

L.N. 156 of 2025

**Firearms and Ammunition (Marking of Firearms)
Regulation**

Contents

Section	Page
1. Commencement	B4859
2. Matters to be indicated on firearm markings by manufacturers	B4859
3. Time limit for marking firearms by manufacturers	B4859
4. Marking by importers of imported firearms lacking proper markings	B4861
5. Time limit for marking firearms by importers	B4863
6. Manner for marking firearms by manufacturers or importers	B4865
7. Obligation to notify Commissioner of markings made	B4865
8. Application for extension of time for compliance with section 26A(1) or 26B(1) of Ordinance	B4867
9. Application for assignment of code in respect of matter mentioned in section 4(1)(a), (b) or (c)	B4869
10. Application for alternative marking requirements	B4869
11. Refusal of application	B4871
12. Making false or misleading statements	B4871

Section	Page
13. Consequential amendment	B4873
Schedule Consequential Amendment to Administrative Appeals Board Ordinance	B4875

Firearms and Ammunition (Marking of Firearms) Regulation

(Made by the Commissioner of Police under section 52(1B), (2) and (3) of the Firearms and Ammunition Ordinance (Cap. 238))

1. Commencement

This Regulation comes into operation on 25 July 2025.

2. Matters to be indicated on firearm markings by manufacturers

- (1) For the purposes of section 26A(1)(a) of the Ordinance, the name of the manufacturer must be either—
 - (a) the full name of the manufacturer; or
 - (b) an abbreviation of that name that reasonably enables the identity of the manufacturer to be ascertained.
- (2) For the purposes of section 26A(1)(b) of the Ordinance, the serial number of a firearm must not duplicate with that of any other firearm manufactured by the manufacturer.
- (3) For the purposes of section 26A(1)(c) of the Ordinance, “Hong Kong” or “HKG” must be marked as the place of manufacture of a firearm.

3. Time limit for marking firearms by manufacturers

- (1) For the purposes of section 26A(1) of the Ordinance, a marking on a firearm must be made not later than—
 - (a) the day on which the manufacturing process of the firearm is completed; or
 - (b) the day on which the period extended or further extended (as the case requires) under section 8 in respect of the marking expires.

- (2) For the purposes of subsection (1), the manufacturing process of a firearm is completed at the time when the firearm has become an article that falls within the definition of *firearm* in section 2(1) of the Ordinance.

4. Marking by importers of imported firearms lacking proper markings

- (1) For the purposes of section 26B(1) of the Ordinance, one or more of the following matters that are not indicated on a firearm at the time of its import must be marked, or caused to be marked, on the firearm as follows—
- (a) if the name of the manufacturer is not indicated—
 - (i) the full name of the manufacturer;
 - (ii) an abbreviation of that name that reasonably enables the identity of the manufacturer to be ascertained; or
 - (iii) a code assigned under section 9 in respect of the name of the manufacturer of the firearm;
 - (b) if the serial number of the firearm is not indicated—
 - (i) the serial number assigned by the manufacturer that must not duplicate with that of any other firearm manufactured by the manufacturer; or
 - (ii) a code assigned under section 9 in respect of the serial number of the firearm;
 - (c) if the place of manufacture is not indicated—
 - (i) the full name of the place of manufacture;
 - (ii) an abbreviation of that name that reasonably enables the place of manufacture to be ascertained; or

- (iii) a code assigned under section 9 in respect of the place of manufacture of the firearm;
 - (d) if the place into which the firearm is imported is not indicated—“Hong Kong” or “HKG”;
 - (e) if the year of import is not indicated—the last two digits of the year in which the firearm is imported.
- (2) For the purposes of subsection (1), when marking a firearm, or causing it to be marked, with the place into which it is imported or the year of import, the place into which it is imported must appear immediately before the year of import.

5. Time limit for marking firearms by importers

For the purposes of section 26B(1) of the Ordinance, a marking on a firearm must be made not later than—

- (a) if the firearm is disposed of by the importer to another person within 30 days beginning on the day on which the firearm is imported—
 - (i) the day on which the firearm is so disposed of; or
 - (ii) the day on which the period extended or further extended (as the case requires) under section 8 in respect of the marking expires; or
- (b) in any other case—
 - (i) the last day of a period of 30 days beginning on the day on which the firearm is imported; or
 - (ii) the day on which the period extended or further extended (as the case requires) under section 8 in respect of the marking expires.

6. Manner for marking firearms by manufacturers or importers

- (1) For the purposes of sections 26A(1) and 26B(1) of the Ordinance and subject to subsection (2)—
 - (a) a marking on a firearm must be made on an exposed surface of the frame, receiver or body of the firearm;
 - (b) the marking must be permanently stamped or engraved on the firearm;
 - (c) the matters required to be indicated on the marking must be expressed in characters of the Latin alphabet, Arabic numerals, or a combination of both, with each character or numeral having a minimum height of 1.58 mm; and
 - (d) each character or numeral on the marking—
 - (i) must be visible without disassembling the firearm; and
 - (ii) must be clearly legible with the naked eye or with the eye with suitable corrective lens.
- (2) If an alternative marking requirement is specified under section 10 to substitute any of the requirements prescribed in subsection (1) in respect of a marking on a firearm, that alternative marking requirement applies to the marking in place of the substituted requirement.

