

可以舉行特別會議。

第八條

例行年度會議通常應在聯委會時任主席方國家舉行。特別會議舉行的時間和地點將由各當事方事先商定。

第九條

聯委會會議應使用上海合作組織官方語言。

第 15/2024 號行政長官公告

中華人民共和國於二零二三年十二月十九日透過照會，就聯合國大會於二零零一年五月三十一日在紐約通過的《聯合國打擊跨國有組織犯罪公約關於打擊非法製造和販運槍支及其零部件和彈藥的補充議定書》（下稱“槍支議定書”），向聯合國秘書長交存了批准書，並聲明槍支議定書適用於中華人民共和國澳門特別行政區，中華人民共和國對槍支議定書第十六條第二款所作的保留和對第二條所作的聲明亦適用於澳門特別行政區；

聯合國秘書長於二零二四年一月三日覆照確認，槍支議定書自二零二四年一月十八日對中華人民共和國生效，包括對澳門特別行政區生效；

基於此，行政長官根據第3/1999號法律《法規的公佈與格式》第五條（一）項和第六條第一款的規定，命令公佈上指槍支議定書的中文和英文正式文本。

二零二四年三月二十二日發佈。

行政長官 賀一誠

Aviso do Chefe do Executivo n.º 15/2024

Considerando que a República Popular da China efectuou, por nota datada de 19 de Dezembro de 2023, junto do Secretário-Geral das Nações Unidas o depósito do seu instrumento de ratificação do Protocolo contra o Fabrico e o Tráfico Ilícitos de Armas de Fogo, Suas Partes, Componentes e Munições, Adicional à Convenção das Nações Unidas contra a Criminalidade Organizada Transnacional, doravante designado por Protocolo sobre Armas de Fogo, adoptado pela Assembleia Geral das Nações Unidas em Nova Iorque em 31 de Maio de 2001, declarando que o Protocolo sobre Armas de Fogo se aplica à Região Administrativa Especial de Macau da República Popular da China, e que a reserva ao n.º 2 do Artigo 16.º e a declaração ao Artigo 2.º do Protocolo sobre Armas de Fogo formuladas pela República Popular da China são igualmente aplicáveis na Região Administrativa Especial de Macau;

Considerando igualmente que o Secretário-Geral das Nações Unidas confirmou, por nota datada de 3 de Janeiro de 2024, que o Protocolo sobre Armas de Fogo entrou em vigor para a República Popular da China em 18 de Janeiro de 2024, incluindo a sua Região Administrativa Especial de Macau;

O Chefe do Executivo manda publicar, nos termos da alínea 1) do artigo 5.º e do n.º 1 do artigo 6.º da Lei n.º 3/1999 (Publicação e formulário dos diplomas), o referido Protocolo sobre Armas de Fogo, nos seus textos autênticos em línguas chinesa e inglesa.

Promulgado em 22 de Março de 2024.

O Chefe do Executivo, *Ho Iat Seng*.

聯合國打擊跨國有組織犯罪公約

關於打擊非法製造和販運槍支及其零部件和彈藥的

補充議定書

序言

本議定書締約國，

意識到迫切需要預防、打擊和消除槍支及其零部件和彈藥的非法製造和販運，因為這些活動危害每個國家、區域和整個世界的安全，威脅各民族的幸福及其社會和經濟發展與和平生活的權利，

因此，深信各國有必要為此目的而採取一切適當的措施，包括在區域和全球開展國際合作和採取其他措施，

回顧 1998 年 12 月 9 日第 53/111 號決議，大會在該決議中決定設立一個開放的政府間特設委員會，以擬定一項打擊跨國有組織犯罪的全面國際公約，並討論擬定諸如打擊非法製造和販運槍支及其零部件和彈藥的國際文書，

銘記《聯合國憲章》和《關於各國依聯合國憲章建立友好關係和合作的國際法原則宣言》所莊嚴載入的人民平等權利和自決原則，

深信以一項打擊非法製造和販運槍支及其零部件和彈藥的國際文書補充《聯合國打擊跨國有組織犯罪公約》，將會有助於預防和打擊這種犯罪，

茲議定如下：

一、一般條款

第一條

同《聯合國打擊跨國有組織犯罪公約》的關係

一、本議定書是對《聯合國打擊跨國有組織犯罪公約》的補充。本議定書應連同公約一併予以解釋。

二、除非本議定書中另有規定，公約的規定應經適當變通後適用於本議定書。

三、根據本議定書第五條確立的犯罪應視為根據公約確立的犯罪。

第二條

宗旨聲明

本議定書的宗旨是促進、便利和加強締約國之間為了預防、打擊和消除非法製造和販運槍支及其零部件和彈藥而進行的合作。

第三條

術語的使用

在本議定書中：

（一）“槍支”係指利用爆炸作用的任何發射、設計成可以發射或者稍經改裝即可發射彈丸、彈頭或拋射物的便攜管狀武器，但不包括古董槍支及其複製品。古董槍支及其複製品應按照各國本國法律予以界定。但古董槍支無論如何不得包括 1899 年後製造的槍支；

