and obtain a permit for the transportation of firearms.

Chapter IV — Import and Export of Firearms

Article 12 — The import and export of firearms shall be subject to the approval of the public security authorities under the State Council and shall be handled by designated units that have obtained the import and export rights of firearms. Any other unit or individual shall not import or export firearms.

Article 13 — Foreign diplomatic missions and consular posts in China, their personnel, and other foreign personnel who carry firearms into or out of the country must apply for approval in advance and shall go through the relevant formalities in accordance with the relevant State regulations.

Chapter V — Legal Liability

Article 14 — Where a person, in violation of the provisions of this Law, manufactures or sells firearms without authorization, the public security authorities shall confiscate the illegally manufactured or sold firearms and the illegal gains and may also impose a fine of not more than five times the illegal gains. Where an enterprise manufacturing or distributing firearms violates the provisions of this Law by manufacturing or selling firearms beyond the scope of the license, the public security authorities shall order it to cease the illegal manufacturing or selling activities, confiscate the illegally manufactured or sold firearms and the illegal gains, and may impose a fine of not more than five times the illegal gains; where the circumstances are serious, the license shall be revoked.

Article 15 — Where a person illegally possesses or hides firearms, the public security authorities shall confiscate the illegally possessed or hidden firearms and may also impose a penalty of detention of not more than 15 days and a fine of not more than RMB 5,000; where the act constitutes a crime, criminal liability shall be pursued in accordance with the law.

Article 16 — Where a person illegally transports, carries, or mails firearms, the public security authorities shall confiscate the firearms and the illegal gains and may also impose a penalty of detention of not more than 15 days; where the act constitutes a crime, criminal liability shall be pursued in accordance with the law.

Article 17 — Where a person rents or lends firearms in violation of the provisions of this Law, the public security authorities shall impose a penalty of detention of not more than 15 days on the individual and may also impose a fine of not more than RMB 5,000; and shall confiscate the firearms and give a warning to the unit that has rented or lent the firearms, and the persons directly in charge and other persons directly responsible shall be punished in accordance with the provisions of the preceding paragraph.

Chapter VI — Supplementary Provisions

Article 18 — The control of firearms in the Hong Kong Special Administrative Region and the Macao Special Administrative Region shall be separately prescribed by their respective legislation.

Article 19 — The public security authorities under the State Council may formulate implementing rules in accordance with this Law and submit them to the State Council for approval before implementation.

Article 20 — This Law shall come into force on October 1, 1996. The Measures of the People's Republic of China for the Control of Firearms approved by the State Council on March 5, 1981 and promulgated by the Ministry of Public Security on April 25, 1981 shall be repealed simultaneously.

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