

# Law on the Control of Firearms of the PRC

Dan Young Business Consultancy — [www.danyoungcpa.com](http://www.danyoungcpa.com)  
Unofficial English translation prepared for reference only. The official Chinese text prevails.

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## Chapter I — General Provisions

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

Article 2 — The control of firearms within the territory of the People's Republic of China shall be governed by this Law. This Law does not apply to the equipment of firearms by the Chinese People's Liberation Army, the Chinese People's Armed Police Force, and the militia.

Article 3 — The State shall strictly control firearms. It is prohibited for any entity or individual to possess, manufacture (including alter, assemble), trade, transport, rent out, or lend firearms in violation of the law.

Article 4 — 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 areas.

## Chapter II — Permits for Firearms and Administration

Article 5 — The following persons may, upon approval by the public security authorities under the State Council or the public security authorities of the people's governments of provinces, autonomous regions, and municipalities directly under the Central Government, be equipped with firearms for official use: (1) police, prosecutors, and judicial police of the people's courts and people's procuratorates who need to use firearms in the course of performing their duties; (2) personnel of the State security authorities, public security authorities, and prison administration authorities who need to use firearms in the course of performing their duties; (3) personnel of Customs anti-smuggling authorities who need to use firearms in the course of performing their duties; and (4) guard personnel of important national defense scientific research and production units, important national nuclear power and other nuclear facilities, and important national storage warehouses who need to use firearms in the course of performing their guard duties.

Article 6 — The following entities may be equipped with firearms for official use: (1) shooting sports entities approved by the sports administrative department under the State Council; (2) hunting entities approved by the forestry administrative department of the people's governments at or above the provincial level; and (3) animal rearing and slaughtering entities for use in slaughtering large livestock.

Article 7 — Persons equipped with firearms for official use shall meet the following conditions: (1) having undergone special training and being proficient in the use and safekeeping of firearms; (2) having no criminal record; and (3) other conditions prescribed by the relevant State regulations.

Article 8 — The specific measures for the administration of firearms for official use equipped by personnel of State organs shall be separately formulated by the State Council.

## Chapter III — Manufacture and Sale of Firearms

Article 9 — The manufacture of firearms shall be subject to the examination and approval of the relevant government department under the State Council. No entity or individual may manufacture firearms without authorization.

Article 10 — Enterprises manufacturing firearms shall manufacture firearms in strict accordance with the varieties, models, and quantities prescribed by the State and shall not manufacture firearms beyond the prescribed scope without authorization. Firearms manufactured shall be clearly marked with the manufacturer's name, firearm model, and serial number.

Article 11 — The sale of firearms shall be subject to the examination and approval of the public security authorities of the people's governments of provinces, autonomous regions, and municipalities directly under the Central Government. No entity or individual may sell firearms without authorization.

Article 12 — Enterprises selling firearms shall sell firearms in strict accordance with the varieties, models, and quantities prescribed by the State and shall not sell firearms beyond the prescribed scope without authorization. Enterprises selling firearms shall verify the identity and the firearms purchase permit of the purchaser and shall register the relevant information.

## **Chapter IV — Transport of Firearms**

Article 13 — The transport of firearms shall be subject to the approval of the public security authorities, which shall issue a firearms transport permit. Entities transporting firearms shall use safe and reliable closed transport vehicles and shall assign special personnel to escort the firearms.

Article 14 — During the transport of firearms, they shall be stored separately from ammunition, and necessary safety protection measures shall be taken. In the event of an emergency during transport, measures shall be taken immediately to ensure safety and the public security authorities shall be notified promptly.

## **Chapter V — Import and Export of Firearms**

Article 15 — The import and export of firearms shall be subject to the examination and approval of the relevant government department under the State Council. No entity or individual may import or export firearms without authorization.

Article 16 — Where firearms enter or leave the country, they shall be declared to the Customs by presenting the approval document issued by the relevant government department under the State Council. Firearms entering or leaving the country shall be subject to inspection by the Customs at the port of entry or exit.

## **Chapter VI — Custody of Firearms**

Article 17 — Entities and individuals equipped with firearms shall properly keep their firearms to ensure their safety. Where firearms are not in use, they shall be stored in special firearms storage facilities and managed by special personnel. The storage facilities for firearms shall be firm and reliable and equipped with anti-theft and fire prevention facilities.

Article 18 — Where firearms are lost or stolen, the matter shall be reported to the public security authorities immediately. Entities and individuals equipped with firearms shall not lend or rent out firearms to others without authorization.

## **Chapter VII — Confiscation of Firearms**

Article 19 — Where a person equipped with firearms for official use ceases to be qualified for such equipment, the firearms shall be withdrawn and the firearms permit shall be revoked. Where an entity equipped with firearms for official use ceases to be qualified for such equipment, the firearms shall be withdrawn and the firearms permit shall be revoked.

Article 20 — Illegally possessed firearms shall be confiscated by the public security authorities. Confiscated firearms shall be destroyed in a timely manner or disposed of in accordance with the relevant State regulations.

## **Chapter VIII — Legal Liability**

Article 21 — Whoever illegally possesses, manufactures, trades, or transports firearms, where the circumstances do not warrant criminal liability, shall be subject to public security administrative penalties in accordance with the law; where the case constitutes a crime, criminal liability shall be pursued in accordance with the law.

Article 22 — Where an entity or individual equipped with firearms violates the provisions of this Law by renting out or lending firearms, the public security authorities shall confiscate the firearms and impose a fine; and the directly responsible person in charge and other directly responsible persons shall be subject to administrative sanctions in accordance with the law.

Article 23 — Where a staff member of a public security authority or other relevant government department abuses his or her power, neglects his or her duties, or engages in malpractices for personal gain in the control of firearms, he or she shall be subject to administrative sanctions in accordance with the law; where the case constitutes a crime, criminal liability shall be pursued in accordance with the law.

## **Chapter IX — Supplementary Provisions**

Article 24 — The specific measures for the implementation of this Law shall be formulated by the State Council.

Article 25 — This Law shall come into effect on October 1, 1996.

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