（二）“零部件”係指專為槍支設計、而且對槍支操作必不可少的任何部分或更換部分，其中包括槍管、套筒座或機匣、套筒或轉輪、槍機或槍門及為槍支消音而設計或改裝的機件；

(三) “彈藥”係指槍支所用的整發子彈或其組成部分，包括彈殼、底火、發射藥、彈頭或槍支發射的拋射物，但這些組成部分本身須由各締約國批准；

(四) “非法製造”係指下述情況下的製造或組裝槍支、槍支零部件或彈藥：

1. 利用非法販運的零部件；
2. 沒有製造地或組裝地締約國主管當局簽發的執照或許可證；或
3. 製造時沒有根據本議定書第八條的規定在槍支上打上標識；

零部件製造的執照或許可證，應根據本國法律規定簽發；

(五) “非法販運”係指從一個締約國的領土或經過一個締約國的領土進口、出口、獲取、銷售、交付、移動或轉讓槍支及其零部件和彈藥而未經任何有關締約國根據本議定書條款批准或未根據本議定書第八條規定打上標識；

(六) “追查”係指在從製造商直到購買者的全過程中系統地追查槍支，並在可能情況下追查槍支零部件和彈藥，以協助締約國主管當局偵查、調查和分析非法製造和非法販運活動。

第四條

適用範圍

一、除非本議定書中另有規定，本議定書應當適用於預防非法製造和販運槍支及其零部件和彈藥，以及偵查和起訴根據本議定書第五條所確立的帶有跨國性質且涉及有組織犯罪集團的犯罪。

二、如果適用議定書便會影響締約國根據《聯合國憲章》採取有利於國家安全的行動的權利，本議定書不應適用於國家間交易或國家轉讓。

第五條

刑事定罪

一、各締約國均應採取必要的立法和其他措施將下列故意行為定為刑事犯罪：

- (一) 非法製造槍支及其零部件和彈藥；
- (二) 非法販運槍支及其零部件和彈藥；
- (三) 偽造或非法擦掉、消除或改動本議定書第八條要求的槍支標識。

二、各締約國還應採取必要的立法和其他措施將下列行為定為刑事犯罪：

- (一) 實施根據本條第一款所確立的犯罪未遂或作為同犯參與這種犯罪，但應以本國法律制度基本概念為準；和
- (二) 組織、指揮、協助、教唆實施根據本條第一款所確立的犯罪，或為此提供便利或參謀。

第六條

沒收、扣押和處置

一、在不影響公約第十二條的情況下，締約國應在本國法律制度的範圍內儘最大可能採取必要措施，以便能夠沒收非法製造或販運的槍支及其零部件和彈藥。

二、締約國應在本國法律制度的範圍內採取必要措施，通過扣押和銷

毀非法製造和販運的槍支及其零部件和彈藥等辦法，防止其落入未獲許可者之手。但經正式批准的其他處置方式除外，不過應給槍支打上標識，並對這些槍支和彈藥的處置方式進行登記。

二、預防

第七條

保存記錄

各締約國均應切實保存與槍支有關的必要資料，並在適當和可行的情況下保存與槍支零部件和彈藥有關的必要資料，保存期至少為十年，以便識別和追查非法製造或販運的槍支，而且在適當和可行的情況下識別和追查這些槍支的零部件和彈藥，並防止和偵查這類活動。這類資料應包括：

（一）本議定書第八條所規定的恰當標識；

（二）凡涉及槍支及其零部件和彈藥的國際交易，有關執照或許可證的簽發日期和到期日期、出口國、進口國、過境國（酌情而定）、最終收貨人以及貨物的說明和數量。

第八條

槍支的標識

一、為了識別和追查每一槍支，締約國應：

（一）在每一槍支製造時，或者要求打上表示製造商名稱、製造國或製造地和序號的獨特標識，或者沿用由簡單幾何符號與數字密碼和（或）字母數字混合密碼組成的任何其他獨特的、便於使用的標識，使所有國家即刻便能識別製造國；

(二) 要求在進口的每一槍支上打上適當的簡明標識，以便識別進口國和在可能的情況下識別進口年份，並使該國主管當局能夠追查該槍支，如果該槍支無獨特標識，則還應當打上這類標識。本項的要求不必適用於出於可核實的合法目的臨時進口的槍支；

(三) 確保在槍支從政府庫存轉為永久性民用時打上適當的獨特標識，以使所有締約國均能識別轉讓國。

二、締約國應當鼓勵槍支製造業研擬防止去除或更改標識的措施。

第九條

槍支的停用

根據本國法律不承認已停用的槍支為槍支的締約國應採取必要措施，包括酌情規定具體的犯罪，以便根據下列有關停用的一般原則，防止非法重新啟用業已停用的槍支：

(一) 對於已予停用的槍支，應使其所有主要部件永遠無法操作，並且不能以一種可使槍支以任何手段重新啟用的方式予以拆除、替換或更改；

(二) 應為在適當時由某一主管當局核查停用措施作出安排，以確保對槍支的更改將使其永遠無法操作；

(三) 主管當局的核查應當包括證明槍支已予停用的證書或記錄或者在槍支上打上表示槍支已予停用的明顯標識。

第十條

關於進出口和過境執照或許可證制度的一般要求

一、各締約國均應對槍支及其零部件和彈藥的轉讓建立或保持有效的

進出口執照或許可證制度以及國際過境措施。

二、各締約國在為運送槍支及其零部件和彈藥簽發出口執照或許可證之前均應核查：

(一) 進口國已簽發進口執照或許可證；

(二) 在不影響照顧內陸國雙邊或多邊協議或安排的情況下，過境國在運送之前至少已書面通知說其對有關過境不持異議。

三、進出口執照或許可證和附單中所載資料至少應包括簽發地點和日期、到期日、出口國、進口國、最終收貨人、槍支及其零部件和彈藥的說明和數量，以及在過境情況下所涉及的過境國。應事先向過境國提供進口執照中所載資料。

