

8.3.2017

A8-0251/ 001-106

**AMENDMENTS 001-106**

by the Committee on the Internal Market and Consumer Protection

**Report**

**Vicky Ford**

**A8-0251/2016**

Control of the acquisition and possession of weapons

Proposal for a directive (COM(2015)0750 – C8-0358/2015 – 2015/0269(COD))

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**Amendment 1**

**Proposal for a directive**

**Recital 2**

*Text proposed by the Commission*

*Amendment*

(2) *As a response to recent terrorist acts which demonstrated gaps in the implementation of Directive 91/477/EEC especially with regard to deactivation of weapons, convertibility and marking rules, the "European Agenda on Security" adopted in April 2015 and the Declaration of the Home Affairs Ministers Council of 29 August 2015 called for the revision of that Directive and for a common approach on the deactivation of firearms to prevent reactivation and use by criminals.*

*deleted*

## Amendment 2

### Proposal for a directive Recital 2 a (new)

*Text proposed by the Commission*

*Amendment*

**(2a) The maintenance and exchange of information pursuant to this Directive are subject to compliance with Regulation (EU) 2016/679 of the European Parliament and of the Council<sup>1a</sup>.**

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<sup>1a</sup> **Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).**

## Amendment 3

### Proposal for a directive Recital 2 b (new)

*Text proposed by the Commission*

*Amendment*

**(2b) The fact that terrorism and serious crimes are not effectively stopped by creating unnecessary obstacles for law-abiding hunters and marksmen must be taken into consideration.**

## Amendment 4

### Proposal for a directive Recital 3

*Text proposed by the Commission*

*Amendment*

(3) Certain issues *in* Directive 91/477/EEC need further improvement.

(3) Certain issues *arising from* Directive 91/477/EEC need *to be* further *improved in a proportionate way, to tackle firearms trafficking for criminal or terrorist*

*purposes and to promote a harmonised application of the applicable rules by the Member States, so as to ensure the proper functioning of the internal market and a high level of security throughout the Union.*

## **Amendment 5**

### **Proposal for a directive Recital 3 a (new)**

*Text proposed by the Commission*

*Amendment*

*(3a) The definition of the term "firearm" should be clarified and the control of essential components enhanced by including in that definition any portable object which shares an essential component with a firearm. An essential component contained in any such device should be considered capable of being used in a firearm when the essential component in question can be transferred from that device to the firearm without substantial modification.*

## **Amendment 6**

### **Proposal for a directive Recital 3 b (new)**

*Text proposed by the Commission*

*Amendment*

*(3b) The national defence forces of a Member State as defined under its national law may include, in addition to the military, units such as a home guard as well as reservists and voluntary defence forces taking part in national defence systems under the command of the national defence forces.*

## **Amendment 7**

**Proposal for a directive  
Recital 3 c (new)**

*Text proposed by the Commission*

*Amendment*

***(3c) Certain persons have a legitimate interest in accessing firearms classified in category A, provided that exemptions are granted in exceptional and duly reasoned cases. Those persons could include, inter alia, armourers, proof houses, manufacturers, certified experts, forensic scientists and, in certain cases, those involved in film making.***

**Amendment 8**

**Proposal for a directive  
Recital 3 d (new)**

*Text proposed by the Commission*

*Amendment*

***(3d) Member States should be allowed to authorise individuals to acquire and possess prohibited firearms and essential components thereof for national defence purposes, such as in the context of voluntary military training provided under Member State law.***

**Amendment 9**

**Proposal for a directive  
Recital 4**

*Text proposed by the Commission*

*Amendment*

***(4) Bodies concerned with the cultural and historical aspects of weapons and recognised as such by the Member State in whose territory they are established and holding in their possession firearms classified in category A acquired before the date of entry into force of this Directive should be able to keep those firearms in their possession subject to authorisation by the Member State***

***(4) It should be possible for Member States to choose to grant authorisations to recognised museums and collectors for the acquisition and the possession of prohibited firearms and ammunition when necessary for historical, cultural, scientific, technical, educational, aesthetic or heritage purposes, provided that they demonstrate, prior to being granted authorisation, that they have taken the***

*concerned and provided that those firearms have been deactivated.*

*necessary measures to address any risks to public security or public order, including by way of secure storage. Any such authorisation should take into account and reflect the specific situation, including the nature of the collection and its purposes.*

## Amendment 10

### Proposal for a directive Recital 5

*Text proposed by the Commission*

(5) *Since collectors have **been identified as a possible source of traffic of firearms, they should be covered by this Directive.***

*Amendment*

(5) Collectors have *the same rights as other users covered by Directive 91/477/EC and should therefore be included in its scope.*

## Amendment 11

### Proposal for a directive Recital 6

*Text proposed by the Commission*

(6) Since brokers provide services similar to those of dealers, they should also be covered by this Directive.

*Amendment*

(6) Since brokers provide services similar to those of dealers, they should also be covered by this Directive, *and should be subject to the same obligations as dealers in all relevant respects.*

## Amendment 12

### Proposal for a directive Recital 6 a (new)

*Text proposed by the Commission*

*Amendment*

(6a) *This Directive should specify that the activities of a dealer include not only the manufacturing but also the significant modification or conversion of a firearm, such as the shortening of a complete*

*firearm, leading to a change in its category or subcategory, and in addition the significant modification or conversion of essential components of firearms and of ammunition, and that, therefore, only authorised dealers should be permitted to engage in those activities. Hand-loading and reloading of ammunition from ammunition components for private use should not be considered a significant modification.*

### **Amendment 13**

#### **Proposal for a directive Recital 6 b (new)**

*Text proposed by the Commission*

*Amendment*

*(6b) As is the case with respect to the system of reporting suspicious transactions under Regulation (EU) No 98/2013 of the European Parliament and of the Council<sup>1a</sup>, a transaction for the acquisition of complete rounds of ammunition or live primer components of ammunition should be considered suspicious if, for example, it involves quantities uncommon for the envisaged private use, or if the purchaser appears unfamiliar with the use of the ammunition or is unwilling to provide proof of his/her identity. Where it is not possible for a dealer or broker to verify the identity of the purchaser, any payment solely in cash for the acquisition of firearms should be prohibited.*

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<sup>1a</sup> *Regulation (EU) No 98/2013 of the European Parliament and of the Council of 15 January 2013 on the marketing and use of explosives precursors (OJ L 39, 9.2.2013, p. 1).*

## Amendment 14

### Proposal for a directive Recital 7

*Text proposed by the Commission*

*Amendment*

***(7) Taking into consideration the high risk of reactivating badly deactivated weapons and in order to enhance security across the Union, deactivated firearms should be covered by this Directive. Additionally, for the most dangerous firearms stricter rules should be introduced in order to ensure that those firearms are not allowed to be owned or traded. Those rules should also apply to firearms of that category even after they have been deactivated. Where those rules are not respected, Member States should take appropriate measures including the destruction of those firearms.***

***deleted***

## Amendment 15

### Proposal for a directive Recital 7 a (new)

*Text proposed by the Commission*

*Amendment*

***(7a) The acquisition and possession of firearms should only be permitted in respect of persons who have good cause. Member States should have the option of stipulating that the acquisition and possession of firearms for the purpose of, for example, hunting, target shooting, use by associations which foster customs and traditions and by cultural and historical bodies, the conduct of various scientific and technical activities, testing procedures and historical re-enactments, film making or historical study constitutes good cause.***

## Amendment 16

### Proposal for a directive Recital 7 b (new)

*Text proposed by the Commission*

*Amendment*

*(7b) Member States should ensure that an effective system is implemented for monitoring the acquisition and possession of firearms. That system, which could be continuous or non-continuous, should be based on an assessment of relevant medical and psychological information upon the issuance or renewal of an authorisation or on an effective alternative system of continuous monitoring taking into account the risks concerned and any relevant indications, for example from medical personnel, that the conditions for allowing possession may no longer be met.*

## Amendment 17

### Proposal for a directive Recital 7 c (new)

*Text proposed by the Commission*

*Amendment*

*(7c) Firearms and ammunition should be stored in a secure manner when not immediately supervised. Criteria for storage and safe transport should be defined by national law, taking into account the number and nature of the firearms concerned.*

## Amendment 18

### Proposal for a directive Recital 8

*Text proposed by the Commission*

*Amendment*

(8) In order to *ensure* the traceability of *deactivated* firearms, *they* should be

(8) In order to *increase* the traceability of firearms *and essential components and to facilitate their free movement, an*



*registered in national registries.*

*assembled firearm and all separately sold essential components should be marked irremovably at the time of their being manufactured or without delay after their import into the Union. The traceability requirements should not apply to firearms which have been deactivated in accordance with this Directive.*

## Amendment 19

### Proposal for a directive Recital 9 a (new)

*Text proposed by the Commission*

*Amendment*

*(9a) The implementation and recognition throughout the Member States of the European Firearms Pass as the main document needed by hunters and marksmen should be improved by ensuring that Member States do not make the issuance, renewal or acceptance of the European Firearms Pass conditional upon payment of any fee or charge exceeding the administrative costs or any otherwise unjustified costs, or upon any additional administrative procedure.*

## Amendment 20

### Proposal for a directive Recital 10

*Text proposed by the Commission*

*Amendment*

(10) To *avoid that* markings *are* easily erased and to clarify on which components the marking should be affixed, common Union rules on marking should be introduced.

(10) To *prevent* markings *from being* easily erased and to clarify on which components the marking should be affixed, common Union rules on marking should be introduced. *Those rules should apply only to firearms and separately sold essential components that are placed on the market as from the date by which Member States are to bring into force the laws, regulations and administrative provisions*

*necessary to comply with the main provisions of this Directive.*

## Amendment 21

### Proposal for a directive Recital 11

*Text proposed by the Commission*

(11) Firearms may be used for far more than 20 years. In order to ensure their traceability, records of them should be kept for an indeterminate period of time until destruction is certified.

