

## REVISED REGULATIONS FOR ARMS AND AMMUNITION

(May 30, 1908)

### 1°. MILITARY ARMS AND AMMUNITION

Before arms and ammunition are imported by any department of the Chinese Government, the particulars (denomination, number of packages, port of entry, destination, etc.) must be telegraphed to the Ministry of War (Lu-chün Pu) by the Tartar General, Viceroy, or Governor concerned, who may issue the necessary *Huchao* only after receipt of the Ministry's telegraphic approval. These particulars will be sent on to the Shui-wu Ch'u by the Ministry for transmission to the Superintendents and—through the Inspector General—to the Commissioners of Customs concerned. Permission to land such cargo will then be given, provided that the number of packages is found to be in agreement with the *Huchao*. The date of actual importation is to be reported in every instance to the Shui-wu Ch'u, for transmission to the Ministry of War.

### 2°. SAMPLES OF MILITARY ARMS AND AMMUNITION

Foreign merchants desiring to import samples of arms and ammunition for exhibition to Chinese Government departments must obtain from the Superintendent of Customs through their Consuls, a Permit to Import, upon presentation of which at the Custom House, together with the Application, permission to release will be given.

On each occasion not more than four rifles of any one kind and ammunition for same not exceeding two thousand rounds in all may be imported.

The merchant concerned is to give a bond to the Customs guaranteeing that the samples in question will not be sold to any person whatever. Such samples of arms, etc., must be produced for Customs inspection whenever demanded.

In the event of suspicious circumstances the Superintendent of Customs can refuse to issue a Permit, informing the Consul in writing of his decision.

### 3°. ARMS AND AMMUNITION FOR SELF-DEFENCE

(a.) Every respectable foreigner entering China from abroad, by sea or land, may carry in his luggage for self-defence one pistol and one revolver and a supply of cartridges for the same not exceeding five hundred rounds in all, but must declare them at time of entry to the Customs, who will release them after examination. Any contravention of this provision entails confiscation of the arms, etc., not declared.

(b.) Every respectable foreign resident in China desiring to import arms and ammunition for self-defence must, previous to their importation, obtain from the Superintendent of Customs, through his Consul, a Permit to Import, upon presentation of which at the Custom House, together with the Application, permission to release will be

given. Each person is allowed to import for self-defence, once only during any one year, one pistol, one revolver, and a supply of cartridges for same not exceeding five hundred rounds in all.

In the event of suspicious circumstances the Superintendent of Customs may refuse to issue a Permit, informing the Consul in writing of his decision.

(c.) Foreigners, duly provided with passports, proceeding as travellers to the interior of China, or to Tibet, Mongolia, Turkestan, etc., will be allowed to carry with them, declaration having been duly made, arms and ammunition for self-defence not exceeding twice the quantities fixed above.

(d.) *No* other arms may be imported by foreigners for self-defence under the above provisions except pistols and short-barrelled revolvers carried on the person.

The importation of any other kind of military and naval arms and ammunition is only permitted (i) if they are for use as samples and covered by a Permit to Import issued by the Superintendent of Customs, (ii) if they are imported on behalf of Chinese Government departments, military, naval, or civil, and covered by a genuine certificate which has been duly recognised by the Superintendent of Customs.

Foreigners must not fraudulently import military arms and ammunition under pretext of their being for personal use.

#### 4°. SPORTING ARMS AND AMMUNITION

(a.) Every respectable foreigner entering China from abroad, by sea or land, may carry in his luggage not more than three sporting guns and a supply of cartridges for same not exceeding three thousand rounds in all, but must declare them at time of entry to the Customs, who will release them after examination and payment of duty. Any contravention of this provision entails confiscation of the guns, etc., not so declared. In the event of old guns being thus imported with fresh ammunition, both may be passed free of duty.

(b.) Every respectable foreign resident in China desiring to import sporting guns or cartridges must, previous to their importation, obtain from the Superintendent of Customs, through his Consul, a Permit to Import, upon presentation of which at the Custom House, together with the Application, permission to release will be given.

Each foreign resident is only allowed to import, once in any one year, a number of sporting guns not exceeding three and a supply of cartridges for same not exceeding three thousand rounds in all. In the event of suspicious circumstances the Superintendent of Customs can refuse to issue a Permit, informing the Consul of his decision in writing.

(c.) Respectable foreign firms are permitted to import sporting shot-guns and ammunition only, for which they must likewise obtain a Permit to Import from the Superintendent of Customs through their Consuls. At the time of importation they must also hand a bond to the Custom House guaranteeing that such articles will not be sold, directly or indirectly, to law-breakers of any kind. The number of sporting guns which may be thus imported by any one firm at one time is not to exceed six if ordered by specified persons, whose names and addresses have to be reported to the Custom House on the Import Application, but may not exceed four if not so ordered and if bought for stock. Registers are

to be kept by the firm, in which are to be entered in detail the number of sporting guns and ammunition thus imported, the names and addresses of the purchasers, and the dates of delivery. These registers will be open for Customs inspection when called for.