四、進口締約國應根據請求將已收到所發運的槍支及其零部件和彈藥的情況通知出口締約國。

五、各締約國均應在力所能及的範圍內採取必要措施，以確保發放執照或許可證程序的可靠性，並確保可以核查或驗證執照或許可證文件的真偽。

六、對於出於打獵、射擊比賽、評價、展覽或修理等可予核查的合法目的而臨時進出口和過境轉運槍支及其零部件和彈藥，締約國可實行簡化程序。

第十一條

安全和預防措施

為了偵查、預防和杜絕槍支及其零部件和彈藥的失竊、丟失、轉移用途以及非法製造和販運，各締約國均應採取以下適當措施：

(一) 要求確保槍支及其零部件和彈藥在製造、進口、出口和通過本國領土時的安全；

(二) 提高進口、出口和過境管制的有效性，在適當情況下還包括提高邊境管制以及警方和海關跨境合作等方面的有效性。

第十二條

信息

一、在不影響公約第二十七和第二十八條的情況下，締約國應依照各自的國內法律和行政制度，就槍支及其零部件和彈藥的特許製造商、經銷商、進口商、出口商以及在可能情況下就其承運人等事項相互交換與具體案件有關的信息。

二、在不影響公約第二十七和第二十八條的情況下，締約國應依照各自的國內法律和行政制度，就以下事項相互間交換有關信息：

(一) 已知參與或涉嫌參與非法製造或販運槍支及其零部件和彈藥的有組織犯罪集團；

(二) 非法製造或販運槍支及其零部件和彈藥中使用的隱藏手段和偵破方法；

(三) 從事非法販運槍支及其零部件和彈藥的有組織犯罪集團通常使用的方法和手段、發送點和目的地及路線；和

(四) 與預防、打擊和消除非法製造和販運槍支及其零部件和彈藥有關的立法經驗、做法與措施。

三、締約國應當酌情相互提供或交換有助於執法當局的有關科學技術信息，以提高彼此在預防、偵查和調查非法製造和販運槍支及其零部件和

彈藥並起訴參與這些非法活動的人員方面的能力。

四、締約國應當在追查可能是非法製造或販運的槍支及其零部件和彈藥方面開展合作。這種合作應包括在力所能及的範圍內對協助追查此種槍支及其零部件和彈藥的請求作出迅速的答覆。

五、各締約國均應在符合本國法律制度基本概念或任何國際協定的情況下，保證對其根據本條規定從另一締約國收到的任何信息，包括與商業交易有關的專利信息加以保密並遵守對使用這種信息的任何限制，只要提供此種信息的締約國有此請求。如果不能保密，則應在公佈信息前通知提供此種信息的締約國。

第十三條

合作

一、締約國應當在雙邊、區域和國際各級開展合作，以預防、打擊和消除非法製造和販運槍支及其零部件和彈藥。

二、在不影響公約第十八條第十三款的情況下，各締約國均應指定一個國家機關或單一的聯絡點，作為本國與其他締約國之間就本議定書所涉事項進行聯絡的單位。

三、締約國應尋求槍支及其零部件和彈藥的製造商、經銷商、進口商、出口商、經紀人和商業承運人的支持與合作，以預防和偵查本條第一款所述非法活動。

第十四條

培訓和技術援助

締約國應當相互合作並酌情與有關國際組織合作，使締約國在提出請

求後能獲得必要的培訓和技術援助，包括公約第二十九和三十條中確定的那些事項方面的技術、財政和物質援助，以增強其預防、打擊和消除非法製造和販運槍支及其零部件和彈藥的能力。

第十五條

經紀人和經紀業

一、為了預防和打擊非法製造和非法販運槍支及其零部件和彈藥，尚未考慮對從事經紀業者的活動建立管理制度的締約國應考慮建立此種制度。此種制度可包括一種或多種措施，例如：

（一）要求在本國境內營業的經紀人註冊；

（二）要求經紀執照或許可證；或

（三）要求在進出口執照或許可證或附單上公佈參與交易的經紀人的姓名和所在地。

二、鼓勵已建立了如本條第一款所述經紀許可證制度的締約國在根據本議定書第十二條交換信息時載列有關經紀人和經紀業的資料，並根據本議定書第七條保留有關經紀人和經紀業的記錄。