*Amendment*

(11) Firearms may be used for far more than 20 years. In order to ensure their traceability, records of them, ***and of the essential components thereof***, should be kept for an indeterminate period of time until ***their*** destruction ***or deactivation*** is certified. ***Access to those records and all related personal data should be restricted to competent authorities. The requirement to continue registering firearms and essential components after deactivation should only apply to those firearms and essential components which are already registered and to the person possessing them at the time of deactivation. That requirement should not apply to subsequent transfers of deactivated firearms or essential components or to firearms and essential components which, pursuant to national law applicable prior to the entry into force of this Directive, have been removed from the register after their deactivation.***

## Amendment 22

### Proposal for a directive Recital 12

*Text proposed by the Commission*

(12) ***Selling arrangements*** of firearms ***and their components*** by means of distance communication ***may pose a serious threat to security as they are more difficult to control than the conventional selling methods, especially as regards the***

*Amendment*

(12) ***Marketing*** of firearms, ***essential components and ammunition*** by ***means of the internet or other*** means of distance communication, ***for example by way of online auction catalogues or classified advertisements, and the arranging of a***

*on line* verification of *the legality of authorisations*. It is therefore appropriate to *limit the selling of arms and components* by means of distance communication, *notably* internet, *to dealers and brokers*.

*sale or other transaction by means of, for example, telephone or email should, where allowed under national law, be possible provided that the* verification of *identity and of the right to engage in such a transaction can be completed*. It is therefore appropriate to *ensure that the conditions for purchasing firearms, essential components and ammunition* by means of distance communication, *in particular the* internet, *are such as to enable at least the identity of the purchasers and, where required, their authorisation to acquire a firearm to be verified, at the latest upon delivery, by the dealer or broker or by a public authority or a representative thereof*.

#### **Amendment 23**

##### **Proposal for a directive Recital 12 a (new)**

*Text proposed by the Commission*

*Amendment*

*(12a) Activities of authorised dealers and brokers falling within the scope of this Directive should include the purchase, sale, importation, export, display, assembly, modification, conversion, maintenance, storage, transportation, shipping, distribution, delivery, exchange or hiring of any firearms and essential components of firearms. Dealers and brokers should sell, transfer or deliver firearm and essential components only to persons who hold an adequate authorisation or licence, should maintain a register of their sales and should inform the competent authorities of the Member States of any sale, transfer or delivery.*

#### **Amendment 24**

##### **Proposal for a directive Recital 13**

*Text proposed by the Commission*

(13) Furthermore, the risk of alarm weapons and other types of blank firing weapons being **converted to** real firearms **is high, and in some of the terrorist acts converted arms were used. It is therefore essential to address the problem of converted firearms being used in criminal offences, notably by including them in the scope of the Directive.** Technical specifications **for alarm and signal weapons as well as for salute and acoustic weapons** should be adopted in order to ensure that they cannot be converted into firearms.

*Amendment*

(13) Furthermore, **to avoid** the risk of alarm weapons and other types of blank firing weapons being **manufactured in a way that enables them to be converted into** real firearms, technical specifications should be adopted in order to ensure that they cannot be converted into firearms.

**Amendment 25**

**Proposal for a directive**  
**Recital 14**

*Text proposed by the Commission*

(14) In order to improve the functioning of the information exchange between Member States, the Commission should assess the necessary elements of a system to support such exchange of information contained in the computerised data-filing systems in place in Member States. The Commission's assessment **may** be accompanied, if appropriate, by a legislative proposal taking into account existing instruments regarding exchange of information.

*Amendment*

(14) In order to improve the functioning of the information exchange between Member States, **and the traceability of firearms, various existing mechanisms or single points of contact or new exchange mechanisms could be used, depending on the nature of the information to be exchanged.** The Commission should assess the necessary elements of a system to support such exchange of information contained in the computerised data-filing systems in place in Member States, **and enable compulsory access by Member States.** The Commission's assessment **should** be accompanied, if appropriate, by a legislative proposal taking into account existing instruments regarding exchange of information. **In addition to meeting the need to keep track of firearms, such an information exchange system should enable firearms to be traced when they have been seized by, or handed over to, the competent authorities or forfeited by**

*Member States, thus making it possible to ascertain what happens to firearms until such time as they are destroyed, further used, or again placed on the market.*

## **Amendment 26**

### **Proposal for a directive**

#### **Article 1 – point 1 – point -a (new)**

Directive 91/477/EEC

Article 1 – paragraph 1 – subparagraph 3 (new)

*Present text*

*Amendment*

*(-a) In paragraph 1, the following subparagraph is added:*

*"In addition, any portable device containing an essential component which is capable of being used in a firearm shall be considered a firearm."*

## **Amendment 27**

### **Proposal for a directive**

#### **Article 1 – point 1 – point -a a (new)**

Directive 91/477/EEC

Article 1 – paragraph 1 a

*Present text*

*Amendment*

*(-aa) Paragraph 1a is deleted.*

*1a. For the purposes of this Directive, "part" 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.*

## **Amendment 28**

### **Proposal for a directive**

**Article 1 – point 1 – point a**

Directive 91/477/EEC  
Article 1 – paragraph 1 b

*Text proposed by the Commission*

1b. For the purposes of this Directive, "essential component" shall mean the barrel, frame, receiver, slide *or* cylinder, bolt *or breach* block *and any device designed or adapted to diminish the sound caused by firing a firearm* which, being separate objects, are included in the category of the firearms on which they are or are intended to be mounted.

*Amendment*

1b. For the purposes of this Directive, "essential component" shall mean the barrel, frame, *the* receiver, *including both upper and lower receivers, where appropriate*, slide, cylinder, bolt *or breach* block which, being separate objects, are included in the category of the firearms on which they are or are intended to be mounted.

## **Amendment 29**

**Proposal for a directive**  
**Article 1 – point 1 – point b**  
Directive 91/477/EEC  
Article 1 – paragraph 1 e

*Text proposed by the Commission*

1e. For the purposes of this Directive, "broker" shall mean any natural or legal person, other than a dealer whose trade or business consists wholly or partly in buying, selling or arranging the transfer within a Member State, from one Member State to another Member State or exporting to a third country fully assembled firearms, their *parts* and ammunition.

*Amendment*

1e. For the purposes of this Directive, "broker" shall mean any natural or legal person, *or any agent or representative of such a person*, other than a dealer, whose trade or business consists wholly or partly in buying, selling, *lending, leasing* or arranging the transfer within a Member State *or* from one Member State to another Member State or exporting to a third country *or importing into a Member State from a third country* fully assembled firearms, their *essential components* and ammunition.

## **Amendment 30**

**Proposal for a directive**  
**Article 1 – point 1 – point c**  
Directive 91/477/EEC  
Article 1 – paragraph 1 f

*Text proposed by the Commission*

1f. For the purposes of this Directive, "alarm and signal weapons" shall mean ***portable*** devices with a cartridge holder ***having a gas exit to the front, aside or on the top, which are specifically designed and constructed for the purpose of raising alarm or sending a signal and which are only*** designed to fire blanks, irritants, other active substances or pyrotechnic ***ammunition***.

**Amendment 31**

**Proposal for a directive**

**Article 1 – point 1 – point c**

Directive 91/477/EEC

Article 1 – paragraph 1 g

*Text proposed by the Commission*

1g. For the purposes of this Directive, "salute and acoustic weapons" shall mean firearms specifically converted ***for*** the sole use of firing blanks, for use in theatre performances, photographic sessions, ***movies*** and television recordings.

**Amendment 32**

**Proposal for a directive**

**Article 1 – point 1 – point c**

Directive 91/477/EEC

Article 1 – paragraph 1 h

*Text proposed by the Commission*

***1h. For the purposes of this Directive, "replica firearms" shall mean objects that have the physical appearance of a firearm, but are manufactured in such a way that they cannot be converted to firing a shot or expelling a bullet or***

*Amendment*

1f. For the purposes of this Directive, "alarm and signal weapons" shall mean devices with a cartridge holder designed to ***only*** fire blanks, irritants, other active substances or pyrotechnic ***rounds and which are not capable of being converted to expel a shot, bullet or projectile by the action of a combustible propellant***.

*Amendment*

1g. For the purposes of this Directive, "salute and acoustic weapons" shall mean firearms specifically converted ***to*** the sole use of firing blanks, for use in, ***for example***, theatre performances, photographic sessions, ***film*** and television recordings, ***historical re-enactments, parades, sporting events and training***.

*Amendment*

***deleted***

***projectile by the action of a combustible propellant.***

*Justification*

*Any object that looks like a firearm and can be converted into one are covered by Art 1 of the Directive, which is further strengthened by the inclusion of any object which contains an essential component, AM 23. Objects that cannot be converted to firearms should remain outside scope.*

**Amendment 33**

**Proposal for a directive**  
**Article 1 – point 1 – point c**  
Directive 91/477/EEC  
Article 1 – paragraph 1 i

*Text proposed by the Commission*

1i. For the purposes of this Directive, "deactivated firearms" shall mean firearms that have been modified with the purpose of rendering them permanently unfit for use by deactivation, ensuring that all essential **parts** of the firearm have been rendered permanently inoperable and incapable of removal, replacement or a modification that would permit the firearm to be reactivated in any way.

