

Bills Committee on
Firearms and Ammunition (Amendment) Bill 1999

Administration's response to submission from
the “二三八關注組” dated 21 September 1999

I Limited licences for transportation of arms or ammunition

“二三八關注組” (“Concern Group”) suggested that the Administration should waive the requirement for a limited licence under section 30 of the Firearms and Ammunition Ordinance (Cap.238) for the transport of arms or ammunition from the Customs and Excise Office at the port of entry of goods or from Government departments such as Post Office to dealers' premises and vice versa. They also queried the capability of the Police to issue a limited licence within two working days.

2. Under section 30 of Cap.238, a limited licence (a possession licence or a dealer's licence) has to be obtained from the Police for the transport of arms or ammunition within Hong Kong. The existing licence fee is \$43. As explained at previous Bills Committee meetings, the purpose of section 30 of Cap.238 is to empower the Police to exercise control and to monitor the movement of arms or ammunition in Hong Kong which is very important from the public security point of view.

Unlike the transport of arms or ammunition for inspection or testing as required by the Commissioner of Police, the route and timing of the transport of arms or ammunition in question as well as the quantities involved are not to the Commissioner's knowledge or under his control. In addition, the import or export of certain kinds of arms or ammunition (e.g. small calibre pistols, certain types of shotguns, air guns, harpoon guns and crossbows) is not controlled by the Import and Export (Strategic Commodities) Regulations (Cap.60) and hence does not require any import or export licence. Therefore, waiving the requirement for a limited licence for such transport will definitely weaken the Commissioner's existing control over the movement of arms or ammunition in Hong Kong and hence is not supported by the Administration.

3. For the sake of public security, Customs Officers enforce strict licensing control on arms or ammunition imported into Hong Kong by air, by sea and across the land border. If the required licences (including the import licence, if applicable and the limited licence) are not available at the time of arrival, the articles will be put under Customs custody. All detained arms or ammunition will be stored at a secure arms cage of the respective Customs Office with the exception that those imported as air cargo will be kept in the Customs Arms and Ammunition Bond located in the Airport.

4. According to the Police Licensing Office's performance pledge, for any application made in person under section 30 of Cap.238,

they will complete the processing of the application and issue a limited licence within two working days. Under the existing practice, an applicant can send the duly completed application form to the Police Licensing Office by facsimile and then collect the licence afterwards. These applications will be processed as if they were submitted in person and a limited licence can usually be issued in less than two working days.

5. A limited licence will specify the date and time of the transport of arms or ammunition to be covered by the licence. In view of unforeseen circumstances such as irregular flight schedules, the Licensing Officer will, upon the applicant's request, specify a longer period for the transport, say one or two days, on the licence. Such arrangement should be able to provide the necessary flexibility to the licensees.

II Proposed establishment of a Consultative Council

6. The "Concern Group" suggested the establishment of a "Consultative Council on Firearms and Ammunition" to enable the exchange of views between the trade and the Administration.

7. We agree that maintaining close communication with the trade is very important. The Police Licensing Office has in fact maintained regular contacts with individual licensed arms dealers and shooting clubs. To enhance the communication, the Licensing Office is planning to arrange meetings with all licensed arms dealers and shooting

clubs on a regular basis. We believe that this arrangement would be more cost effective than setting up a new consultative body.

Security Bureau

September 1999

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