三、最後條款

第十六條

爭端的解決

一、締約國應努力通過談判解決與本議定書的解釋或適用有關的爭端。

二、兩個或兩個以上締約國對於本議定書的解釋或適用發生的任何爭

端，在合理時間內不能通過談判解決的，應按其中一方的請求交付仲裁。如果自請求交付仲裁之日起 6 個月後這些締約國不能就仲裁安排達成協議，則其中任何一方均可依照《國際法院規約》請求將爭端提交國際法院。

三、各締約國在簽署、批准、接受、核准或加入本議定書時，均可聲明不受本條第二款的約束。對於作出此種保留的任何締約國而言，其他締約國不應受本條第二款的約束。

四、根據本條第三款作出保留的任何締約國，均可隨時通知聯合國秘書長撤銷該項保留。

第十七條

簽署、批准、接受、核准和加入

一、本議定書自大會通過之日後第 30 天起至 2002 年 12 月 12 日止在紐約聯合國總部開放供各國簽署。

二、本議定書還應開放供區域經濟一體化組織簽署，條件是該組織至少有一個成員國已按照本條第一款規定簽署本議定書。

三、本議定書須經批准、接受或核准。批准書、接受書或核准書應交存聯合國秘書長。如果某一區域經濟一體化組織至少有一個成員國已交存批准書、接受書或核准書，該組織也可照樣辦理。該組織應在該批准書、接受書或核准書中宣佈其在本議定書管轄事項方面的權限範圍。該組織還應將其權限範圍的任何有關變動情況通知保存人。

四、任何國家或任何至少有一個成員國已加入本議定書的區域經濟一體化組織均可加入本議定書。加入書應交存聯合國秘書長。區域經濟一體化組織加入本議定書時應宣佈其在本議定書管轄事項方面的權限範圍。該

組織還應將其權限範圍的任何有關變動情況通知保存人。

第十八條

生效

一、本議定書應自第 40 份批准書、接受書、核准書或加入書交存聯合國秘書長之日後第 90 天起生效，但不得在公約生效前生效。為本款的目的，區域經濟一體化組織交存的任何文書均不得在該組織成員國所交存文書以外另行計算。

二、對於在第 40 份批准書、接受書、核准書或加入書交存後批准、接受、核准或加入本議定書的國家或區域經濟一體化組織，本議定書應自該國或組織交存有關文書之日後第 30 天起生效，或自本議定書根據本條第一款生效之日起生效，以時間較後者為準。

第十九條

修正

一、本議定書締約國可在本議定書生效已滿 5 年後提出修正案並將其送交聯合國秘書長。秘書長應立即將所提修正案轉致締約國和公約締約方會議，以進行審議並作出決定。參加締約方會議的本議定書締約國應儘力就每項修正案達成協商一致。如果已為達成協商一致作出一切努力而仍未達成一致意見，作為最後手段，該修正案須有出席締約方會議並參加表決的本議定書締約國的三分之二多數票方可通過。

二、區域經濟一體化組織對屬於其權限的事項依本條行使表決權時，其票數相當於其作為本議定書締約國的成員國數目。如果這些組織的成員國行使表決權，則這些組織便不得行使表決權，反之亦然。

三、根據本條第一款通過的修正案，須經締約國批准、接受或核准。

四、根據本條第一款通過的修正案，應自締約國向聯合國秘書長交存一份批准、接受或核准該修正案的文書之日起 90 天之後對該締約國生效。

五、修正案一經生效，即對已表示同意受其約束的締約國具有約束力。其他締約國則仍受本議定書原條款和其以前批准、接受或核准的任何修正案的約束。

第二十條

退約

一、締約國可書面通知聯合國秘書長退出本議定書。此項退約應自秘書長收到上述通知之日起一年後生效。

二、區域經濟一體化組織在其所有成員國已退出本議定書時即不再為本議定書締約方。

第二十一條

保存人和語文

一、聯合國秘書長為本議定書的指定保存人。

二、本議定書原件應交存聯合國秘書長，議定書的阿拉伯文、中文、英文、法文、俄文和西班牙文文本同為作準文本。

茲由經各自政府正式授權的下列署名全權代表簽署本議定書，以昭信守。

PROTOCOL AGAINST THE ILLICIT MANUFACTURING OF
AND TRAFFICKING IN FIREARMS, THEIR PARTS
AND COMPONENTS AND AMMUNITION,
SUPPLEMENTING THE UNITED NATIONS CONVENTION
AGAINST TRANSNATIONAL ORGANIZED CRIME

Preamble

The States Parties to this Protocol,

Aware of the urgent need to prevent, combat and eradicate the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, owing to the harmful effects of those activities on the security of each State, region and the world as a whole, endangering the well-being of peoples, their social and economic development and their right to live in peace,

Convinced, therefore, of the necessity for all States to take all appropriate measures to this end, including international cooperation and other measures at the regional and global levels,

Recalling General Assembly resolution 53/111 of 9 December 1998, in which the Assembly decided to establish an open-ended intergovernmental ad hoc committee for the purpose of elaborating a comprehensive international convention against transnational organized crime and of discussing the elaboration of, inter alia, an international instrument combating the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition,

Bearing in mind the principle of equal rights and self-determination of peoples, as enshrined in the Charter of the United Nations and the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,

Convinced that supplementing the United Nations Convention against Transnational Organized Crime with an international instrument against the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition will be useful in preventing and combating those crimes,

Have agreed as follows:

I. General provisions

Article 1

Relation with the United Nations Convention against Transnational Organized Crime

1. This Protocol supplements the United Nations Convention against Transnational Organized Crime. It shall be interpreted together with the Convention.
2. The provisions of the Convention shall apply, *mutatis mutandis*, to this Protocol unless otherwise provided herein.
3. The offences established in accordance with article 5 of this Protocol shall be regarded as offences established in accordance with the Convention.