*Amendment*

1i. For the purposes of this Directive, "deactivated firearms" shall mean firearms that have been modified with the purpose of rendering them permanently unfit for use by deactivation, ensuring that all essential **components** of the firearm have been rendered permanently inoperable and incapable of removal, replacement or a modification that would permit the firearm to be reactivated in any way, **in accordance with Article 10b.**

***Where firearms are of recognised rarity or historical value, Member States may choose that, for the purposes of deactivation, firearms demonstrating such value may be deactivated by the removal of one or more essential components of the firearm so as to render it unusable. Where that procedure is applied, those essential components removed shall be handed over to the competent authorities of the Member State for safekeeping.***

**Amendment 34**

**Proposal for a directive**  
**Article 1 – point 1 – point c a (new)**



Directive 91/477/EEC  
Article 1 – paragraph 1 i a (new)

*Text proposed by the Commission*

*Amendment*

***(ca) In paragraph 1, the following paragraph is added:***

***"Iia. For the purposes of this Directive, "museum" shall mean a permanent institution in the service of society and its development, open to the public, for historical, cultural, scientific, technical, educational, aesthetic or heritage purposes, and recognised as such by a Member State."***

## **Amendment 35**

**Proposal for a directive**  
**Article 1 – point 1 – point c b (new)**  
Directive 91/477/EEC  
Article 1 – paragraph 1 i b (new)

*Text proposed by the Commission*

*Amendment*

***(cb) In paragraph 1, the following paragraph is added:***

***"Iib. For the purposes of this Directive, "collector" shall mean any legal or natural person dedicated to the gathering and conservation of firearms or ammunition for historical, cultural, scientific, technical, educational, aesthetic or heritage purposes, and recognised as such by a Member State."***

## **Amendment 36**

**Proposal for a directive**  
**Article 1 – point 1 – point d**  
Directive 91/477/EEC  
Article 1 – paragraph 2 – point i

*Text proposed by the Commission*

*Amendment*

(i) the manufacture, trade, exchange,

(i) the manufacture, ***including***

hiring out, repair *or conversion* of firearms;

*modification, other than modification for private use not leading to a change in its category or subcategory, or conversion, trade, exchange, hiring out or repair of firearms;*

### **Amendment 37**

#### **Proposal for a directive**

##### **Article 1 – point 1 – point d**

Directive 91/477/EEC

Article 1 – paragraph 2 – point ii

#### *Text proposed by the Commission*

(ii) the manufacture, trade, exchange, hiring out, repair *or conversion* of *parts* of firearms;

#### *Amendment*

(ii) the manufacture, *including modification, other than modification for private use not leading to a change in its category or subcategory, or conversion, trade, exchange, hiring out or repair of essential components* of firearms;

### **Amendment 38**

#### **Proposal for a directive**

##### **Article 1 – point 1 – point d**

Directive 91/477/EEC

Article 1 – paragraph 2 – point iii

#### *Text proposed by the Commission*

(iii) the manufacture, *trade, exchange* or conversion of ammunition.

#### *Amendment*

(iii) the manufacture, *other than hand-loading or reloading of ammunition for private use, including modification, other than modification for private use not leading to a change of category, or conversion, trade or exchange* of ammunition.

### **Amendment 39**

#### **Proposal for a directive**

##### **Article 1 – point 1 – point d a (new)**

Directive 91/477/EEC

Article 1 – paragraph 3

*Present text*

"3. For the purposes of this Directive, a person shall be deemed to be a resident of the country indicated by the address appearing on a document establishing his place of residence, such as a passport or an identity card, which, on a check on possession or on acquisition, is submitted to the authorities of a Member State or to a dealer."

*Amendment*

***(da) Paragraph 3 is replaced by the following:***

"3. For the purposes of this Directive, a person shall be deemed to be a resident of the country indicated by the address appearing on a document establishing his ***or her*** place of residence, such as a passport or an identity card, which, on a check on possession or on acquisition, is submitted to the authorities of a Member State or to a dealer ***or broker***. ***If a person's address does not appear on his or her passport or identity card, his or her country of residence shall be determined on the basis of any other official proof of residence recognised by the Member State concerned.***"

**Amendment 40**

**Proposal for a directive**

**Article 1 – point 1 a (new)**

Directive 91/477/EEC

Article 2 – paragraph 1

*Present text*

1. This Directive is without prejudice to the application of national provisions concerning the carrying of weapons, hunting or target shooting.

*Amendment*

***(1a) Article 2(1) is replaced by the following:***

"1. This Directive is without prejudice to the application of national provisions concerning the carrying of weapons, hunting or target shooting, ***or to more stringent national provisions on illegal firearms sales.***"

*Justification*

*This directive must enhance cross-border traceability and transparency in respect of possession and sale of weapons and allow active measures to be taken to combat arms trafficking.*

## Amendment 41

### Proposal for a directive

#### Article 1 – point 2

Directive 91/477/EEC

Article 2 – paragraph 2

*Text proposed by the Commission*

2. This Directive shall not apply to the acquisition or possession of weapons and ammunition, in accordance with national law, by the **armed** forces, the police, **the** public authorities. Nor shall **it** apply to commercial transfers of weapons and ammunition of war.

*Amendment*

2. This Directive shall not apply to the acquisition or possession of weapons and ammunition, in accordance with national law, by the **national defence** forces, the police **and other** public authorities. **The term “national defence forces” encompasses all units including reservists, as well as voluntary defence forces within the framework of the national defence systems under the command of those national defence forces, including the military and systems of internal public security.** Nor shall **this Directive** apply to commercial transfers of weapons and ammunition of war.

## Amendment 42

### Proposal for a directive

#### Article 1 – point 3

Directive 91/477/EEC

Article 4 – paragraph 1

*Text proposed by the Commission*

1. Member States shall ensure that any firearm or **part** placed on the market has been marked and registered in compliance with this Directive.

*Amendment*

1. Member States shall ensure that any **assembled** firearm or **separately sold essential component** placed on the market has been marked and registered in compliance with this Directive, **or that it has been deactivated in accordance with the provisions implementing Article 10b and registered in compliance with this Directive. Where an essential component is too small to be marked in compliance with this Directive, it shall be marked at least with a serial number, alphanumeric or digital code.**

## Amendment 43

### Proposal for a directive

#### Article 1 – point 3

Directive 91/477/EEC

Article 4 – paragraph 2

#### *Text proposed by the Commission*

2. For the **purposes** of identifying and tracing each assembled firearm, Member States shall, at the time of manufacture of each firearm **or at the time of import to** the Union, require a unique marking including the name of the manufacturer, the country or place of manufacture, the serial number and the year of manufacture, if not already part of the serial number. This shall be without prejudice to the affixing of the manufacturer's trademark.

The marking shall be affixed to the receiver of the firearm.

Member States shall ensure that each elementary package of complete ammunition is marked **so** as to **provide** the name of the manufacturer, the

#### *Amendment*

2. For the **purpose** of identifying and tracing each assembled firearm **and each separately sold essential component**, Member States shall **either** at the time of manufacture of each firearm **and of each essential component intended for sale separately, or without delay after the firearm or component in question has been imported into** the Union, require **it to be marked with a clear, permanent and** unique marking, including the name of the manufacturer, the country or place of manufacture, the serial number and the year of manufacture, if not already part of the serial number. This shall be without prejudice to the affixing of the manufacturer's trademark **and shall not apply to firearms or essential components either considered as antiques under national law or destined for persons who have been granted authorisation pursuant to the first or the second subparagraph of Article 6, provided they bear original markings allowing full traceability. Where an essential component is too small to be practicably marked with all of this information, it shall be marked at least with a serial number, alphanumeric or digital code. This requirement shall not apply to firearms or separately sold essential components manufactured before ... [the date of entry into force of this Amending Directive].**

**In the case of an assembled firearm the** marking shall be affixed to the receiver **or the frame** of the firearm.

Member States shall ensure that each elementary package of complete ammunition is marked **in such a way** as to **indicate** the name of the manufacturer, the

identification batch (lot) number, the calibre and the type of ammunition.

Furthermore, Member States shall ensure, at the time of transfer of a firearm from government stocks to permanent civilian use, the unique marking permitting identification of the transferring government.

identification batch (lot) number, the calibre and the type of ammunition. ***For those purposes, Member States shall choose to apply the provisions of the United Nations Convention for the Reciprocal Recognition of Proof Marks on Small Arms of 1 July 1969.***

Furthermore, Member States shall ensure, at the time of transfer of a firearm from government stocks to permanent civilian use, ***that it bears*** the unique marking permitting identification of the transferring government. ***Firearms classified in Category A must first have been deactivated in accordance with the provisions implementing Article 10b or permanently converted to semi-automatic firearms in accordance with the provisions implementing Article 10ba, except in the case of transfers to persons granted authorisations pursuant to the first or the second subparagraph of Article 6.***

## Amendment 44

### Proposal for a directive

#### Article 1 – point 3

Directive 91/477/EEC

Article 4 – paragraph 3

#### *Text proposed by the Commission*

3. Member States shall ***make*** the pursuit of the activity of ***dealer or broker*** within their territory conditional upon authorisation ***on the basis of at least*** a check of the private and professional integrity and of the abilities of the dealer or broker. In the case of a legal person, the check shall be on the legal person and on the person who directs the undertaking.

#### *Amendment*

3. Member States shall ***regulate*** the pursuit of the activity of ***dealers or brokers*** within their territory, ***making it*** conditional upon ***the following measures:***

***(a) registration of brokers and dealers operating within their territory;***

***(b) licensing or authorisation of the activities of brokers and dealers;***

(c) a check of the private and professional integrity and of the abilities of the dealer or broker **concerned, and also on the basis of the transparency of the commercial activity.** In the case of a legal person, the check shall be on the legal person and on the person who directs the undertaking.

