

# Firearms, Ammunition and Knives Control Act

Promulgated by President's Order of Hua-Tsung-I-I-Tzu No. 3547 on June 27, 1983.

Amended and promulgated by President's Order of Hua-Tsung-I-I-Tzu No. 0421 on January 18, 1985.

Amended and promulgated by President's Order of Hua-Tsung-I-I-Tzu No. 4049 on July 16, 1990.

Amended and promulgated by President's Order of Hua-Tsung-I-I-Tzu No. 8500231810 on September 25, 1996.

Amended and promulgated by President's Order of Hua-Tsung-I-I-Tzu No. 8600250990 on November 24, 1997.

Amended and promulgated by President's Order of Hua-Tsung-I-I-Tzu No. 8900166160 on July 5, 2000.

Amended and promulgated by President's Order of Hua-Tsung-I-I-Tzu No. 9000223470 on November 14, 2001.

Amended and promulgated by President's Order of Hua-Tsung-I-I-Tzu No. 09300206981 on June 2, 2004.

Amended and promulgated by President's Order of Hua-Tsung-I-I-Tzu No. 09400010101 on January 26, 2005.

Amended and promulgated by President's Order of Hua-Tsung-I-I-Tzu No. 09700250551 on November 26, 2008.

Amended and promulgated by President's Order of Hua-Tsung-I-I-Tzu No. 09800134261 on May 27, 2009.

Amended and promulgated by President's Order of Hua-Tsung-I-I-Tzu No. 09900358611 on January 5, 2011.

Amended and promulgated by President's Order of Hua-Tsung-I-I-Tzu No. 10000259731 on November 23, 2011.

**Amendment to Article 5-2, promulgated on June 14, 2017.**

Article 1: This Act is enacted to control firearms, ammunition and knives, maintain social order and protect people's lives and properties.

Article 2: Unless a person is permitted to possess or use them by other laws, the control of firearms, ammunition and knives shall be subject to this Act.

Article 3: The competent authorities for controlling firearms, ammunition and knives are: Ministry of the Interior at the national level, municipal governments at the municipal level, and county (city) governments at the county (city) level.

Article 4: Firearms, ammunition and knives are defined in this Act as follows:

1. Firearms: cannons, shoulder arms, machine guns, submachine guns, carbines, automatic rifles, rifles, traditional carbines, pistols, pen guns, gas guns, tranquilizer guns, shotguns, air guns, harpoon guns and any other firing devices that can shoot metal objects or bullets with lethal force.
2. Ammunition: the material prescribed in the preceding subparagraph and used in the discharge of the aforementioned firearms, or other lethal or destructive bombs and explosives.
3. Knives: samurai swords, stick knives, double knives, brass knuckles, steel (iron) whips, thrusters, daggers (see the attachments), and other lethal knives banned by the national competent authority or not legally used.

The firearms and ammunition stated in subparagraphs 1 and 2 also include their major component parts unless they could not be assembled for use.

The categories of major component parts of firearms and ammunition shall be officially announced by the national competent authority.

Article 5: The firearms and ammunition which are stated in the preceding article may not be manufactured, sold, transported, transferred, rented, lent, possessed, stored, or displayed without the approval of the national competent authority.

Article 5-1: Pistols, air guns, shotguns and other firearms and ammunition for sports shooting may not be manufactured, sold, transported, transferred, rented, lent, possessed, stored, or displayed without the approval of the national competent authority.

Article 5-2: If the firearms, ammunition and knives which are permitted according to this Act have one of the following facts, the owner's permit will be revoked or cancelled. The said firearms, ammunition and knives will be purchased by the competent authorities, but those which were purchased and used by the governmental agencies or used against this Act shall not be purchased.

1. Reasons for the approval become invalid.
2. No need to be used or too damaged to be used.
3. The owner loses his/her status as an indigenous people or a fisherman.
4. The owner evades, hinders or rejects an inspection.

5. The owner was dead.
6. The owner is finally convicted and sentenced to a fixed term of imprisonment.
7. The declaration of the owner under guardianship or assistance is still valid.
8. The organizations possessing firearms, ammunition and knives are dissolved.
9. Failure to comply with the requirements.

Re-applications for possession of knives after the death of an owner and the dissolution of an organization or for continued possession of self-made shotguns after the death of the owner by a successor can be made. Once approved, the said items will not be purchased by the competent authorities.

The successors of self-made shotguns prescribed in the preceding paragraph is only limited to one of those who possess the forced heirship. If the successor is a minor or incompetent he /she is not entitled to apply for continued possession.

The national competent authority shall draw up annual budgets for purchase in accordance with paragraph 1. The price shall be determined by the national competent authority and implemented by the municipal and county (city) governments.

The purchased firearms, ammunition and knives and the revoked licenses in accordance with paragraph 1 shall be referred to the National Police Agency by the national competent authority for destruction. Those kept for use, however, shall not be destroyed.

