

REGULATION ABOUT SOUND AND GAS CARTRIDGE WEAPONS

FIRST PART

Objective,Content,Base and Definitions

Objective

ARTICLE 1-(1) The objective of this Regulation;it is to manage the procedures and principles about the qualities, production, importation, exportation, sale, acquisition, possession, transfer and transportation of the sound and gas cartridge weapons and the authorization, recording and registration processes about these weapons.

Scope

ARTICLE 2-(1) This Regulation comprises weapons known as blank guns which fire sound and gas cartridge.

Base

ARTICLE 3- (1) This Regulation has been elaborated based on article 5 of the Law About Sound and Gas Cartridge Weapons.

Definitions

ARTICLE 4-(1) These are what take place in the Regulation:

- a) Law: Law About Sound and Gas Cartridge Weapons,
- b) Police unit: Province Police Departments and Gendarmerie Headquarters in provinces, District Police Department/Headquarter and District Gendarmerie Headquarters in districts
- c) Sound and gaz catridge weapon: weapons called also blank, produced in a way,they can fire sound and gas cartridge, their barrel cannot throw any solid shot,they cannot be transformed into a weapon subject to the Law number 6136 provisions About Firearms and Other Engines on 10/07/1953,
- d) Sound and gas cartridge pistol: On condition not to be fully automatic, produced in a way it can fire sound and gas cartridge, its barrel cannot throw any solid, in an revolver or half automatic pistol appearance and weapons possessing a working system

SECOND PART

Production Principles, Authorizations and Announcements

Production principle

ARTICLE 5- (1) The working systems, mechanic structures and appearances of the sound and gas cartridge weapons which will be produces shall be as follows:

- a) Shall be in a structure which the cartridges produced are used only in sound and gas cartridge weapons.
- b) Shall be in a character not to throw cartridges in series; shall be produced in a one by one or revolver working system.

c) In a nature and structure which can not throw solid from its inside and cannot be opened easily and modified, at least half of them shall be produced with a steel bar.

d) The bore; shall be produced in a nature which its chamber and gun muzzle shall not be in the same shaft but in an offset shaft.

e) Barrel and other accessories; the barrel shall be produced as fuselage and solid.

f) At least half of the gun muzzle shall be five millimetres in length and such as it is possible to see it while looking from the front side, shall not be easily moved out and be covered with an orange colour phosphoric paint element.

g) The barrel in revolvers , in other revolvers the slide's both sidewall shall be in at least 5 millimetre thickness overall, marked with an orange colour phosphoric paint which can be seen easily.

h) The length of the barrel shall be produced such as not pass beyond 150 millimetres, except the chamber and its overall length of 250 millimetres.

i) Its appearance shall be like a revolver or an half automatic pistol, shall not be in an appearance or structure of an automatic gun used by security forces.

j) On the weapons produced, the brand, the model, the bore and the serial number shall be engraved in such a way that they cannot be erased.

k) It is obligatory to put on the package and boxes of these weapons a warning note figuring in Annexe-1 and a user's manual of the weapon.

Establishment and prior authorization

ARTICLE 6- (1) Associations which can produce sound and gas cartridge weapons shall take an establishment and prior authorization document from the Ministry of Trade and Industry.

(2) Those who want to found factories or workshops shall apply with a petition which has the information and documents annexe mentioned below.

a) Written authorisation from the governorate in provinces, from governorships in districts concerning the suitability of the workplace in terms of security.

b) Commercial registry or chamber of commerce registration document

c) Industry registration document

d) Capacity report,

e) Brand registry document,

f) From the components belonging to the goods which are going to be produced; a list of what it is going to be done within the firm, what it will be supplied from domestic market and what it will be imported.

g) Two sets of perspective drawing of the pistol for each model,

h) Two sets of fabrication drawings to be used in the production of each model

i) A degree and chamber registration document belonging to the engineer responsible of mechanics, a contract about its technical responsibility,

(3) In the event that the contract about the technical responsibility is annulled, information shall be given to the Ministry of Trade and Industry by the firm at the latest 1 month.

(4) The perspective and technical drawings submitted by the Ministry of Trade and Industry shall be sent to the firm every one set being confirmed, they shall be given back to be conserved in factories or workshops. One of each set shall be conserved by the Ministry.

(5) The establishment prior authorization shall be given by the Ministry of Trade and Industry valid for two months. This duration shall be extended if it didn't pass one year and just for one time in case the force majors detaining or preventing the establishment have been recognized and accepted by the Ministry of Trade and Industry.

Production authorization

ARTICLE 7- (1) According to the procedures and principles of this Regulation, three of the sound and gas cartridge weapons which for each model a prior authorization has been taken from the Ministry of Trade and Industry, after a prototype production has been made, shall be examined according to their production principles by gendarmerie or police criminal laboratories.

(2) After an application to the Ministry of Trade and Industry with the documents mentioned below, a Production Authorization Document which takes place in Annexe-2 shall be drawn up for the weapons appropriate to the production principles as a result of the examination which will be made by the Ministry within 30 days.

a) An analysis report showing the characteristics of the material used,

b) A written engagement about the materials which will be used in fabrications.

c) A copy of the examination report organized by the Gendarmerie or Police Criminal Laboratories

(3) In case of model additions, the procedure mentioned in the first and second paragraph will be implemented in condition to submit the documents mentioned in the subparagraph (f) and (g) of the second paragraph of article 6.