## Amendment 45

### Proposal for a directive

#### Article 1 – point 4 – point a

Directive 91/477/EEC

Article 4 – paragraph 4 – subparagraph 1 – second sentence

*Text proposed by the Commission*

*This* filing system shall record each firearm's type, make, model, calibre and serial number, as well as the names and addresses of the supplier and *the* person acquiring or possessing the firearm. The **record of firearms, including deactivated firearms,** shall be maintained **until destruction of the firearm has been certified by the competent authorities.**

*Amendment*

***That data-***filing system shall record ***all information relating to firearms which is needed in order to trace and identify those firearms. That information shall include*** each firearm's type, make, model, calibre and serial number, ***and any conversions or modifications to a firearm leading to a change in its category or subcategory, including its certified deactivation or destruction and the date thereof,*** as well as the names and addresses of the supplier and ***of each*** person acquiring or possessing the firearm, ***including the dates of acquisition and, where applicable, the date of cessation of possession or transfer to another person, unless such transfer concerns a firearm which has been registered as deactivated. The current records relating to each firearm and the person possessing it shall be accessible to all authorised authorities. All records relating to the firearm shall be maintained in an electronically retrievable format for an indefinite period.***

## Amendment 46

### Proposal for a directive

#### Article 1 – point 4 – point b

Directive 91/477/EEC  
Article 4 – paragraph 4 – subparagraph 4 (new)

*Text proposed by the Commission*

*Amendment*

Each Member State shall ensure that *the registries of the* dealers and brokers established in their territory *are connected* to the *computerised data-filing system of firearms*.

Each Member State shall ensure that dealers and brokers established in their territory *report transactions involving firearms or essential components* to the *national competent authority within a period of time not exceeding 10 days*.

#### **Amendment 47**

**Proposal for a directive**  
**Article 1 – point 4 a (new)**  
Directive 91/477/EEC  
Article 4 – paragraph 4 a (new)

*Text proposed by the Commission*

*Amendment*

*(4a) In Article 4, the following paragraph is inserted:*

*"No dealer, broker or other person shall sell or otherwise deal in, dispose of or transfer under any title whatsoever any firearm, essential component or ammunition on the basis of an authorisation or licence issued by the competent authorities of the Member States where he or she is established, except to a person who holds an authorisation or licence for the acquisition and possession of the firearm, essential component or ammunition in question."*

#### **Amendment 48**

**Proposal for a directive**  
**Article 1 – point 5**  
Directive 91/477/EEC  
Article 4 b



*Text proposed by the Commission*

*Amendment*

**(5) Article 4b is replaced by the following:**

**deleted**

**"Article 4b**

**1. Member States shall establish a system for the regulation of the activities of brokers and dealers. Such a system may include one or more of the following measures:**

**(a) registration of brokers and dealers operating within their territory;**

**(b) licensing or authorisation of the activities of brokers and dealers.**

**2. The system referred to in paragraph 1 shall include at least a check of the private and professional integrity and of the abilities of the dealer or broker. In the case of a legal person, the check shall be on the legal person and on the person who directs the undertaking."**

## **Amendment 49**

### **Proposal for a directive**

**Article 1 – point 5 a (new)**

Directive 91/477/EEC

Article 4 b a (new)

*Text proposed by the Commission*

*Amendment*

**(5a) The following article is inserted:**

**"Article 4ba**

**Member States shall take the necessary measures to ensure that the shortening of a long firearm by means of the modification of one or more of its essential components, so that it becomes a short firearm, is considered manufacturing, and therefore illicit unless done by an authorised dealer."**

## Amendment 50

### Proposal for a directive

#### Article 1 – point 6

Directive 91/477/EEC

Article 5 – paragraph 1 – introductory part

#### *Text proposed by the Commission*

1. Without prejudice to Article 3, Member States shall **authorise** the acquisition and possession of firearms only by persons who have good cause and who:

#### *Amendment*

1. Without prejudice to Article 3, Member States shall **permit** the acquisition and possession of firearms only by persons who have good cause and who:

## Amendment 51

### Proposal for a directive

#### Article 1 – point 6

Directive 91/477/EEC

Article 5 – paragraph 1 – point a

#### *Text proposed by the Commission*

(a) are at least 18 years of age, except in relation to the possession of firearms for hunting and target shooting, provided that in that case persons of less than 18 years of age have parental permission, or are under parental guidance or the guidance of an adult with a valid firearms or hunting licence, or are within a **licensed** or otherwise approved training centre;

#### *Amendment*

(a) are at least 18 years of age, except in relation to the **acquisition, other than through purchase, and** possession of firearms for hunting and target shooting, provided that in that case persons of less than 18 years of age have parental permission, or are under parental guidance or the guidance of an adult with a valid firearms or hunting licence, or are within a **licensed** or otherwise approved training centre, **and such adult assumes responsibility for storage pursuant to Article 5a; and**

## Amendment 52

### Proposal for a directive

#### Article 1 – point 6

Directive 91/477/EEC

Article 5 – paragraph 1 – point b

*Text proposed by the Commission*

(b) are not likely to be a danger to themselves, to public order or to public safety; having been convicted of a violent intentional crime shall be considered as indicative of such danger.

*Amendment*

(b) are not likely to be a danger to themselves *or others*, to public order or to public safety; having been convicted of a violent intentional crime shall be considered as indicative of such danger.

**Amendment 53**

**Proposal for a directive**

**Article 1 – point 6**

Directive 91/477/EEC

Article 5 – paragraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

*1a. An acquirer of a firearm or ammunition through inheritance shall immediately inform the competent authority in his or her Member State. If no good cause can be demonstrated, firearms and ammunition which are subject to authorisation shall be rendered inoperable by deactivation in accordance with this Directive, or sold, or given to an authorised legal or natural person.*

**Amendment 54**

**Proposal for a directive**

**Article 1 – point 6**

Directive 91/477/EEC

Article 5 – paragraph 1 b (new)

*Text proposed by the Commission*

*Amendment*

*1b. In the case of collectors, Member States may restrict ownership of firearms to a limited number of firearms for all categories listed in Annex I. Such restriction shall not apply if the firearms in question have been deactivated in accordance with this Directive.*

## Amendment 55

### Proposal for a directive

#### Article 1 – point 6

Directive 91/477/EEC

Article 5 – paragraph 1 c (new)

*Text proposed by the Commission*

*Amendment*

***1c. Collection may constitute good cause for the acquisition and possession of firearms by collectors who are at least 18 years of age and who are not likely to be a danger to themselves or others, to public order, or to public safety. A conviction for a violent intentional crime shall be considered as indicative of such danger.***

## Amendment 56

### Proposal for a directive

#### Article 1 – point 6

Directive 91/477/EEC

Article 5 – paragraph 2 – subparagraph 1

*Text proposed by the Commission*

*Amendment*

Member States shall ***provide for standard medical tests for issuing or renewing authorisations as referred to in paragraph 1*** and shall withdraw authorisations if any of the conditions on the basis of which ***it was granted is*** no longer met.

Member States shall ***establish a monitoring system, including the assessment of relevant medical and psychological information in accordance with national law, which may be on a continuous or non-continuous basis, for the acquisition and possession of firearms,*** and shall withdraw authorisations if any of the conditions on the basis of which ***the acquisition or possession was permitted are*** no longer met.

## Amendment 57

### Proposal for a directive

#### Article 1 – point 6

Directive 91/477/EEC

Article 5 – paragraph 2 – subparagraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

***Provided that the correct procedure is followed for the assessment of relevant medical and psychological information, the person conducting that assessment shall not be liable in relation to the actions of a person subject to that assessment.***

## **Amendment 58**

### **Proposal for a directive**

#### **Article 1 – point 6**

Directive 91/477/EEC

Article 5 – paragraph 2 – subparagraph 2

*Text proposed by the Commission*

Member States may not prohibit persons resident within their territory from possessing a ***weapon*** acquired in another Member State unless they prohibit the acquisition of the same ***weapon*** within their own territory.

*Amendment*

Member States may not prohibit persons resident within their territory from possessing a ***firearm*** acquired in another Member State unless they prohibit the acquisition of the same ***type of firearm*** within their own territory.

## **Amendment 59**

### **Proposal for a directive**

#### **Article 1 – point 6**

Directive 91/477/EEC

Article 5 a (new)

*Text proposed by the Commission*

*Amendment*

#### ***Article 5a***

***Member States shall establish rules on the proper supervision of firearms and ammunition and rules on their proper storage in a secure way to minimise the risk of their being accessed by an unauthorised person. When stored, firearms and ammunition for them shall not be readily accessible together. Supervision in such cases shall mean that the person possessing the firearm or the***

*ammunition has control over it during transport and use. The level of scrutiny for the storage arrangements shall correspond to the category of the firearm concerned.*

## **Amendment 60**

### **Proposal for a directive**

#### **Article 1 – point 6**

Directive 91/477/EEC

Article 5 b (new)

*Text proposed by the Commission*

*Amendment*

#### *Article 5b*

*Member States shall ensure that, in cases involving the acquisition and selling of firearms and their essential components and ammunition classified in categories A, B, C and D set out in Annex I by means of distance communication, as defined in Article 2 of Directive 2011/83/EC of the European Parliament and of the Council(\*), the identity, and where required, the authorisation of the person acquiring the firearm or the essential components thereof or ammunition is checked prior to, or at the latest upon, delivery thereof to that person, by:*

- (a) an authorised dealer or broker; or*
- (b) a public authority or a representative thereof.*

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*\* Directive 2011/83/EU of the European Parliament and of the Council of 25 October 2011 on consumer rights, amending Council Directive 93/13/EEC and Directive 1999/44/EC of the European Parliament and of the Council and repealing Council Directive 85/577/EEC and Directive 97/7/EC of the European Parliament and of the Council (OJ L 304, 22.11.2011, p. 64).*

## Amendment 61

### Proposal for a directive

#### Article 1 – point 6

Directive 91/477/EEC

Article 6 – paragraph 1

#### *Text proposed by the Commission*

Member States shall take all appropriate steps to prohibit the acquisition and the possession of the firearms and ammunition classified in category A and to destroy those firearms and ammunition held in violation of this provision and seized.

