

LN146-E

L. N. 146 of 2000

FIREARMS AND AMMUNITION (AMENDMENT) REGULATION 2000

(Made by the Chief Executive in Council under section 52 of the
Firearms and Ammunition Ordinance (Cap. 238))

1. Commencement

This Regulation shall come into operation on a day to be appointed by the Secretary for Security by notice in the Gazette.

2. Application for licences for possession and dealer's licence

Regulation 2(1), (2), (3) and (4) of the Firearms and Ammunition Regulations (Cap. 238 sub. leg.) is repealed and the following substituted---

"(1) An application under section 27(1) of the Ordinance (which under that section must be in the specified form) for---

(a) a licence for possession; or

(b) a dealer's licence,

must be accompanied by 2 full face passport-size photographs of the applicant.".

3. Application for an exemption under s. 4(3)

or a licence under s. 30

Regulation 3 is amended by repealing everything after "Ordinance" where it secondly appears and substituting "must be in the specified form. If the Commissioner so requires, the application must be accompanied by such number of full face passport-size photographs of the applicant as specified by the Commissioner.".

4. Regulations added

The following are added---

"4A. Requirement to undergo other tests

(1) The Commissioner may require---

(a) a person seeking authorization as an arms instructor under section 12(2) of the Ordinance;

(b) a person in respect of whom a licensee has made an application under section 12A(2) of the Ordinance for approval as an approved agent; or

(c) a person who has applied for approval as a range officer under section 46C(1) of the Ordinance,

to undergo such tests or examinations as the Commissioner thinks fit, including medical and psychiatric tests, to satisfy himself as to whether or not that person possesses the necessary qualifications and competence required for that purpose.

(2) The Commissioner may require any person mentioned in paragraph (1) to submit any document or provide any information relating to the person's application as the

Commissioner thinks fit.

4B. Criteria for shooting clubs to operate shooting ranges

(1) The Commissioner may determine the criteria for the operation by a shooting club, of a shooting range, armoury or facility used in connection with the shooting range ("connected facility").

(2) Without limiting paragraph (1), the Commissioner may, for the purposes of that paragraph, do all or any of the following when a responsible officer applies for a licence to be held on behalf of a shooting club---

(a) verify whether the premises to be used for the shooting range, armoury and connected facility comply with other applicable statutory requirements including those relating to structure, fire hazards and land use;

(b) require the responsible officer to satisfy the Commissioner that effective means exist within the internal operation of the shooting club to ensure that users of the shooting range, armoury or connected facility observe requirements designed to ensure safety and security in the use of the shooting range, armoury or connected facility;

(c) satisfy himself that the shooting range, armoury or connected facility---

(i) is located so as not to constitute a safety hazard or a substantial inconvenience to any person; or

(ii) is designed so as not to constitute a safety hazard or a substantial inconvenience to other persons or premises in its vicinity;

(d) satisfy himself that the shooting range, armoury or connected facility has features designed to prevent access by unauthorized persons and other measures to ensure its security;

(e) satisfy himself that there are features in the design of the shooting range, armoury or connected facility to ensure the safety of persons or that other safety precautions are in place.

4C. Courses of instruction

The Commissioner may determine the contents and extent of any course on the use and handling of arms and ammunition, to be undertaken for the purposes of section 11(2)(aa)(ii) of the Ordinance, and for that purpose may issue guidelines relating to the conduct of such courses and the requirements as to attendance, and the tests to be undertaken by participants of the courses. "

5. Commissioner may require applicant or licensee to submit arms or ammunition for inspection, etc.

Regulation 5(3) is amended by repealing "of \$10,000" and substituting "at level 3".

6. Form of register of licences

Regulation 7 is repealed.

7. Form of licences, etc.

Regulation 8 is repealed.

8. Renewal of licences

Regulation 9 is amended by repealing everything after "Ordinance" and substituting "(which under that section must be in the specified form), if the Commissioner so requires, must be accompanied by such number of full face passport-size photographs of the applicant as specified by the Commissioner."

9. Regulation substituted

Regulation 10 is repealed and the following substituted---

"10. Fees

The fee payable for---

- (a) the issue of a licence;
 - (b) the renewal of a licence;
 - (c) the grant of an exemption; or
 - (d) the amendment of a licence or any condition in respect thereof,
- shall be the fee prescribed in the Second Schedule."

10. Notice of transactions under section 36(1)

Regulation 12 is repealed.

11. Dealer's register of transactions

Regulation 13 is repealed.

12. Forms

The First Schedule is repealed.

13. Fees

The Second Schedule is amended---

- (a) by repealing item 2(a);
- (b) in item 2(c) by adding "subject to item 2A," before "in";
- (c) by adding---

"2A. For the issue of a licence for

possession or a dealer's licence

granted for a limited purpose

under section 30(1) of the

Ordinance 43";

(d) in item 3(b) by repealing "scrap cartridge cases only" and substituting "used cartridge cases, used shot, used bullets, used missiles or parts of any of those articles";

(e) in item 3(c) by adding "subject to item 2A," before "in".

CHENG Mei-sze, Maisie

Clerk to the Executive Council

Council Chamber

16 May 2000

Explanatory Note

The purpose of this Regulation is to amend the Firearms and Ammunition Regulations (Cap. 238 sub. leg.) to---

- (a) replace the existing prescribed forms with new forms specified by the Commissioner of Police;
- (b) require persons who seek to be approved by the Commissioner for the purpose of possession of arms and ammunition as approved agents of a licensee, as arms instructors or range officers to undergo tests or examinations in the use and handling of arms or ammunition;
- (c) require that shooting clubs conform to criteria determined by the Commissioner in the interests of public safety;
- (d) enable the Commissioner to determine the contents and extent of courses on the use and handling of arms or ammunition; and
- (e) make minor consequential amendments.