Prescribed in subparagraph 6 of paragraph 1, the provision is applicable to either indigenous people approved to possess with self-made shotguns or harpoon guns intend to commit a crime with a sentence of imprisonment of no less than 3 years, or anyone committed one of the following crimes:

1. The offense as prescribed in paragraph 1 and 4 of Article 185-2, and Article 186, and paragraph 1 and 4 of Article 186-1, and Article 187, and Article 224, and paragraph 2 of Article 231-1, and paragraph 3 of Article 271, and paragraph 3 of Article 272, and Article 273, and Article 274, and Article 275, and paragraph 1 of Article 277, and Article 279, and Article 281, and Article 282, and Article 296, and Article 298, and paragraph 1 and 3 of Article 302, and Article 303, and Article 304, and Article 305, and Article 321, and paragraph 1 and 3 of Article 325, and Article 326, and paragraph 5 of Article 328, and Article 346, and paragraph 4 of Article 347 of the Criminal Code.
2. The offense as prescribed in paragraph 2 of Article 51, and Article 52, and paragraph 2 of Article 53, and Article 54 of the Forestry Act.
3. The offense as prescribed in Article 40, and Article 41, and Article 42 of the Wildlife Conservation Act. But prior to the amendment, wildlife may be hunted, killed for traditional cultural, ritual hunting, or non-profitable utilization by indigenous people is not applicable to the punishment.

4. The offense as prescribed in Article 9, and paragraph 1 and 2 and 4 and 5 of Article 12, and paragraph 2 and 4 and 5 of Article 13, and Article 14, and Article 15 of the Controlling Guns, Ammunition and Knives Act.

5. The offense as prescribed in Article 2, and Article 3, and Article 7 of the Smuggling Penalty Act.

6. The offense as prescribed in the second sentence of paragraph 1 of Article 3, and Article 6 of the Organized Crime Prevention Act.

7. The offense as prescribed in paragraph 5 and 6 of Article 4, and paragraph 4 of Article 5, and paragraph 2 through 5 of Article 7, and Article 8, and Article 10, and Article 11, and Article 13, and Article 14, and Article 15 of the Narcotics Hazard Prevention Act.

Prior to effectiveness of the amendment of the article of the Act on May 26, 2017, indigenous people committed the crimes in addition to the cases referred to in the preceding paragraph. The municipal governments, and county (city) governments have revoked or cancelled the owner's permit of self-made shotguns or harpoon guns pursuant to the subparagraph 6 of paragraph 1 of the Act without purchasing. The municipal governments, and county (city) governments shall inform of the indigenous people to re-apply for the permit within 3 months. If the applicants fail to re-apply or the application is not approved, the municipal governments, and county (city) governments shall still purchase the self-made shotguns or harpoon guns pursuant to the Act.

Article 6: The types of knives listed in subparagraph 3, paragraph 1, Article 4 may not be manufactured, sold, transported, transferred, rent, lent, and possessed without the approval of competent authorities.

Article 6-1 The regulation governing applications, requirements, revocation, inspection and other items of compliance for firearms, ammunition, and knives stated in Article 5 and 6 shall be enacted by the national competent authority.

The regulation governing applications, requirements, revocation, inspection and other items of compliance for firearms, ammunition stated in Article 5-1 shall be enacted by the national competent authority together with the business supervisory authorities.

The violation of the regulation of the preceding paragraph shall be sentenced to a fine up to NT\$50,000. This article is not applicable to the violation of Article 5-1, or to an offender with intent to commit a crime by himself/herself or assisting others to commit a crime by using firearms or ammunition.

Article 7: Any person who manufactures, sells, or transports cannons, shoulder arms, machine guns, submachine guns, carbines, automatic rifles, rifles, traditional carbines, pistols, or various types of artillery shells, bombs and explosives without approval shall be sentenced to life

imprisonment, or imprisonment of no less than 7 years as well as a fine of up to NT\$30 million.

Any person who transfers, rents, or lends firearms and ammunition stated in the preceding paragraph without approval shall be sentenced to life imprisonment, or imprisonment of no less than 5 years as well as a fine of up to NT\$10 million.

An offender with intent to commit a crime by himself/herself or assist others to commit a crime stated in the two preceding paragraphs shall be sentenced to capital punishment or life imprisonment. The offender sentenced to imprisonment shall be fined up to NT\$50 million.

Any person who possesses, stores or displays with intent of selling firearms and ammunition stated in the first paragraph without approval shall be sentenced to imprisonment of no less than 5 years as well as a fine of up to NT\$10 million.

An offender with intent to commit a crime by himself/herself or assist others to commit a crime by holding firearms and ammunition stated in paragraph 1 and possessed by those executing official duties through robbery, forceful taking, theft or other means may have his/her penalty increased by one half.