#### *Amendment*

***Without prejudice to Article 2(2), Member States shall take all appropriate steps to prohibit the acquisition and the possession of the firearms and ammunition classified in category A and to destroy **or deactivate** those firearms and ammunition held in violation of this provision and seized. **In exceptional and duly reasoned cases, the competent authorities may grant authorisation for such firearms and ammunition provided that such authorisation is not contrary to public security, public order or national defence.*****

## Amendment 62

### Proposal for a directive

#### Article 1 – point 6

Directive 91/477/EEC

Article 6 – paragraph 2

#### *Text proposed by the Commission*

Member States may ***authorise bodies concerned with the cultural and historical aspects of weapons and recognised as such by the Member State in whose territory they are established to keep*** in their possession ***firearms*** classified in category A ***acquired before [the date of entry into force of this Directive] provided they have been deactivated in accordance with the provisions that implement Article 10(b).***

#### *Amendment*

Member States may ***choose to grant authorisations to museums and collectors for firearms and ammunition classified in category A provided that the museum or collector in question demonstrates to the competent national authorities that measures are in place to address any risks to public security or public order and that the firearm or firearms concerned are stored with a level of security proportionate to the risks associated with unauthorised access to such firearms.***

***Member States shall establish a register of***

*all such authorised museums and collectors. Such authorised museums and collectors shall be required to maintain a register of all firearms in their possession classified in Category A, which shall be accessible to the competent national authorities. Member States shall establish an appropriate monitoring system with respect to such authorised museums and collectors, taking all relevant factors into account.*

### **Amendment 63**

#### **Proposal for a directive**

#### **Article 1 – point 6**

Directive 91/477/EEC

Article 6 – subparagraph 3

*Text proposed by the Commission*

*Amendment*

*The acquisition of firearms and their parts and ammunition concerning categories A, B and C by means of distance communication, as defined in Article 2 of Directive 97/7/EC of the European Parliament and of the Council(\*), shall be authorised only with respect to dealers and brokers and shall be subject to the strict control of the Member States.*

*deleted*

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*(\*) Directive 97/7/EC of the European Parliament and of the Council of 20 May 1997 on the protection of consumers in respect of distance contracts (OJ L 144, 4.6.1997, p.19).*

### **Amendment 64**

#### **Proposal for a directive**

#### **Article 1 – point -7 (new)**

Directive 91/477/EEC

Article 7 – paragraph 4 – point b



*Present text*

*Amendment*

"(b) *the periodic* verification that those persons continue to satisfy the conditions; and"

**(-7) In Article 7, paragraph 4, subparagraph 1, point (b) is replaced by the following:**

"(b) verification that those persons continue to satisfy the conditions; and"

## **Amendment 65**

### **Proposal for a directive**

#### **Article 1 – point 7**

Directive 91/477/EEC

Article 7 – paragraph 4 – subparagraph 2

*Text proposed by the Commission*

*Amendment*

The maximum *limits* shall not exceed five years. The authorisation may be renewed if the conditions on the basis of which it was granted are still fulfilled.

The maximum *duration of an authorisation* shall not exceed five years, *unless Member States have implemented a system of continuous monitoring as referred to in the first subparagraph of Article 5(2)*. The authorisation may be renewed if the conditions on the basis of which it was granted are still fulfilled.

## **Amendment 66**

### **Proposal for a directive**

#### **Article 1 – point 7 a (new)**

Directive 91/477/EEC

Article 8 – paragraph 2

*Present text*

*Amendment*

"2. Every seller, dealer or private person shall inform the authorities of the Member State in which it takes place of every transfer or handing over of a firearm classified in category C, giving the particulars by which the firearm and the

**(7a) Article 8(2) is replaced by the following:**

"2. Every seller, dealer, *broker* or private person shall inform the authorities of the Member State in which it takes place of every transfer or handing over of a firearm classified in category C, giving the particulars by which the firearm and the

person acquiring it may be identified. If the person acquiring such a firearm is a resident of another Member State, that other Member State shall be informed of the acquisition by the Member State in which it took place and by the person acquiring the firearm."

person acquiring it may be identified. If the person acquiring such a firearm is a resident of another Member State, that other Member State shall be informed of the acquisition by the Member State in which it took place and by the person acquiring the firearm."

## Amendment 67

**Proposal for a directive**  
**Article 1 – point 7 b (new)**  
Directive 91/477/EEC  
Article 10

### *Present text*

"Article 10

The *arrangements* for the acquisition and possession of ammunition shall be the same as those for *the possession of the* firearms for which the ammunition is intended."

### *Amendment*

*(7b) Article 10 is replaced by the following:*

"Article 10

The *rules* for the acquisition of *ammunition* and *for* possession of ammunition *containing a single projectile* shall be the same as those for the firearms for which the ammunition is intended. *The acquisition of ammunition shall be permitted only for persons who are allowed to possess a firearm of a respective category, or persons granted authorisations pursuant to the second subparagraph of Article 6.*

*Brokers and dealers may refuse to complete any transaction for the acquisition of complete rounds of ammunition, or components of ammunition, which they reasonably consider suspicious owing to its nature or scale, and shall report it or any attempted such transaction to the competent authorities. Brokers and dealers shall not be permitted to complete a transaction for the acquisition of a firearm where they cannot verify the identity of the purchaser in the data-filing system established pursuant to Article 4(4) and payment is to*

*be made solely in cash.”*

## **Amendment 68**

### **Proposal for a directive**

#### **Article 1 – point 8**

Directive 91/477/EEC

Article 10 a – paragraph 1

#### *Text proposed by the Commission*

Member States shall take measures to ensure that alarm and signal weapons *as well as salute and acoustic weapons* cannot be converted into firearms.

#### *Amendment*

Member States shall take measures to ensure that alarm and signal weapons cannot be converted into firearms.

## **Amendment 69**

### **Proposal for a directive**

#### **Article 1 – point 8**

Directive 91/477/EEC

Article 10 a – paragraph 2

#### *Text proposed by the Commission*

The Commission shall adopt technical specifications for alarm and signal weapons as well as for salute and acoustic weapons to ensure they cannot be converted into firearms.

#### *Amendment*

The Commission shall adopt *delegated acts in accordance with Article 13a in order to supplement this Directive by establishing* technical specifications for alarm and signal weapons as well as for salute and acoustic weapons to ensure they cannot be converted into firearms. *The Commission shall adopt the first such delegated act by ... [insert date].*

## **Amendment 70**

### **Proposal for a directive**

#### **Article 1 – point 8**

Directive 91/477/EEC

Article 10 a – paragraph 3

*Text proposed by the Commission*

*Amendment*

***Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 13b(2).***

***deleted***

## **Amendment 71**

### **Proposal for a directive**

#### **Article 1 – point 8**

Directive 91/477/EEC

Article 10 b – paragraph 1

*Text proposed by the Commission*

*Amendment*

Member States shall ***make arrangements for*** the deactivation of firearms ***to be verified*** by a competent authority ***in order to ensure*** that the ***modifications made to a firearm render it irreversibly inoperable***. ***Member States shall, in the context of this verification, provide for the issuance of a certificate or record attesting to*** the deactivation of the firearm ***or the apposition of a clearly visible mark to that effect on the firearm***.

***1.*** Member States shall ***ensure that*** the deactivation of firearms is ***carried out in accordance with the technical specifications set out in Annex III***.

***This shall not apply to firearms deactivated prior to 8 April 2016, unless those firearms are transferred to another Member State or placed on the market.***

***Deactivation of firearms shall be carried out by public or private entities, or by individuals, authorised to do so in accordance with national law.***

***Member States shall designate a competent authority (the "verifying entity") to verify that the deactivation of the firearm concerned has been carried out in accordance with the technical specifications set out in Annex III.***

***Where the deactivation of the firearm has been carried out in accordance with the technical specifications set out in Annex III, the verifying entity shall:***

***(a) affix a common unique marking to***

*all components modified for the deactivation of the firearm; and*

*(b) issue a deactivation certificate to the owner of the firearm.*

*Where the firearm is recorded in the computerised data-filing system referred to in Article 4(4), its deactivation shall be entered in the record relating to it.*

*Member States may introduce additional measures for the deactivation of firearms in their territory going beyond the technical specifications set out in Annex III.*

## **Amendment 72**

### **Proposal for a directive**

#### **Article 1 – point 8**

Directive 91/477/EEC

Article 10 b – paragraph 2

*Text proposed by the Commission*

The Commission *shall* adopt *deactivation standards and techniques to ensure that deactivated firearms are rendered irreversibly inoperable. Those implementing acts shall be adopted* in accordance with the *examination procedure referred to in Article 13b(2).*

*Amendment*

2. The Commission *is empowered to* adopt *delegated acts in accordance with Article 13a in order to amend Annex III by updating it, taking into account, where necessary, any additional measures introduced by Member States* in accordance with the *seventh subparagraph of paragraph 1 of this Article.*

## **Amendment 73**

### **Proposal for a directive**

#### **Article 1 – point 8**

Directive 91/477/EEC

Article 10 b – paragraph 2 a (new)

*Text proposed by the Commission*

*Amendment*

2a. *The Commission shall adopt implementing acts establishing templates for the common unique marking and the model certificate for deactivated firearms. Those implementing acts shall be adopted*

