



18.2.2016

NATIONAL PARLIAMENT REASONED OPINION ON SUBSIDIARITY

Subject: Reasoned opinion of the Polish Senate on the proposal for a directive of the European Parliament and of the Council amending Council Directive 91/477/EEC on control of the acquisition and possession of weapons (COM(2015)0750 – C8-0358/2015 – 2015/0269(COD))

Under Article 6 of the Protocol (No 2) on the application of the principles of subsidiarity and proportionality, national parliaments may, within eight weeks of the date of transmission of a draft legislative act, send the Presidents of the European Parliament, the Council and the Commission a reasoned opinion stating why it considers that the draft in question does not comply with the principle of subsidiarity.

The Polish Senate has sent the attached reasoned opinion on the aforementioned proposal for a directive.

Under Parliament's Rules of Procedure the Committee on Legal Affairs is responsible for matters relating to compliance with the subsidiarity principle.

OPINION

of the Polish Senate's Committee for Foreign and European Union Affairs on the proposal for a directive of the European Parliament and of the Council amending Council Directive 91/477/EEC on control of the acquisition and possession of weapons (COM(2015)0750)

adopted at the meeting of 27 January 2016.

The Polish Senate's Committee for Foreign and European Union Affairs (KSZUE) does not support the proposal for a directive of the European Parliament and of the Council amending Council Directive 91/477/EEC on control of the acquisition and possession of weapons because:

1. the KSZUE takes the view that the Commission has not established reasoned proportionality between the restrictiveness of the measures proposed and the threats identified by the Commission;
2. the KSZUE considers that the Commission's suggestions are not based on a reliable analysis, in that:
 - work on the proposal was not based on reliable data as regards the threats posed by different kinds of weapons;
 - in the explanatory memorandum there is a lack of evidence that the restrictions imposed on the legal, civilian market in firearms will be effective in curbing acts of terror;
 - the Commission has not conducted an assessment of the impact that the introduction of the new rules will have;
3. the KSZUE emphasises that the proposal does not take account of factors specific to individual Member States or of the legislation already in place in their legal systems that in certain cases is stricter than the rules the Commission is proposing.