



Expatriate Counsel

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CRIMINAL LAW IN THAILAND

Part XXIII: Procedure for obtaining a gun licence



This week we'll begin the discussion of the actual steps one has to take to license and buy a gun in Thailand. Remember, if you're a foreigner, the likelihood is that you won't be granted a gun licence.

The rules below would, of course, apply to applications by Thai citizens closely related to you or in your household.

First, let's look at the guns that are allowed and not allowed for civilians to license in Thailand:

- Rifled firearms exceeding 11.45mm in calibre can't be licensed;
- smooth-bore firearms exceeding 20mm in calibre can't be licensed;
- muzzle-loaders, shotguns and pyrotechnic pistols, also smooth-bore, can be licensed;
- there are limitations on firearms with automatic chambering devices, but shotguns in this category can be licensed;
- guns with silencers can't be licensed;
- guns that are designed to deliver toxic, infectious, inflammable or radioactive substances can't be licensed;
- military weapons, such as M16s, can't be licensed.

In effect, what can be licensed is an

11.45mm or smaller pistol or rifle. Shotguns can also be licensed. As we'll discuss later, when one files the application for any of these weapons, you must affirm that they will be used only for defence of oneself or one's property, sport or hunting.

Before getting a licence, the applicant must identify the exact firearm to be purchased and from whom it will be purchased. In Bangkok, for example, there are several dealers in the Wang Burapha area. The internet is a source of licensed dealers throughout Thailand.

When the applicant has the exact model he or she wishes to purchase and the dealer's identity, the application process may begin.

The first step is to file an application to possess and use a gun, form Por.1. This has to be filed with the proper authority in the area where the applicant has a blue or yellow book, indicating a residence there. For Bangkok, this has to be filed at the Department of Provincial Administration, located at Nakhon Sawan Road, Dusit, Bangkok 10300. Please note that this filing location has recently changed and was for many years previously the registration division

of the Royal Thai Police Office. In the provinces, it has to be filed with a nai amphur, or sheriff.

In the form Por.1 the applicant must identify the dealer, the exact model to be purchased and the ammunition. The applicant must also affirm that the weapon will be used only for defence, sport or hunting.

Form Por.1 contains numerous questions designed to enable the authorities to determine whether the applicant is among the groups to whom firearms are not allowed. The specific qualifying and disqualifying factors have been discussed in earlier columns.

Next week we will conclude our discussion of the application process for a gun licence. ■

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