*in accordance with the examination procedure referred to in Article 13b(2).*

#### **Amendment 74**

##### **Proposal for a directive**

##### **Article 1 – point 8**

Directive 91/477/EEC

Article 10 b – paragraph 2 b (new)

*Text proposed by the Commission*

*Amendment*

**2b. By 31 December 2016 the Commission, after consulting Member States and relevant stakeholders, shall identify which national deactivation standards and techniques applied by Member States before 8 April 2016 ensured that firearms were rendered permanently unfit for use and inoperable, and shall provide for recognition of certified deactivations performed in accordance with such deactivation standards and techniques.**

#### **Amendment 75**

##### **Proposal for a directive**

##### **Article 1 – point 8 a (new)**

Directive 91/477/EEC

Article 10 ba (new)

*Text proposed by the Commission*

*Amendment*

**(8a) The following article is inserted:**

##### **“Article 10ba**

- 1. Member States shall take measures to ensure that automatic firearms converted into semi-automatic firearms from ... [the date of entry into force of this Amending Directive] cannot be reconverted into automatic firearms.**
- 2. The Commission shall adopt delegated acts in accordance with Article 13a in order to supplement this Directive by establishing technical specifications to**

*ensure that semi-automatic firearms which have been converted from originally automatic firearms cannot be reconverted into automatic firearms. The Commission shall adopt the first such delegated act by ... [31 December 2017].”*

## **Amendment 76**

### **Proposal for a directive**

#### **Article 1 – point 8 b (new)**

Directive 91/477/EEC

Article 11 – paragraph 1

#### *Present text*

"1 Firearms may, without prejudice to Article 12, be transferred from one Member State to another only in accordance with the procedure laid down in the following paragraphs. These provisions shall also apply to transfers of firearms following a *mail order* sale."

#### *Amendment*

*(8b) Article 11(1) is replaced by the following:*

"1. Firearms may, without prejudice to Article 12, be transferred from one Member State to another only in accordance with the procedure laid down in the following paragraphs. These provisions shall also apply to transfers of firearms following a sale *by means of distance communication*."

## **Amendment 77**

### **Proposal for a directive**

#### **Article 1 point 8 c (new)**

Directive 91/477/EEC

Article 11 – paragraph 2 – subparagraph 2

#### *Present text*

"The information referred to in the last two indents need not be supplied where the transfer takes place between dealers."

#### *Amendment*

*(8c) In Article 11(2), the second subparagraph is replaced by the following:*

"The information referred to in the last two indents need not be supplied where the transfer takes place between dealers *or brokers*."

## Amendment 78

### Proposal for a directive

#### Article 1 – point 8 d (new)

Directive 91/477/EEC

Article 11 – paragraph 3 – subparagraph 1

#### *Present text*

"3. In the case of transfer of the firearms, other than weapons of war, excluded from the scope of this Directive pursuant to Article 2 (2), each Member State may grant dealers the right to effect transfers of firearms from its territory to a dealer established in another Member State without the prior authorization referred to in paragraph 2. To that end it shall issue an authorization valid for no more than three years, which may at any time be suspended or cancelled by reasoned decision. A document referring to that authorization must accompany the firearm until it reaches its destination; it must be produced whenever so required by the authorities of the Member States."

#### *Amendment*

***(8d) In Article 11(3), the first subparagraph is replaced by the following:***

"3. In the case of transfer of the firearms, other than weapons of war, excluded from the scope of this Directive pursuant to Article 2(2), each Member State may grant dealers ***or brokers*** the right to effect transfers of firearms from its territory to a dealer ***or broker*** established in another Member State without the prior authorization referred to in paragraph 2. To that end it shall issue an authorization valid for no more than three years, which may at any time be suspended or cancelled by reasoned decision. A document referring to that authorization must accompany the firearm until it reaches its destination; it must be produced whenever so required by the authorities of the Member States."

## Amendment 79

### Proposal for a directive

#### Article 1 – point 8 e (new)

Directive 91/477/EEC

Article 11 – paragraph 3 – subparagraph 2

#### *Present text*

"Prior to the date of transfer, the dealer

#### *Amendment*

***(8e) In Article 11(3), the second subparagraph is replaced by the following:***

"Prior to the date of transfer, the dealer ***or***



shall communicate to the authorities of the Member State from which the transfer is to be effected all the particulars listed in the first subparagraph of paragraph 2. Those authorities shall carry out inspections, where appropriate on the spot, to verify the correspondence between the information communicated by the dealer and the actual characteristics of the transfer. The information shall be communicated by the dealer within a period allowing sufficient time."

*broker* shall communicate to the authorities of the Member State from which the transfer is to be effected all the particulars listed in the first subparagraph of paragraph 2. Those authorities shall carry out inspections, where appropriate on the spot, to verify the correspondence between the information communicated by the dealer *or broker* and the actual characteristics of the transfer. The information shall be communicated by the dealer *or broker* within a period allowing sufficient time."

## **Amendment 80**

### **Proposal for a directive**

#### **Article 1 – point 8 f (new)**

Directive 91/477/EEC

Article 11 – paragraph 4 – subparagraph 2

#### *Present text*

"Such lists of firearms shall be communicated to dealers who have obtained approval for transferring firearms without prior authorization under the procedure laid down in paragraph 3."

#### *Amendment*

***(8f) In Article 11(4), the second subparagraph is replaced by the following:***

"Such lists of firearms shall be communicated to dealers *and brokers* who have obtained approval for transferring firearms without prior authorization under the procedure laid down in paragraph 3."

## **Amendment 81**

### **Proposal for a directive**

#### **Article 1 – point 8 g (new)**

Directive 91/477/EEC

Article 12 – paragraph 2 – subparagraph 1

*Present text*

“2. Notwithstanding paragraph 1, hunters, in respect of categories C and D, and marksmen, in respect of category B, C and D, may without prior authorization be in possession of one or more firearms during a journey through two or more Member States with a view to engaging in their activities, provided that they are in possession of a European firearms pass listing such firearm or firearms and provided that they are able to substantiate the reasons for their journey, in particular by producing an invitation or other proof of their hunting or target shooting activities in the Member State of destination.”

**Amendment 82**

**Proposal for a directive**

**Article 1 – point 8 h (new)**

Directive 91/477/EEC

Article 12 – paragraph 2 – subparagraph 2

*Present text*

"Member States may not make acceptance of a European firearms pass conditional upon the payment of any fee or charge."

*Amendment*

***(8g) In Article 12(2), the first subparagraph is replaced by the following:***

“2. Notwithstanding paragraph 1, hunters, in respect of categories C and D, and marksmen, in respect of category A, B, C and D, may without prior authorization be in possession of one or more firearms during a journey through two or more Member States with a view to engaging in their activities, provided that they are in possession of a European firearms pass listing such firearm or firearms and provided that they are able to substantiate the reasons for their journey, in particular by producing an invitation or other proof of their hunting or target shooting activities in the Member State of destination.”

*Amendment*

***(8h) In Article 12(2), the second subparagraph is replaced by the following:***

"Member States may not make:

***(a) the issuance or renewal of a European firearms pass conditional upon the payment of any fee or charge exceeding the administrative costs incurred in issuing that pass; and***

***(b) the acceptance of a European firearms pass conditional, directly or indirectly, upon the payment of any fee or***

charge *or the grant of any administrative approval.*"

## Amendment 83

### Proposal for a directive

#### Article 1 – point 8 i (new)

Directive 91/477/EEC

Article 12 – paragraph 3

#### *Present text*

"3. Under agreements for the mutual recognition of national documents, two or more Member States may provide for arrangements more flexible than those prescribed in this Article for movement with firearms within their territories."

#### *Amendment*

***(8i) Article 12(3) is replaced by the following:***

"3. Under agreements for the mutual recognition of national documents, ***or by way of mutual recognition of entries in the computerised data-filing systems referred to in Article 4(4)***, two or more Member States may provide for arrangements more flexible than those prescribed in this Article for movement with firearms within their territories."

## Amendment 84

### Proposal for a directive

#### Article 1 – point 9

Directive 91/477/EEC

Article 13 – paragraph 4

#### *Text proposed by the Commission*

4. ***The competent authorities of the Member States shall exchange information*** on the authorisations granted for the ***transfers*** of firearms to another Member State as well as information with regard to refusals to grant authorisations as ***defined*** in Article 7.

#### *Amendment*

4. ***Member States shall ensure, by ... [date], the efficient exchange of information by electronic means, in accordance with Regulation (EU) 2016/679, either directly or through single points of contact,*** on the authorisations granted for the ***transfer*** of firearms to another Member State as well as information with regard to refusals to grant

authorisations as *provided for* in Article 7 *on grounds of security or relating to the reliability of the person concerned*.

*Each Member State shall, upon request by another Member State, exchange information relevant to an assessment of the criminal history, if any, of persons who apply for or who have been granted exceptions pursuant to Article 6 or authorisations pursuant to Article 7. That information shall refer to any corresponding decision of a judicial body or competent public authority, where applicable.*

## Amendment 85

### Proposal for a directive

#### Article 1 – point 9

Directive 91/477/EEC

Article 13 – paragraph 5

*Text proposed by the Commission*

5. The Commission shall ***be empowered to*** adopt delegated acts in accordance with Article 13a ***concerning*** the modalities of exchange of information on authorisations granted ***and on refusals***.