Article 2

Statement of purpose

The purpose of this Protocol is to promote, facilitate and strengthen cooperation among States Parties in order to prevent, combat and eradicate the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition.

Article 3

Use of terms

For the purposes of this Protocol:

- (a) “Firearm” shall mean any portable barrelled weapon that expels, is designed to expel or may be readily converted to expel a shot, bullet or projectile by the action of an explosive, excluding antique firearms or their replicas. Antique firearms and their replicas shall be defined in accordance with domestic law. In no case, however, shall antique firearms include firearms manufactured after 1899;
- (b) “Parts and components” shall mean any element or replacement element specifically designed for a firearm and essential to its operation, including a barrel, frame or receiver, slide or cylinder, bolt or breech block, and any device designed or adapted to diminish the sound caused by firing a firearm;
- (c) “Ammunition” shall mean the complete round or its components, including cartridge cases, primers, propellant powder, bullets or projectiles,

that are used in a firearm, provided that those components are themselves subject to authorization in the respective State Party;

(d) “Illicit manufacturing” shall mean the manufacturing or assembly of firearms, their parts and components or ammunition:

- (i) From parts and components illicitly trafficked;
- (ii) Without a licence or authorization from a competent authority of the State Party where the manufacture or assembly takes place; or
- (iii) Without marking the firearms at the time of manufacture, in accordance with article 8 of this Protocol;

Licensing or authorization of the manufacture of parts and components shall be in accordance with domestic law;

(e) “Illicit trafficking” shall mean the import, export, acquisition, sale, delivery, movement or transfer of firearms, their parts and components and ammunition from or across the territory of one State Party to that of another State Party if any one of the States Parties concerned does not authorize it in accordance with the terms of this Protocol or if the firearms are not marked in accordance with article 8 of this Protocol;

(f) “Tracing” shall mean the systematic tracking of firearms and, where possible, their parts and components and ammunition from manufacturer to purchaser for the purpose of assisting the competent authorities of States Parties in detecting, investigating and analysing illicit manufacturing and illicit trafficking.

Article 4 *Scope of application*

1. This Protocol shall apply, except as otherwise stated herein, to the prevention of illicit manufacturing of and trafficking in firearms, their parts and components and ammunition and to the investigation and prosecution of offences established in accordance with article 5 of this Protocol where those offences are transnational in nature and involve an organized criminal group.

2. This Protocol shall not apply to state-to-state transactions or to state transfers in cases where the application of the Protocol would prejudice the right of a State Party to take action in the interest of national security consistent with the Charter of the United Nations.

Article 5
Criminalization

1. Each State Party shall adopt such legislative and other measures as may be necessary to establish as criminal offences the following conduct, when committed intentionally:

(a) Illicit manufacturing of firearms, their parts and components and ammunition;

(b) Illicit trafficking in firearms, their parts and components and ammunition;

(c) Falsifying or illicitly obliterating, removing or altering the marking(s) on firearms required by article 8 of this Protocol.

2. Each State Party shall also adopt such legislative and other measures as may be necessary to establish as criminal offences the following conduct:

(a) Subject to the basic concepts of its legal system, attempting to commit or participating as an accomplice in an offence established in accordance with paragraph 1 of this article; and

(b) Organizing, directing, aiding, abetting, facilitating or counselling the commission of an offence established in accordance with paragraph 1 of this article.

Article 6
Confiscation, seizure and disposal

1. Without prejudice to article 12 of the Convention, States Parties shall adopt, to the greatest extent possible within their domestic legal systems, such measures as may be necessary to enable confiscation of firearms, their parts and components and ammunition that have been illicitly manufactured or trafficked.

2. States Parties shall adopt, within their domestic legal systems, such measures as may be necessary to prevent illicitly manufactured and trafficked firearms, parts and components and ammunition from falling into the hands of unauthorized persons by seizing and destroying such firearms, their parts and components and ammunition unless other disposal has been officially authorized, provided that the firearms have been marked and the methods of disposal of those firearms and ammunition have been recorded.

II. Prevention

Article 7 *Record-keeping*

Each State Party shall ensure the maintenance, for not less than ten years, of information in relation to firearms and, where appropriate and feasible, their parts and components and ammunition that is necessary to trace and identify those firearms and, where appropriate and feasible, their parts and components and ammunition which are illicitly manufactured or trafficked and to prevent and detect such activities. Such information shall include:

(a) The appropriate markings required by article 8 of this Protocol;

(b) In cases involving international transactions in firearms, their parts and components and ammunition, the issuance and expiration dates of the appropriate licences or authorizations, the country of export, the country of import, the transit countries, where appropriate, and the final recipient and the description and quantity of the articles.

