

Firearms and Ammunition (Declaration of Arms) (Amendment) Regulation 2021 gazetted

The Government published the Firearms and Ammunition (Declaration of Arms) (Amendment) Regulation 2021 (Amendment Regulation) in the Gazette today (June 4). The Amendment Regulation lists out, by way of subsidiary legislation, specific essential firearm (i.e. genuine firearm) component parts as "arms" under the Firearms and Ammunition Ordinance (Cap. 238), so as to combat the misuse of arms by criminals, who smuggle the component parts of genuine firearms into Hong Kong in separate shipments and then assemble them into fully functional genuine firearms, posing threats to citizens' lives and property.

A spokesman for the Security Bureau said, "The Amendment Regulation seeks to provide a clearer and more concrete definition of genuine firearm component parts. The Amendment Regulation only targets the component parts of genuine firearms. Component parts of other categories (e.g. component parts which can only be used in air guns) are not affected.

"The Amendment Regulation also provides that an item that would have been capable of being used as a firearm component part had it not been defective, out of repair or modified and adapted will also be regarded as arms. This is consistent with the existing practice under the Firearms and Ammunition Ordinance.

"The Government conducted a four-week public consultation in February 2021 and received a total of 257 written submissions. The majority of the respondents supported the proposed amendments. In respect of the specific questions raised in the consultation paper, close to 90 per cent of the respondents supported a clearer statutory definition of firearm component parts and over 80 per cent agreed to regulating the proposed essential firearm component parts. Eighty per cent of the respondents also supported the provision of a 90-day grace period before the legislative proposal takes effect."

The Government will introduce the Amendment Regulation into the Legislative Council on June 9 for negative vetting. The Amendment Regulation will come into operation on November 1 such that those being affected may dispose of the component parts or apply for a licence from the Police.

The Legislative Council brief has been uploaded to the website of the Security Bureau (www.sb.gov.hk/eng/special/firearm/index.html).