

## Information Notes

### Application for a Dealer's Licence

#### Notes for applicant

- When considering an application for a dealer's licence, the Commissioner of Police ("the Commissioner") shall, in addition to any other relevant matter that he may reasonably take into consideration, have regard to-
  - a. whether the applicant is a fit and proper person to be granted a licence, such as:
    - i. whether he has any criminal record;
    - ii. whether he has any medical history which may affect his ability of handling the arms and ammunition under application; and
    - iii. whether his physical and mental conditions are considered suitable.
  - b. whether there is good reason for that applicant to hold a licence; and
  - c. whether it is objectionable, for reasons of public safety and security, to grant the licence to that applicant.
- The following matters will also be considered-
  - whether the applicant has fulfilled other statutory requirements, such as:
    - ◆ whether the Director of Lands considers that the subject land use is permissible under the land lease conditions.
    - ◆ whether design of the premises concerned complies with the requisite fire safety requirements.
    - ◆ if ammunition will be stored in the premises, whether the Commissioner of Mines will issue the required licence under the Dangerous Goods Ordinance, Cap. 295 to the applicant.
    - ◆ if an armoury is built, whether the Director of Buildings considers that the construction comply with the provisions under the Buildings Ordinance, Cap. 123.
  - whether the security arrangements of the proposed premises and the armoury are up to the required standard.
  - whether there are any objections from local residents and other inhabitants situated in the same building of the proposed trading place, and whether there is any violation of the Deed of Mutual Covenant.
  - whether the existence of a dealer will pose any security risks to other persons in the vicinity.
  - whether the arms and ammunition proposed to be traded are suitable to be imported and stored in the Territory.
  - previous experience of the applicant relating to the dealing in and handling of arms and ammunition.

#### Documents to be submitted by applicant

- You are required to submit, together with this application, the following documents:
  - a copy of the Business Registration Certificate, Certificate of Incorporation, Memorandum and Article of Association, as appropriate;
  - a copy of your Hong Kong Identity Card ;
  - company background;
  - business activities/plan;
  - organisation of the company;
  - audited financial statement of the company for the past two years;
  - if you intend to build your own armoury, please provide a sketch/floor plan and detailed security measures;
  - if you intend to store the arms and ammunition at an approved armoury not owned by your company, please provide an agreement between your company and the approved armoury;
  - an agreement between your company and a foreign arms supplier from whom you are assigned as a local agent; and
  - two recent full face photographs (4cm x 5cm);
- You must sign on each copy of the supporting documents to confirm authenticity.

#### Completion of form

- This application form shall be completed in Chinese or English (block letters).
- Application forms can be downloaded from Police Website <http://www.police.gov.hk>.
- You are advised to read the Firearms and Ammunition Ordinance, Cap. 238, in particular Part IV and V thereof. Copy of the Ordinance is available from the Government Publications Centre and on the Internet <http://www.legislation.gov.hk>.

## Application and enquiries

- You are required to submit *in person* the completed application form together with the duly signed supporting documents to –

Arms Licensing Section	Telephone no.	: 2860 6538	
Police Licensing Office	Fax no.	: 2200 4323	
12/F., Arsenal House	Office hours	: Mondays – Fridays	9 a.m. to 1 p.m.
Police Headquarters			2 p.m. to 5:45 p.m.
1 Arsenal Street			
Wanchai, Hong Kong	Saturdays/Sundays/Public Holidays		Closed

- If you have any enquiries or need more information about the application procedure, please contact the Arms Licensing Section of Police Licensing Office by telephone or by fax or by email: [arms-licensing@police.gov.hk](mailto:arms-licensing@police.gov.hk).

## Issue of licence

- Upon approval of the application, you are required to pay the prescribed fee within 3 months. Otherwise a fresh application will be required.

## Terms and conditions of licence

- Licence granted is subject to terms and conditions.
- Licensee who fails to comply with any term or condition of the licence commits an offence under Section 23 of the Firearms and Ammunition Ordinance, Cap. 238.

## Criminal records

- You should include full details of all convictions in your application. No conviction will be regarded as ‘spent’. The provisions under section 2 of the Rehabilitation of Offenders Ordinance, Cap. 297 do not by reason of section 4 of that Ordinance apply to proceedings related to a person’s suitability to be granted or to continue to hold a licence.

## Fees

- Arms Dealer’s Licence (restricted to a prescribed class or description of arms or ammunition or both)
  - Arms Dealer’s Licence (used cartridge cases, used shot, used bullets, used missiles or parts of any of those articles)
  - Arms Dealer’s Licence (in any other case)
- } Please refer to the “Arms Licences Fees Table” at Police Website <http://www.police.gov.hk>.

## Statement of Purpose – Purpose of collection of personal data

- The personal data provided by means of this form will be used by the Commissioner for processing applications/updating record/conducting all kinds of present and subsequent investigations/enforcing licensing conditions in connection with arms licences and/or exemption and/or authorization and/or approval under the Firearms and Ammunition Ordinance, Cap. 238.
- The provision of personal data by means of this form is voluntary. If you do not provide sufficient information, we may not be able to process your applications/update your record.
- Any material falsification or omission of information may result in the Commissioner’s refusal to give approval.

## Classes of Transferees

- The personal data provided by means of this form may be disclosed to other government departments and public or private organizations for the purposes mentioned above.

## Access to personal data

- You have a right of access and correction with respect to personal data as provided for in Section 18 and 22 and Principle 6 of Schedule 1 of the Personal Data (Privacy) Ordinance, Cap. 486. Your right of access included the right to obtain a copy of your personal data provided by means of this form subject to a payment of a fee.
- Enquiries concerning the personal data collected by means of this form, including the making of access and corrections, should be addressed to Executive Officer (Licensing), Police Licensing Office, 13/F., Arsenal House, Police Headquarters, 1 Arsenal Street, Wanchai, Hong Kong (Telephone no.: 2860 6527 / Fax no. 2200 4322).

## Warning

- Under Section 47 of the Firearms and Ammunition Ordinance, Cap. 238, any person who makes any statement which he knows to be false or misleading, or recklessly makes any statement which is false, in a material particular for the purpose of procuring, whether for himself or another, the grant, renewal or amendment of a licence, or the grant of an exemption commits an offence and is liable to imprisonment for 2 years.
- Under the Prevention of Bribery Ordinance, Cap. 201, it is an offence for any person to solicit, offer or accept any advantage including money and gifts in connection with the processing of any application.
- The United Nations Sanctions (Democratic People’s Republic of Korea)(Amendment) Regulation 2010 became effective on 2010-01-15. Under the amended regulation Cap. 537AE, amongst other matters, you have to note that the scope of sanctions against the Democratic People’s Republic of Korea has been expanded to include a list of additional items, materials, equipment, goods or technology. In accordance with Sections 6, 10 and 13 of the Amendment Regulation, a person is also required to notify the Chief Executive in writing at least 30 days before the day on which the act is intended to be performed in relation to small arms. For details, please refer to Gazette No. L.N. 5 of 2010 (No.2 Vol.14 – Legal Supplement 2) at <http://www.gld.gov.hk/egazette>.