Article 8 *Marking of firearms*

1. For the purpose of identifying and tracing each firearm, States Parties shall:

(a) At the time of manufacture of each firearm, either require unique marking providing the name of the manufacturer, the country or place of manufacture and the serial number, or maintain any alternative unique user-friendly marking with simple geometric symbols in combination with a numeric and/or alphanumeric code, permitting ready identification by all States of the country of manufacture;

(b) Require appropriate simple marking on each imported firearm, permitting identification of the country of import and, where possible, the year of import and enabling the competent authorities of that country to trace the firearm, and a unique marking, if the firearm does not bear such a marking. The requirements of this subparagraph need not be applied to temporary imports of firearms for verifiable lawful purposes;

(c) Ensure, at the time of transfer of a firearm from government stocks to permanent civilian use, the appropriate unique marking permitting identification by all States Parties of the transferring country.

2. States Parties shall encourage the firearms manufacturing industry to develop measures against the removal or alteration of markings.

Article 9
Deactivation of firearms

A State Party that does not recognize a deactivated firearm as a firearm in accordance with its domestic law shall take the necessary measures, including the establishment of specific offences if appropriate, to prevent the illicit reactivation of deactivated firearms, consistent with the following general principles of deactivation:

(a) All essential parts of a deactivated firearm are to be rendered permanently inoperable and incapable of removal, replacement or modification in a manner that would permit the firearm to be reactivated in any way;

(b) Arrangements are to be made for deactivation measures to be verified, where appropriate, by a competent authority to ensure that the modifications made to a firearm render it permanently inoperable;

(c) Verification by a competent authority is to include a certificate or record attesting to the deactivation of the firearm or a clearly visible mark to that effect stamped on the firearm.

Article 10
General requirements for export, import and transit licensing or authorization systems

1. Each State Party shall establish or maintain an effective system of export and import licensing or authorization, as well as of measures on international transit, for the transfer of firearms, their parts and components and ammunition.

2. Before issuing export licences or authorizations for shipments of firearms, their parts and components and ammunition, each State Party shall verify:

(a) That the importing States have issued import licences or authorizations; and

(b) That, without prejudice to bilateral or multilateral agreements or arrangements favouring landlocked States, the transit States have, at a minimum, given notice in writing, prior to shipment, that they have no objection to the transit.

3. The export and import licence or authorization and accompanying documentation together shall contain information that, at a minimum, shall include the place and the date of issuance, the date of expiration, the country of export, the country of import, the final recipient, a description and the quantity of the firearms, their parts and components and ammunition and, whenever there is transit, the countries of transit. The information contained in the import licence must be provided in advance to the transit States.

4. The importing State Party shall, upon request, inform the exporting State Party of the receipt of the dispatched shipment of firearms, their parts and components or ammunition.

5. Each State Party shall, within available means, take such measures as may be necessary to ensure that licensing or authorization procedures are secure and that the authenticity of licensing or authorization documents can be verified or validated.

6. States Parties may adopt simplified procedures for the temporary import and export and the transit of firearms, their parts and components and ammunition for verifiable lawful purposes such as hunting, sport shooting, evaluation, exhibitions or repairs.

Article 11

Security and preventive measures

In an effort to detect, prevent and eliminate the theft, loss or diversion of, as well as the illicit manufacturing of and trafficking in, firearms, their parts and components and ammunition, each State Party shall take appropriate measures:

(a) To require the security of firearms, their parts and components and ammunition at the time of manufacture, import, export and transit through its territory; and

(b) To increase the effectiveness of import, export and transit controls, including, where appropriate, border controls, and of police and customs transborder cooperation.

Article 12

Information

1. Without prejudice to articles 27 and 28 of the Convention, States Parties shall exchange among themselves, consistent with their respective domestic legal and administrative systems, relevant case-specific information on matters such as authorized producers, dealers, importers, exporters and,

whenever possible, carriers of firearms, their parts and components and ammunition.

2. Without prejudice to articles 27 and 28 of the Convention, States Parties shall exchange among themselves, consistent with their respective domestic legal and administrative systems, relevant information on matters such as:

(a) Organized criminal groups known to take part or suspected of taking part in the illicit manufacturing of or trafficking in firearms, their parts and components and ammunition;

(b) The means of concealment used in the illicit manufacturing of or trafficking in firearms, their parts and components and ammunition and ways of detecting them;

(c) Methods and means, points of dispatch and destination and routes customarily used by organized criminal groups engaged in illicit trafficking in firearms, their parts and components and ammunition; and

(d) Legislative experiences and practices and measures to prevent, combat and eradicate the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition.

3. States Parties shall provide to or share with each other, as appropriate, relevant scientific and technological information useful to law enforcement authorities in order to enhance each other's abilities to prevent, detect and investigate the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition and to prosecute the persons involved in those illicit activities.

4. States Parties shall cooperate in the tracing of firearms, their parts and components and ammunition that may have been illicitly manufactured or trafficked. Such cooperation shall include the provision of prompt responses to requests for assistance in tracing such firearms, their parts and components and ammunition, within available means.