The total number of all kinds of sporting cartridges combined imported by a foreign firm in one consignment must not exceed ten thousand rounds.

(d.) The expression “sporting guns and cartridges imported by foreigners” refers exclusively to sporting shot-guns and ammunition for same. Military arms and ammunition must not be fraudulently imported under any pretext.

#### 5°. REGISTERS

A special record of all importations of arms and ammunition for the personal use of foreigners, giving the importer’s name and nationality, the date, number of packages, etc., will be kept at every port by the Superintendent as well as by the Commissioner of Customs, in which the amount of duty collected in every instance will also be noted. Similarly, a special record of arms and ammunition imported by or for the Chinese Government is to be kept, giving the purchasing Government department, the provincial authority which issued the *Huchao* and the number of such *Huchao*, the number of packages, etc. At the end of every year copies of these records will be submitted to the Shui-wu Ch’u.

#### 6°. PROHIBITION ON IMPORTATION OF MILITARY ARMS AND AMMUNITION

The importation of such military or naval arms and ammunition as have not been purchased by Chinese Government departments, military, naval, or civil, continues to be prohibited in accordance with the existing treaties.

#### 7°. DUTY TREATMENT

Duty at the rate of 5 per cent. *ad valorem* will be collected on arms and ammunition imported under the provisions of rules 2°, 3°, and 4°.

#### 8°. TRANSHIPMENT

Permission to tranship at Shanghai arms and ammunition imported for purposes of self-defence or sport by foreigners residing at other ports will be given if the Shanghai Consul concerned applies to the Shanghai Customs, giving the name of the purchaser and the number of packages. On arrival of such transshipment cargo at the port of destination, the purchaser will still have to obtain from the Superintendent of Customs, through his Consul, the necessary Permit to Import to be presented with the cargo in question to the Customs, who will release it after examination and payment of duty.

#### 9°. PROVISION AGAINST ABUSES

The above regulations, based on the new rules drawn up by the Shui-wu Ch’u, have been revised in a liberal sense with a view to obviating certain inconveniences pointed out by the Diplomatic Corps. They are to come into force from the 1st July 1908, the beginning of the 192nd quarter. Arms and ammunition imported before that date are to be dealt with in accordance with the original regulations.

The present revised rules will be amended from time to time as required, to provide against such abuses as may arise after they have come into operation.

#### **Note**

A tenth (and additional) article, regarding the procedure for better control of arms and ammunition stored by Foreign Merchants, was proposed by the Chinese Government to the diplomatic body on November 20, 1915, and accepted by the dean in its behalf by a note to the Wai Chiao Pu under date of January 5, 1916. The official English version is as follows:

#### **Tenth (Additional) Article of the revised Regulations for Arms and Ammunition May 30, 1908**

“(a) With regard to fire-arms and ammunition, of any kind whatsoever, now in the possession of foreign firms or merchants—with the exception of revolvers for personal self-defence or sporting guns, as also ammunition for the said revolvers and sporting guns, as well as samples of arms and ammunition, no matter where they are stored (foreign settlements included) or when and under what authority they were imported, the owner, holder, or agent shall report to the Customs before the 31st January, 1916, the exact numbers held by him and deliver a bond testifying that these numbers are correct. Should the report not be made out within the above time limit or should a false report be made out, on discovery or denunciation of the fact the stock shall be confiscated to the Chinese Government. If it is necessary for Chinese officials to enter a Settlement for purposes of inspection, an official communication may be addressed to the foreign officials of the Settlement requesting their assistance. Inspection shall be effected by the competent foreign authorities at the request of the Chinese officials; the latter shall be allowed when it is deemed necessary to attend the said inspection

“(b) After the Customs Officers have verified the exact figures of the quantity of arms and ammunition declared and guaranteed as correct by the owner, holder or agent of the arms and ammunition, a certificate shall be issued to the said owner, holder or agent, who will remove the exact quantity of arms and ammunition specified on the said certificate to the Customs special warehouse.

“As regards warehouse charges and all such matters in this general connexion, the said owner, holder, or agent must abide by the regulations governing the Customs warehouse concerned. Such arms and ammunition may not be sold to other persons unless a Huchao permitting it is issued by the Chinese Ministry of War or of Marine.

“(c) Any arms and ammunition that have already been imported into a Chinese port by a foreign firm and that it is desired to forward to a foreign port shall be reported to the Maritime Customs, and the Customs shall instruct the said merchant to deliver a bond specifying the steamer by which they are to be shipped and the country they are sent to.

“(d) Whenever a foreign merchant vessel arrives at a Chinese port, the munitions of war carried by the said vessel for self-defence must be entered in a list, which is to be signed by the master of the vessel and sent to the Customs for inspection. Should the

quantity of arms and ammunition actually carried by the vessel exceed the amount specified in the list, then the matter shall be treated as a case of smuggling. When a merchant vessel is about to depart the Customs officers should carefully ascertain whether the quantity of munitions of war carried agrees with the list or not.

“(e) Arms and ammunition for foreign troops stationed in China are not affected by the paragraphs (a) to (d) above.”