Announcement

Article 8- (1) The persons who possess and who just take over or purchased sound and gas cartridge weapons shall apply to the police unit with a bulky petition from the civilian authority and a judicial record document. A Sound and Gas Cartridge Weapon Announcement Document which takes place in annexe 3 shall be drawn up for every sound and gas cartridge weapon,

(2) In the event of a change in address, any addition announcement shall not be made.

(3) Pursuant to the draft of the document, the announcement shall be processed according to its procedure in the Sound and Gas Cartridge Weapon Record Book or in a computer environment.

(4) In the event that the person who announces is turning over the sound and gas cartridge weapon, a transfer contract which is in annexe-5 shall be made between them. The person who takes over shall announce it according to the procedure in the first paragraph. In the event that the persons who transfer the weapon announce it with a transfer contract by going to the civilian authority or in written with a mail, the weapon which is registered on them shall not belong to them anymore.

(5) Among the person who applied to the civilian authority, the weapon of those who are understood to be inconvenient to have sound and gas cartridge weapon will be passed to the public, a process shall be made according to the provisions mentioned in the second paragraph of article 4 of the Law about the person who sold the sound and gas cartridge weapon.

(6) The 1 month time given for the announcement in the Law shall start beginning from the date the invoice or transfer contract has been made.

The announcement of fabrication and sales

ARTICLE 9- (1) The sale of sound and gas cartridge weapon is made by places licensed to sell bullet or hunting gear or shotguns.

(2) The people/person selling these weapons, in order to determine whether the person who will buy the weapon carries or not the conditions specified by the Law; are entitled to control the judicial record document and identity card of the person who wishes to buy a weapon and must sell to only who those are carrying the conditions.

(3) Manufacturers and vendors selling sound and gas cartridge weapons shall notify the lists they will make to the civilian authorities within one month on condition to notify the type, bore and serial numbers of the goods sold to domestic and abroad, in a way to identify the amount, the person who purchased and the name and mailing address of the association, in accordance with the list in annexe-6.

CHAPTER 3

Import and Export

Import and Export

ARTICLE 10 – (1) The import and export process of weapons within the scope of this Regulation should be realised in accordance with the general clauses.

(2) The import of weapons having the conditions stated within the scope of Article 5 should be done after the approval of the Ministry of Internal Affairs and Ministry of Industry and Commerce.

(3) The obligations regarding the production of weapons that can shoot sound and gas cartridges are not considered for the weapons which are produced for export.

Convenience for Import

ARTICLE 11 – (1) The individuals who wish to import these weapons should get a preliminary approval for each weapon model. After getting the preliminary approval, they will apply to the Ministry of Industry and Commerce with the sample weapons.

(2) With the letter of approval received from the Ministry of Industry and

Commerce and the sample weapons, they will apply to the Ministry of Internal Affairs. As a result of the review made by the Ministry, the comments will be given on the import of the weapon which was found to be in accordance with the production principles stated on Article 5 of the relevant Regulation.

CHAPTER 4

Various and Final Clauses

Supervision

ARTICLE 12 – (1) Within the scope of this Regulation, the supervision of the companies producing weapons will be done at least once a year under the coordination of Ministry of Industry and Commerce by a committee assigned by the Ministry of Internal Affairs and Ministry of Industry and Commerce or their provincial directorates.

Transfer

ARTICLE 13 – (1) The weapons that can shoot sound and gas cartridges can be transferred in a box not allowing their use and accessibility at any time, with empty cartridges. Other transfer ways of these weapons excluding the stated conditions will be considered as transportation.

(2) Within one month period beginning from the date of turnover or purchase of these weapons from a dealer or individual person, the weapons can only be transferred under the conditions stated at the 1st Clause of this Article and only with an invoice or the document given as Attachment-5.

Transition Clauses

TEMPORARY ARTICLE 1 – (1) The individuals who import and export these weapons should declare the import and export amounts until 12/2/2008 within 6 months to Provincial Directorates of Industry and Commerce.

(2) Provided that the production is in accordance with the production principles stated in this Regulation, individuals who wish to continue the production of handguns or un-ribbed rifles should submit the information regarding the amount of their production for the weapon models that can shoot in sound and gas form until 12/2/2008 to the Provincial Directorates of Industry and Commerce.

(3) In case the individuals fulfil the requirements stated at the 2nd Clause and the models have been found appropriate by the Ministry of Industry and Commerce, these individuals are not due to receive any other approval for the production of weapons that can shoot in sound and gas forms.

Technical and criminal investigation

TEMPORARY ARTICLE 2 – (1) No technical and criminal investigations can be held within one year, beginning from the date this Regulation comes into force;

excluding any forensic events.

Operative Effect

ARTICLE 14 – (1) This Regulation will come into force starting from its publication date.

Law Enforcement

ARTICLE 15 – (1) This Regulation and its clauses will be enforced by Ministry of Internal Affairs and Ministry of Industry and Commerce.

LEGAL WARNING REGARDING WEAPONS WHICH ARE BEING SOLD IN ACCORDANCE WITH LAW CLAUSE NO. 5729

(Attachment-1)

1. The individuals who purchase or take over this weapon should apply to the Provincial Authorities together with their judicial records within one month.

2. It is forbidden to carry this weapon.

3. This weapon can be transferred only when it is not loaded and in a box, not easily accessible and usable.

4. This weapon can not be sold to criminals who have been accused in accordance with Law No. 6136 regarding crimes committed with weapons and to individuals sentenced for arrest for one year or more.

5. This weapon can not be sold to less than 18 year-old citizens.

6. It is forbidden to make modifications on the weapon.

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