5. Subject to the basic concepts of its legal system or any international agreements, each State Party shall guarantee the confidentiality of and comply with any restrictions on the use of information that it receives from another State Party pursuant to this article, including proprietary information pertaining to commercial transactions, if requested to do so by the State Party providing the information. If such confidentiality cannot be maintained, the State Party that provided the information shall be notified prior to its disclosure.

Article 13
Cooperation

1. States Parties shall cooperate at the bilateral, regional and international levels to prevent, combat and eradicate the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition.

2. Without prejudice to article 18, paragraph 13, of the Convention, each State Party shall identify a national body or a single point of contact to act as liaison between it and other States Parties on matters relating to this Protocol.

3. States Parties shall seek the support and cooperation of manufacturers, dealers, importers, exporters, brokers and commercial carriers of firearms, their parts and components and ammunition to prevent and detect the illicit activities referred to in paragraph 1 of this article.

Article 14
Training and technical assistance

States Parties shall cooperate with each other and with relevant international organizations, as appropriate, so that States Parties may receive, upon request, the training and technical assistance necessary to enhance their ability to prevent, combat and eradicate the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, including technical, financial and material assistance in those matters identified in articles 29 and 30 of the Convention.

Article 15
Brokers and brokering

1. With a view to preventing and combating illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, States Parties that have not yet done so shall consider establishing a system for regulating the activities of those who engage in brokering. Such a system could include one or more measures such as:

(a) Requiring registration of brokers operating within their territory;

(b) Requiring licensing or authorization of brokering; or

(c) Requiring disclosure on import and export licences or authorizations, or accompanying documents, of the names and locations of brokers involved in the transaction.

2. States Parties that have established a system of authorization regarding brokering as set forth in paragraph 1 of this article are encouraged to include information on brokers and brokering in their exchanges of information under article 12 of this Protocol and to retain records regarding brokers and brokering in accordance with article 7 of this Protocol.

III. Final provisions

Article 16 Settlement of disputes

1. States Parties shall endeavour to settle disputes concerning the interpretation or application of this Protocol through negotiation.

2. Any dispute between two or more States Parties concerning the interpretation or application of this Protocol that cannot be settled through negotiation within a reasonable time shall, at the request of one of those States Parties, be submitted to arbitration. If, six months after the date of the request for arbitration, those States Parties are unable to agree on the organization of the arbitration, any one of those States Parties may refer the dispute to the International Court of Justice by request in accordance with the Statute of the Court.

3. Each State Party may, at the time of signature, ratification, acceptance or approval of or accession to this Protocol, declare that it does not consider itself bound by paragraph 2 of this article. The other States Parties shall not be bound by paragraph 2 of this article with respect to any State Party that has made such a reservation.

4. Any State Party that has made a reservation in accordance with paragraph 3 of this article may at any time withdraw that reservation by notification to the Secretary-General of the United Nations.

Article 17 Signature, ratification, acceptance, approval and accession

1. This Protocol shall be open to all States for signature at United Nations Headquarters in New York from the thirtieth day after its adoption by the General Assembly until 12 December 2002.

2. This Protocol shall also be open for signature by regional economic integration organizations provided that at least one member State of

such organization has signed this Protocol in accordance with paragraph 1 of this article.

3. This Protocol is subject to ratification, acceptance or approval. Instruments of ratification, acceptance or approval shall be deposited with the Secretary-General of the United Nations. A regional economic integration organization may deposit its instrument of ratification, acceptance or approval if at least one of its member States has done likewise. In that instrument of ratification, acceptance or approval, such organization shall declare the extent of its competence with respect to the matters governed by this Protocol. Such organization shall also inform the depositary of any relevant modification in the extent of its competence.

4. This Protocol is open for accession by any State or any regional economic integration organization of which at least one member State is a Party to this Protocol. Instruments of accession shall be deposited with the Secretary-General of the United Nations. At the time of its accession, a regional economic integration organization shall declare the extent of its competence with respect to matters governed by this Protocol. Such organization shall also inform the depositary of any relevant modification in the extent of its competence.

Article 18
Entry into force

1. This Protocol shall enter into force on the ninetieth day after the date of deposit of the fortieth instrument of ratification, acceptance, approval or accession, except that it shall not enter into force before the entry into force of the Convention. For the purpose of this paragraph, any instrument deposited by a regional economic integration organization shall not be counted as additional to those deposited by member States of such organization.

2. For each State or regional economic integration organization ratifying, accepting, approving or acceding to this Protocol after the deposit of the fortieth instrument of such action, this Protocol shall enter into force on the thirtieth day after the date of deposit by such State or organization of the relevant instrument or on the date this Protocol enters into force pursuant to paragraph 1 of this article, whichever is the later.

Article 19
Amendment

1. After the expiry of five years from the entry into force of this Protocol, a State Party to the Protocol may propose an amendment and file it with the Secretary-General of the United Nations, who shall thereupon

communicate the proposed amendment to the States Parties and to the Conference of the Parties to the Convention for the purpose of considering and deciding on the proposal. The States Parties to this Protocol meeting at the Conference of the Parties shall make every effort to achieve consensus on each amendment. If all efforts at consensus have been exhausted and no agreement has been reached, the amendment shall, as a last resort, require for its adoption a two-thirds majority vote of the States Parties to this Protocol present and voting at the meeting of the Conference of the Parties.