Any person attempting to commit a crime stated in paragraphs 1 to 3 shall be punished.

Article 8: Any person who manufactures, sells, or transports pen guns, gas guns, tranquilizer guns, shotguns, air guns, or any other firing devices that can shoot metal object or bullets with lethal force listed in subparagraph 1, paragraph 1, Article 4 without approval shall be sentenced to life imprisonment, or imprisonment of no less than 5 years as well as a fine of up to NT\$10 million.

Any person who transfers, rents, or lends the firearms stated in the preceding paragraph without approval shall be sentenced to imprisonment of no less than 5 years as well as a fine of up to NT\$10 million.

An offender with intent to commit a crime by himself/herself or assist others to commit a crime stated in the two preceding paragraph shall be sentenced to life imprisonment, or imprisonment of no less than 7 years as well as a fine of up to NT\$10 million.

Any person who possesses, stores or displays with intent of selling firearms stated in paragraph 1 without approval shall be sentenced to imprisonment of no less than 3 years, no more than 10 years as well as a fine of up to NT\$7 million.

Any person attempting to commit a crime stated in paragraphs 1 to 3 shall be punished.

If offenses which are related to air guns and stated in paragraphs 1, 2 and 4 are committed and slight, the sentence against the offenders may be reduced.

Article 9: Any person who manufactures, sells, transports, rents, or lends harpoon guns without approval shall be sentenced to imprisonment of

up to 1 year, detention, or a fine of up to NT\$500,000.

Any person with intent to commit a crime by himself/herself or assist others to commit a crime stated in the preceding paragraph shall be sentenced to imprisonment of up to 2 years, detention, or a fine of up to NT\$1 million.

Any person who possesses, stores or displays with intent of selling harpoon guns without approval shall be sentenced to imprisonment of up to 6 months, detention, or a fine of up to NT\$500,000.

Any person attempting to commit crimes stated in paragraphs 1 and 2 shall be punished.

Article 10: (deleted)

Article 11: (deleted)

Article 12: Any person who manufactures, sells, or transports bullets without approval shall be sentenced to imprisonment of no less than 1 year, nor more than 7 years as well as a fine of up to NT\$5 million.

Any person who transfers, rents, or lends bullets without approval shall be sentenced to imprisonment of no less than 6 months , no more than 5 years as well as a fine of up to NT\$3 million.

An offender with intent to commit a crime by himself/herself or assist others to commit a crime stated in the two preceding paragraphs shall be sentenced to imprisonment of no less than 3 years, no more than 10 years as well as a fine of up to NT\$7 million.

Any person who possesses, stores or displays with the intent of selling bullets without approval shall be sentenced to imprisonment of up to 5 years as well as a fine of up to NT\$3 million.

Any person attempting to commit a crime stated in paragraphs 1 to 3 shall be punished.

Article 13: Any person who manufactures, sells, or transports major component parts of firearms and ammunition without approval shall be sentenced to imprisonment of no less than 3 years, no more than 10 years as well as a fine of up to NT\$7 million.

Any person who transfers, rents, or lends major component parts stated in the preceding paragraph without approval shall be sentenced to imprisonment of no less than 1 year, no more than 7 years as well as a fine of up to NT\$5 million.

An offender with intent to commit a crime by himself/herself or assist others to commit a crime stated in the two preceding paragraphs

shall be sentenced to imprisonment of up to 5 years as well as a fine of up to NT\$10 million.

Any person who possesses, stores or displays with the intent of selling major component parts stated in paragraph 1 without approval shall be sentenced to imprisonment of no less than 6 months, no more than 5 years as well as a fine of up to NT\$3 million.

Any person attempting to commit a crime stated in paragraphs 1 to 3 shall be punished.

Article 14: Any person who manufactures, sells, or transports knives without approval shall be sentenced to imprisonment of up to 3 years as well as a fine of up to NT\$1 million.

An offender with intent to commit a crime by himself/herself or assist others to commit a crime stated in the preceding paragraph shall be sentenced to imprisonment of no less than 6 months, no more than to 5 years as well as a fine of up to NT\$3 million.

Any person who possesses, stores or displays with intent of selling knives without approval shall be sentenced to imprisonment of up to 1 year, detention, or a fine of up to NT\$500,000.

Any person attempting to commit a crime stated in paragraphs 1 and 2 shall be punished.

Article 15: Any person who carries knives without approval and has one of the following conditions shall be sentenced to imprisonment of up to 2 years:

1. Committing a crime at nighttime.
2. Committing a crime at stations, docks, airports, public places, or places accessible to the public.
3. Committing a crime with other gang members.

Article 16: A civil servant or an elected public official who harbors any person committing offenses stated in Article 7, 8, or 12 shall have his/her sentence increased by one half respectively according to the provisions of the articles.