7. Obligation to notify Commissioner of markings made

- (1) A person who makes a marking, or causes a marking to be made, on a firearm in purported compliance with section 26A(1) or 26B(1) of the Ordinance must, within 48 hours after the marking is made, notifies the Commissioner of this fact in the specified form.
- (2) A person who contravenes subsection (1) commits an offence and is liable on conviction to a fine at level 2.

8. Application for extension of time for compliance with section 26A(1) or 26B(1) of Ordinance

- (1) A person (*applicant*) who is required to make, or cause to be made, a marking on a firearm within the following time limit (*original time limit*) may apply to the Commissioner for an extension of the original time limit—
 - (a) the time limit prescribed in section 3(1)(a) or 5(a)(i) or (b)(i); or
 - (b) the time limit mentioned in paragraph (a) as extended or further extended under this section.
- (2) An application under subsection (1)—
 - (a) must be made at least 10 days before the day on which the original time limit expires (*application deadline*);
 - (b) must state the reasons for making the application; and
 - (c) must be in the specified form.
- (3) Despite subsection (2)(a), the Commissioner may accept an application made after the application deadline if the Commissioner is satisfied that there are reasonable grounds for the application not being made before the deadline.
- (4) On an application under subsection (1), the Commissioner may extend, or further extend, the original time limit for a period specified by the Commissioner if the Commissioner is satisfied that—
 - (a) the applicant has taken all reasonable steps to make, or cause to be made, a marking on the firearm within the original time limit; and
 - (b) it is reasonable in the circumstances of the case to extend the original time limit.

9. Application for assignment of code in respect of matter mentioned in section 4(1)(a), (b) or (c)

- (1) A person (*applicant*) who is required to make, or cause to be made, a marking on a firearm under section 26B(1) of the Ordinance may apply to the Commissioner for the assignment of a code in respect of a matter mentioned in section 4(1)(a), (b) or (c) (*subject matter*).
- (2) An application under subsection (1)—
 - (a) must state the reasons for making the application; and
 - (b) must be in the specified form.
- (3) On an application under subsection (1), the Commissioner may assign a code in respect of a subject matter if the Commissioner is satisfied that—
 - (a) the information in respect of the subject matter is unknown to the applicant; and
 - (b) the applicant has taken all reasonable steps to gather and ascertain the information but to no avail.

10. Application for alternative marking requirements

- (1) A person (*applicant*) who is required to make, or cause to be made, a marking on a firearm under section 26A(1) or 26B(1) of the Ordinance may apply to the Commissioner for an alternative marking requirement to substitute any of the requirements prescribed in section 6(1) (*original requirement*).
- (2) An application under subsection (1)—
 - (a) must state the reasons for making the application; and
 - (b) must be in the specified form.

- (3) On an application under subsection (1), the Commissioner may specify an alternative marking requirement to substitute the original requirement if the Commissioner is satisfied that—
 - (a) the applicant has taken all reasonable steps to comply with the original requirement but to no avail; and
 - (b) it is reasonable in the circumstances of the case to specify the alternative marking requirement.
- (4) In specifying an alternative marking requirement, the Commissioner may impose terms or conditions that the Commissioner considers appropriate.

11. Refusal of application

- (1) If the Commissioner refuses an application under section 8(1), 9(1) or 10(1), or refuses to accept an application under section 8(3), the Commissioner must issue to the applicant a notice of the decision stating the reasons for the refusal.
- (2) A person who is aggrieved by a decision of the Commissioner mentioned in subsection (1) may appeal to the Administrative Appeals Board against the decision.
- (3) An appeal under subsection (2) must be made within 28 days after the day on which the applicant receives the notice of the decision.
- (4) An appeal under subsection (2) does not suspend the decision appealed against unless the Commissioner decides otherwise.

12. Making false or misleading statements

- (1) A person commits an offence if—

- (a) the person makes a statement in connection with an application under section 8, 9 or 10;
 - (b) the statement is false or misleading in a material particular; and
 - (c) the person knows that, or is reckless as to whether, the statement is false or misleading in that material particular.
- (2) A person who commits an offence under subsection (1) is liable on conviction to imprisonment for 2 years.

13. Consequential amendment

The Administrative Appeals Board Ordinance (Cap. 442) is amended as set out in the Schedule.

Schedule

[s. 13]

**Consequential Amendment to Administrative Appeals
Board Ordinance**

1. Schedule amended

The Schedule—

Add

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| “81. Firearms and Ammunition (Marking of Firearms) Regulation | A decision of the Commissioner of Police to— <ul style="list-style-type: none">(a) refuse an application under section 8(1), 9(1) or 10(1); or(b) refuse to accept an application under section 8(3).”. |
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Joe CHOW Yat-ming
Commissioner of Police

14 July 2025

Explanatory Note

The Firearms and Ammunition (Amendment) Ordinance 2025 (20 of 2025) amends the Firearms and Ammunition Ordinance (Cap. 238) (*principal Ordinance*) to implement the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime. This Regulation is made under section 52(1B), (2) and (3) of the principal Ordinance that empowers the Commissioner of Police to make subsidiary legislation to provide for matters relating to the marking of firearms.

2. The Regulation mainly—
 - (a) prescribes the marking requirements for firearms for the purposes of sections 26A and 26B of the principal Ordinance, including the time limits and manner of marking, extension of such time limits, and alternative compliance with the marking requirements in certain circumstances; and
 - (b) consequentially amends the Administrative Appeals Board Ordinance (Cap. 442).