2. Regional economic integration organizations, in matters within their competence, shall exercise their right to vote under this article with a number of votes equal to the number of their member States that are Parties to this Protocol. Such organizations shall not exercise their right to vote if their member States exercise theirs and vice versa.

3. An amendment adopted in accordance with paragraph 1 of this article is subject to ratification, acceptance or approval by States Parties.

4. An amendment adopted in accordance with paragraph 1 of this article shall enter into force in respect of a State Party ninety days after the date of the deposit with the Secretary-General of the United Nations of an instrument of ratification, acceptance or approval of such amendment.

5. When an amendment enters into force, it shall be binding on those States Parties which have expressed their consent to be bound by it. Other States Parties shall still be bound by the provisions of this Protocol and any earlier amendments that they have ratified, accepted or approved.

Article 20
Denunciation

1. A State Party may denounce this Protocol by written notification to the Secretary-General of the United Nations. Such denunciation shall become effective one year after the date of receipt of the notification by the Secretary-General.

2. A regional economic integration organization shall cease to be a Party to this Protocol when all of its member States have denounced it.

Article 21
Depositary and languages

1. The Secretary-General of the United Nations is designated depositary of this Protocol.

2. The original of this Protocol, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.

IN WITNESS WHEREOF, the undersigned plenipotentiaries, being duly authorized thereto by their respective Governments, have signed this Protocol.

二零二四年三月二十二日於行政長官辦公室

辦公室主任 許麗芳

Gabinete do Chefe do Executivo, aos 22 de Março de 2024.
– A Chefe do Gabinete, *Hoi Lai Fong*.

經濟財政司司長辦公室

第 47/2024 號經濟財政司司長批示

經濟財政司司長行使《澳門特別行政區基本法》第六十四條賦予的職權，並根據經第2/2021號行政法規修改及重新公佈的第6/1999號行政法規《政府部門及實體的組織、職權與運作》第三條第一款(二)項、經第85/2021號行政命令修改的第181/2019號行政命令第一款，以及經十二月二十一日第87/89/M號法令核准的《澳門公共行政工作人員通則》第三十條第一款b)項的規定，作出本批示。

一、黃健清在澳門生產力暨科技轉移中心擔任職務的臨時定期委任，自二零二四年四月五日起續期兩年。

二、每月報酬相等於獲委任人在勞工事務局原職位的報酬，有關報酬及按原薪俸計算繼續為醫療福利、退休金及撫卹金作出扣除的僱主實體負擔由勞工事務局承擔。

二零二四年三月二十六日

經濟財政司司長 李偉農

第 48/2024 號經濟財政司司長批示

經濟財政司司長行使《澳門特別行政區基本法》第六十四條賦予的職權，並根據經第2/2021號行政法規修改及重新公佈的第6/1999號行政法規《政府部門及實體的組織、職權與運作》第三條第一款(二)項、經第85/2021號行政命令修改的第181/2019號行政命令第一款，以及經十二月二十一日第87/89/M號法令核

GABINETE DO SECRETÁRIO PARA A ECONOMIA E FINANÇAS

Despacho do Secretário para a Economia e Finanças n.º 47/2024

Usando da faculdade conferida pelo artigo 64.º da Lei Básica da Região Administrativa Especial de Macau e nos termos da alínea 2) do n.º 1 do artigo 3.º do Regulamento Administrativo n.º 6/1999 (Organização, competências e funcionamento dos serviços e entidades públicos), alterado e republicado pelo Regulamento Administrativo n.º 2/2021, do n.º 1 da Ordem Executiva n.º 181/2019, alterada pela Ordem Executiva n.º 85/2021, bem como da alínea b) do n.º 1 do artigo 30.º do Estatuto dos Trabalhadores da Administração Pública de Macau, aprovado pelo Decreto-Lei n.º 87/89/M, de 21 de Dezembro, o Secretário para a Economia e Finanças manda:

1. É renovada a comissão eventual de serviço de Vong Kin Cheng para exercer funções no Centro de Produtividade e Transferência de Tecnologia de Macau, pelo período de dois anos, com efeitos a partir de 5 de Abril de 2024.

2. A remuneração mensal é a correspondente à do lugar de origem na Direcção dos Serviços para os Assuntos Laborais, a quem caberá suportar a respectiva remuneração e os encargos com os descontos, reportados ao vencimento de origem, para efeitos de assistência da doença, aposentação e sobrevivência, na parte respeitante à entidade patronal.

26 de Março de 2024.

O Secretário para a Economia e Finanças, *Lei Wai Nong*.

Despacho do Secretário para a Economia e Finanças n.º 48/2024

Usando da faculdade conferida pelo artigo 64.º da Lei Básica da Região Administrativa Especial de Macau e nos termos da alínea 2) do n.º 1 do artigo 3.º do Regulamento Administrativo n.º 6/1999 (Organização, competências e funcionamento dos serviços e entidades públicos), alterado e republicado pelo Regulamento Administrativo n.º 2/2021, do n.º 1 da Ordem Executiva n.º 181/2019, alterada pela Ordem Executiva n.º 85/2021, bem como da alínea b) do n.º 1 do artigo 30.º do Estatuto dos