*Amendment*

5. The Commission shall adopt delegated acts in accordance with Article 13a ***in order to supplement this Directive by laying down*** the modalities of exchange of information on authorisations granted ***or refused for the transfer of firearms to another Member State. The Commission shall adopt the first such delegated act by ... [insert date].***

## Amendment 86

### Proposal for a directive

#### Article 1 – point 10

Directive 91/477/EEC

Article 13 a – paragraph 3 a (new)

*Text proposed by the Commission*

*Amendment*

***3a. Before adopting a delegated act, the***

*Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016.*

## **Amendment 87**

### **Proposal for a directive**

#### **Article 1 – point 10**

Directive 91/477/EEC

Article 13 a – paragraph 5

#### *Text proposed by the Commission*

5. A delegated act adopted pursuant to Article 13 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of **2** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **2** months at the initiative of the European Parliament or the Council.

#### *Amendment*

5. A delegated act adopted pursuant to **Article 10a(2), Article 10b(2), Article 10ba(2) or** Article 13(5) shall enter into force only if no objection has been expressed either by the European Parliament or **by** the Council within a period of **two** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **two** months at the initiative of the European Parliament or **of** the Council.

## **Amendment 88**

### **Proposal for a directive**

#### **Article 1 – point 11 a (new)**

Directive 91/477/EEC

Article 16 a (new)

#### *Text proposed by the Commission*

#### *Amendment*

**(11a) The following article is inserted:**

#### **“Article 16a**

**1. Member States may decide to confirm authorisations for semi-automatic firearms classified in point 6 or 7a of category A and legally acquired and**

*registered before ... [date of entry into force of this Amending Directive], and to renew them for the legal owner as at that date, subject to the other conditions laid down in this Directive, and may also allow such firearms to be acquired by persons authorised by Member States in accordance with this Directive.*

*2. Member States may authorise marksmen to acquire and possess semi-automatic firearms classified in point 6 or 7a of Category A, subject to the following conditions:*

*(a) the marksman participates in shooting competitions organised by an official shooting sport organisation recognised by a Member State or by an internationally established and officially recognised shooting sport federation; and*

*(b) the marksman is a member of a recognised shooting club, regularly practises target shooting and has been doing so for at least 12 months.*

*Marksmen authorised to acquire and possess semi-automatic firearms classified in point 6 or 7a of Category A shall be entitled to have such firearms listed in a European firearms pass pursuant to Article 12(2).”*

## Amendment 89

### Proposal for a directive

#### Article 1 – point 12

Directive 91/477/EEC

Article 17 – paragraph 1

#### *Text proposed by the Commission*

The Commission shall *submit* every five years *a report* to the European Parliament and the Council on the application of this Directive, accompanied, if appropriate, by proposals in particular *as regards* the categories of firearms *of* Annex I and *the* issues related to new technologies such as 3D printing. The first report shall be

#### *Amendment*

The Commission shall every five years *submit* to the European Parliament and the Council *a report* on the application of this Directive, *including a fitness check of its provisions*, accompanied, if appropriate, by proposals *concerning*, in particular, the categories of firearms *in* Annex I and issues related to *the implementation of the*

submitted two years after the entry into force of this Directive.

*system for the European firearms pass, to marking and to new technologies such as impacts of 3D printing. The first such report shall be submitted by ... [two years after the date of entry into force of this Amending Directive].*

## Amendment 90

### Proposal for a directive

#### Article 1 – point 12

Directive 91/477/EEC

Article 17 – paragraph 2

#### *Text proposed by the Commission*

The Commission shall, by [date], assess the necessary elements of a system for the exchange of information contained in the computerised data-filing systems referred to in Article 4(4) between the Member States. The Commission's assessment shall be accompanied, if appropriate, by a legislative proposal taking into account existing instruments regarding exchange of information.

#### *Amendment*

The Commission shall, by ... [date], assess the necessary elements of a system for the exchange of information contained in the computerised data-filing systems referred to in Article 4(4) between the Member States, *including the feasibility of enabling each Member State to access such a system.* The Commission's assessment shall be accompanied, if appropriate, by a legislative proposal taking into account existing instruments regarding exchange of information.

## Amendment 91

### Proposal for a directive

#### Article 1 – point 13 – point a – point i

Directive 91/477/EEC

Annex I – part II – point A – category A – point 6

#### *Text proposed by the Commission*

6. Automatic firearms which have been converted into semi-automatic firearms;

#### *Amendment*

6. Automatic firearms which have been converted into semi-automatic firearms, *unless the Commission has adopted technical specifications under Article 10ba, in which case this will not apply to firearms that have been converted in accordance with the requirements laid down;*

## **Amendment 92**

### **Proposal for a directive**

#### **Article 1 – point 13 – point a – point i**

Directive 91/477/EEC

Annex I – part II – point A – category A – point 6 a (new)

*Text proposed by the Commission*

*Amendment*

***6a. Semi-automatic firearms which have been converted into automatic firearms;***

## **Amendment 93**

### **Proposal for a directive**

#### **Article 1 – point 13 – point a – point i**

Directive 91/477/EEC

Annex I – part II – point A – category A – point 7

*Text proposed by the Commission*

*Amendment*

***7. Semi-automatic firearms for civilian use which resemble weapons with automatic mechanisms;*** ***deleted***

## **Amendment 94**

### **Proposal for a directive**

#### **Article 1 – point 13 – point a – point i**

Directive 91/477/EEC

Annex I – part II – point A – category A – point 7 a (new)

*Text proposed by the Commission*

*Amendment*

***7a. Semi-automatic firearms with centre fire percussion, and loading devices, with one or more of the following characteristics:***

***(a) long firearms (i.e. firearms that are originally intended to be fired from the shoulder) that can be reduced to a length of less than 60cm without losing functionality by means of a folding or telescoping stock;***



*(b) firearms which allow the firing of more than 21 rounds without reloading, if a loading device with a capacity exceeding 20 rounds is part of the firearm or is inserted into it;*

*In order to acquire a loading device, a corresponding firearm authorisation must be presented at the time of acquisition."*

## **Amendment 95**

### **Proposal for a directive**

#### **Article 1 – point 13 – point a – point i**

Directive 91/477/EEC

Annex I – Part II – point A – category A – point 8

*Text proposed by the Commission*

8. *Firearms under points 1 to 7 after having been deactivated.*

*Amendment*

8. *Any firearm classified in this category after it has been converted to firing blanks, irritants, other active substances or pyrotechnic rounds or into a salute or acoustic weapon.*

## **Amendment 96**

### **Proposal for a directive**

#### **Article 1 – point 13 – point a – point i a (new)**

Directive 91/477/EEC

Annex I – Part II – point A – category B – point 6 a (new)

*Text proposed by the Commission*

*Amendment*

*(ia) in category B, the following point is added:*

*"6a. Semi-automatic firearms for civilian use which resemble weapons with automatic mechanisms."*

## **Amendment 97**

### **Proposal for a directive**

#### **Article 1 – point 13 – point a – point i b (new)**

Directive 91/477/EEC

Annex I – Part II – point A – category B – point 6 b (new)

*Text proposed by the Commission*

*Amendment*

*(ib) in category B, the following point is added:*

*"6b. Semi-automatic firearms with rimfire percussion in calibre .22 or smaller."*

## **Amendment 98**

### **Proposal for a directive**

**Article 1 – point 13 – point a – point i c (new)**

Directive 91/477/EEC

Annex I – Part II – point A – category B – point 6 c (new)

*Text proposed by the Commission*

*Amendment*

*(ic) in category B, the following point is added:*

*"6c. Any firearm classified in this category after it has been converted to firing blanks, irritants, other active substances or pyrotechnic rounds or into a salute or acoustic weapon."*

## **Amendment 99**

### **Proposal for a directive**

**Article 1 – point 13 – point a – point iii**

Directive 91/477/EEC

Annex I – Part II – point A – category C – point 5

*Text proposed by the Commission*

*Amendment*

*5. Alarm and signal weapons, salute and acoustic weapons as well as replicas;*

*5. Any firearm classified in this category after it has been converted to firing blanks, irritants, other active substances or pyrotechnic rounds or into a salute or acoustic weapon;*

## **Amendment 100**

### **Proposal for a directive**

**Article 1 – point 13 – point a – point iii**

Directive 91/477/EEC  
Annex I – Part II – point A – category C – point 6

*Text proposed by the Commission*

*Amendment*

**6. Firearms under category B and points 1 to 5 of category C, after having been deactivated.**

*deleted*

## **Amendment 101**

### **Proposal for a directive**

#### **Article 1 – point 13 – point a – point iii a (new)**

Directive 91/477/EEC

Annex I – Part II – point A – category D

*Present text*

*Amendment*

"Single-shot long firearms with smooth-bore barrels."