Article 17: (deleted)

Article 18: Any person who violates this Act and surrenders himself/herself with all firearms, ammunition, and knives shall have his/her punishment reduced or exempted. If the transfer of ownership is made and he/she provides information on the sources of supply or the whereabouts of

all firearms, ammunition, and knives leading to the arrest, his/her punishment shall also be reduced or exempted.

Any person who commits offenses stated in the preceding paragraph shall be exempted from penalties if he/she surrenders during the period of announcement made by the national competent authority after the Executive Yuan's approval.

Any person who fails to reports the truth under any of the circumstances stated in the preceding two paragraphs, shall be punishable according to this Act.

An offender who violates this Act and makes a full confession during investigation or trial provides information on the sources of supply or the whereabouts of all firearms, ammunition, and knives leading to the arrest or the prevention of major crimes shall have his/her punishment reduced or exempted. Any person who refuses to confess or provides a false statement shall have the penalty increased by one third.

Article 19: (deleted)

Article 20: Indigenous people who manufacture, transport, or possess self-made shotguns, harpoon guns without approval, or fishermen who manufacture, transport, or possess self-made harpoon guns as tools for making a living without approval shall be sentenced to a fine of no less than NT\$2,000 and no more than NT\$20,000. Other imprisonment punishments stated in this Act shall not be applicable to the said offenders.

The sale, transfer, rental, lending or storing of the aforementioned shotguns or harpoon guns among indigenous people or fishermen as tools for making a living without approval should be sentenced to the same fine and no imprisonment.

The regulation governing applications, requirements, expiration, revocation, inspection and other items of compliances for permits of shotguns and harpoon guns stated in the preceding two paragraphs shall be enacted by the national competent authority.

Indigenous people who committed a crime by simply manufacturing, transporting, possessing, selling, transferring, renting, lending, or storing self-made shotguns and harpoon guns among themselves without approval and were finally sentenced to imprisonment prior to the implementation of this revised Act on November 14, 2001 can still apply for approval for the aforementioned guns.

The competent authorities shall assist indigenous people and fishermen to apply for permission to possess self-made shotguns and harpoon guns by law.

A person who commits offenses stated in paragraph 1 and 2 shall be exempted from penalties if he/she willingly surrenders his/her



self-made shotguns and harpoon guns during the period of announcement made by the national competent authorities after the Executive Yuan's approval.

Article 20-1: A device with fire collision, resembling real gun in exterior, structure, materials is defined as an imitation gun. Any imitation guns which can be altered into guns with lethality shall be officially banned by the national competent authority along with business supervisory authorities.

The import of imitation guns shall be undertaken only after an approval document issued by National Police Agency, Ministry of the Interior is obtained.

Any person who manufactures, sells, transports or transfers banned imitation guns stated in paragraph 1 shall be sentenced to a fine up to NT\$500,000. If the offense is serious, the violator's business may be suspended or ordered to be closed. If the said person's purposes are to export, research and develop guns and have been reported to police authorities, he/she shall be exempt from penalties.

Any person who rents, lends, possesses, stores, or displays the banned imitation guns stated in the first paragraph of this article shall be sentenced to a fine up to NT\$30,000.

Any person who alters imitation guns that can fire metal objects or bullets without lethality shall be sentenced to a fine up to NT\$100,000. By law, the police may enter the venues for manufacturing, storing or selling imitation guns to inspect officially banned imitation guns, and shall join business supervisory authorities to inspect component parts, finished items, semi-finished items, related books and files, and question the persons concerned.

The inspectors stated in the preceding paragraph shall present their identification when conducting the inspection, and shall not interfere with regular business operation at the venue.

Any person who evades, hinders, or rejects the inspection stated in paragraph 6 or refuses to provide related information shall be sentenced a fine of no less than NT\$200,000 and no more than NT\$500,000, which may be imposed case by case and under the compulsory inspection.

People or organizations who have been possessing imitation guns stated in paragraph 1, should report their possession to the police authorities within 6 months after the official ban comes into effect. Any person who finishes the report to the police within the designated period shall not be punished by law.

The banned imitation guns stated in paragraph 1 shall be confiscated, regardless of whom they belong to. But those imitation guns used for

export, research and development and reported to police, or having circumstances stated in the preceding paragraph shall be exempted from confiscation.

Article 21: Any offenses in this Act and if also applicable to other laws or regulations with more severe penalties, the penalties will be subject to the latter laws.

Article 22: Any person who submits a tip on any violations of this Act to the police that contributes to the arrests is eligible for a reward. The rules governing the reward distribution stated in the preceding paragraph shall be enacted by the Executive Yuan.

Article 23 (deleted)

Article 24 (deleted)

Article 25 This Act shall come into effect as of the day of promulgation.

The articles of this Act which were amended on May 12, 2009 and came into effect on November 23, 2009