*(iii a) in category D, the wording under the heading is replaced by the following:*

"Single-shot long firearms with smooth-bore barrels, *including those which have been converted to firing blanks, irritants, other active substances or pyrotechnic rounds or into a salute or acoustic weapons.*"

## **Amendment 102**

### **Proposal for a directive**

#### **Article 1 – point 14 – point -b (new)**

Directive 91/477/EEC

Annex I – Part III – subparagraph 1 – point a a (new)

*Text proposed by the Commission*

*Amendment*

*(-b) in the first subparagraph, the following point is added:*

*"(aa) are deactivated firearms, provided that deactivation has been carried out:*

*(i) in accordance with the technical specifications set out in Annex III; or*

*(ii) before ... [the date of application of this Amending Directive] in accordance with the technical specifications set out in*

*Annex I to Implementing Regulation (EU) 2015/2403; or*

*(iii) prior to 8 April 2016:*

*– in accordance with any national deactivation standards and techniques applied by Member States and established by the Commission pursuant to Article 10(2b); or*

*– in accordance with the national deactivation standards and techniques applied by Member States, provided that the deactivated firearm is not transferred to another Member State or placed on the market; or*

*– in accordance with a cut-through-slot procedure, meaning that a slot has been cut through the chamber wall of a minimum of 4mm width and into the barrel along at least 50% of the barrel length and the barrel has been securely pinned or welded to the receiver/frame, and conversion to expel a shot, bullet or projectile by the action of a combustible propellant is not possible;''*

## Amendment 103

### Proposal for a directive

#### Article 1 – point 14 – point b

Directive 91/477/EEC

Annex I – Part III – subparagraph 1 – point b

#### *Text proposed by the Commission*

are designed for life-saving, animal slaughter or harpoon fishing **or** for industrial or technical purposes provided that they can be used for the stated purpose only;

#### *Amendment*

**(b)** are designed for ***alarm, signalling,*** life-saving, animal slaughter or harpoon fishing, for industrial or technical purposes ***or to only be capable of expelling a shot, bullet or projectile by the action of compressed air or other gas not generated by the action of a combusted propellant, or are designed as airsoft devices or airgun devices of any description from which only a small plastic missile with limited energy can be discharged,*** provided that they can be used for the stated purpose only ***and are not capable of***

*being converted in such a way as to render them capable of expelling a shot, bullet or projectile by the action of a combusted propellant;*

## **Amendment 104**

### **Proposal for a directive**

#### **Article 1– point 14 a (new)**

Directive 91/477/EEC

Annex II – point f

#### *Present Text*

“(f) the statements:

‘The right to travel to another Member State with one or more of the firearms in categories B, C or D mentioned in this pass shall be subject to one or more prior corresponding authorizations from the Member State visited. This or these authorizations may be recorded on the pass.

The prior authorization referred to above is not in principle necessary in order to travel with a firearm in categories C or D with a view to engaging in hunting or with a firearm in categories B, C or D for the purpose of taking part in target shooting, on condition that the traveller is in possession of the firearms pass and can establish the reason for the journey.’

Where a Member State has informed the other Member States, in accordance with Article 8 (3), that the possession of certain firearms in categories B, C or D is prohibited or subject to authorization, one of the following statements shall be added:

‘A journey to... (State(s) concerned) with the firearm ... (identification) shall be prohibited.’

‘A journey to... (State(s) concerned) with the firearm ... (identification) shall be

#### *Amendment*

***(14a) in Annex II, point (f) is replaced by the following:***

“(f) the statements:

‘The right to travel to another Member State with one or more of the firearms in categories A, B, C or D mentioned in this pass shall be subject to one or more prior corresponding authorizations from the Member State visited. This or these authorizations may be recorded on the pass.

The prior authorization referred to above is not in principle necessary in order to travel with a firearm in categories C or D with a view to engaging in hunting or with a firearm in categories A, B, C or D for the purpose of taking part in target shooting, on condition that the traveller is in possession of the firearms pass and can establish the reason for the journey.’

Where a Member State has informed the other Member States, in accordance with Article 8 (3), that the possession of certain firearms in categories A, B, C or D is prohibited or subject to authorization, one of the following statements shall be added:

‘A journey to... (State(s) concerned) with the firearm ... (identification) shall be prohibited.’

‘A journey to... (State(s) concerned) with the firearm ... (identification) shall be

subject to authorization.””

subject to authorization.””

## **Amendment 105**

### **Proposal for a directive**

#### **Article 1 – point 14 b (new)**

Directive 91/477/EEC

Annex III (new)

*Text proposed by the Commission*

*Amendment*

<b><i>(14b) The following Annex is added:</i></b>
<b><i>‘Annex III</i></b>
<b><i>Technical specifications for the deactivation of firearms</i></b>
<b><i>The deactivation operations to be performed in order to render firearms irreversibly inoperable are defined on the basis of three tables:</i></b>
<b><i>Table I lists the different types of firearms;</i></b>
<b><i>Table II describes the operations to be performed to render each essential component of firearms irreversibly inoperable,;</i></b>
<b><i>Table III sets out which deactivation operations are to be performed for the various types of firearm.</i></b>

<b><i>TABLE I: List of types of firearms</i></b>	
<b><i>TYPES OF FIREARMS</i></b>	
<b><i>1</i></b>	<b><i>Pistols (single shot, semi-automatic)</i></b>
<b><i>2</i></b>	<b><i>Revolvers (including cylinder-loading revolvers)</i></b>
<b><i>3</i></b>	<b><i>Single-shot long firearms (not break action)</i></b>
<b><i>4</i></b>	<b><i>Break action firearms (e.g. smoothbore, rifled, combination, falling/rolling block action, short and long firearms)</i></b>
<b><i>5</i></b>	<b><i>Repeating long firearms (smoothbore, rifled)</i></b>
<b><i>6</i></b>	<b><i>Semi-automatic long firearms (smoothbore, rifled)</i></b>

7	<i>(Full) automatic firearms, e.g. selected assault rifles, submachine guns, full automatic pistols (not crew-served machine guns)</i>
8	<i>Muzzle-loading firearms</i>

**TABLE II: Specific operations per component**

<b>COMPONENT</b>	<b>PROCESS</b>
<b>1. BARREL</b>	<i>1.1. If the barrel is fixed to the frame (1), pin the barrel to action with a hardened steel pin (diameter &gt; 50 % chamber, minimum 4,5 mm) through the chamber and frame. The pin must be welded (2).</i>
	<i>1.2. If the barrel is free (not fixed), cut a longitudinal slot through the full length of the chamber wall (width &gt; 1/2 calibre and maximum 8 mm) and securely weld a plug or a rod into the barrel from the start of the chamber (<math>L \geq \frac{2}{3}</math>barrel length). For smoothbore barrels, only the chamber requires permanently blocking with a plug of the same length as the chamber.</i>
	<i>1.3. Within the first third of the barrel from the chamber, either drill holes (must have a minimum of <math>\frac{2}{3}</math> of the diameter of the bore for smoothbore arms and the whole diameter of the bore for all other arms; one behind the other, 3 for short arms, 6 for long arms) or cut, after the chamber, a V slot (angle <math>60 \pm 5^\circ</math>) opening locally the barrel or cut, after the chamber, a longitudinal slot (width 8-10 mm <math>\pm</math> 0,5 mm, length <math>\geq</math> 52 mm) at the same position as the holes, or cut a longitudinal slot (width 4-6 mm <math>\pm</math> 0,5 mm) from the chamber to the muzzle, except 5 mm at the muzzle.</i>
	<i>1.4. For barrels with a feed ramp, remove the feed ramp.</i>
	<i>1.5. Prevent removal of the barrel from the frame by use of hardened steel pin or by welding.</i>
	<i>1.6. Fix a rod in the barrel forcing cone (<math>L &gt; \frac{2}{3}</math> barrel length). Weld into forcing cone. Pin the barrel (through forcing cone) to the frame and weld pin. Drill a hole <math>\frac{2}{3}</math> bore diameter within the first third of the barrel from the forcing cone and weld the rod to the barrel through the drilled hole</i>
<b>2. BREECH BLOCK, BOLT HEAD</b>	<i>2.1. Remove or shorten firing pin.</i>
	<i>2.2. Machine the bolt face with an angle of at least 45 degrees and on a surface larger than 50 % of the breech face.</i>
	<i>2.3. Weld the firing pin hole.</i>
<b>3. CYLINDER</b>	<i>3.1. Remove all internal walls from cylinder for a minimum of <math>\frac{2}{3}</math> of its length by machining a circular ring 50% case diameter.</i>

	<i>3.2. Where possible, weld to prevent the removal of the cylinder from the frame or appropriate measures such as pinning that render the removal impossible.</i>
<b>4. SLIDE</b>	<i>4.1. Machine or remove more than 50 % of the breech face with an angle between 45 and 90 degrees.</i>
	<i>4.2. Remove or shorten the firing pin.</i>
	<i>4.3. Machine and weld the firing pin hole.</i>
	<i>4.4. Machine away at least 2/3 of the locking lugs in slide</i>
	<i>4.5. Where applicable, machine the inside of the upper forward edge of the ejection port in the slide to an angle of 45 degrees.</i>
<b>5. FRAME (PISTOLS)</b>	<i>5.1. Remove feed ramp.</i>
	<i>5.2. Machine away at least 2/3 of the slide rails on both sides of the frame.</i>
	<i>5.3. Weld the slide stop or use appropriate measures if welding is not possible.</i>
	<i>5.4. Prevent disassembly of polymer frame pistols by welding or bonding or use appropriate measures if welding or bonding is not possible.</i>
<b>6. AUTOMATIC SYSTEM</b>	<i>6.1. Destroy the piston and the gas system by cutting or welding.</i>
	<i>6.2. Remove the breech block, replace it by a steel piece and weld it or reduce the breech block by 50 % minimum, weld it and cut off locking lugs from the bolt head.</i>
	<i>6.3. Weld the trigger mechanism together and, if possible, with the frame. If welding within the frame is not possible, remove the firing mechanism and fill the empty space appropriately (e.g. by gluing in a fitting piece of filling with epoxy resin).</i>
<b>7. ACTION</b>	<i>7.1. Machine a cone of 60 degrees minimum (apex angle), in order to obtain a base diameter equal to 1 cm at least or the diameter of the breech face.</i>
	<i>7.2. Remove the firing pin, enlarge the firing pin hole at a minimum diameter of 5 mm and weld the firing pin hole.</i>
<b>8. MAGAZINE (where applicable)</b>	<i>8.1. Weld the magazine with spots or use appropriate measures, depending on the type of arm and material to prevent removing the magazine.</i>
	<i>8.2. If the magazine is missing, place spots of weld in the magazine location or fix a lock to permanently prevent the insertion of a magazine.</i>
	<i>8.3. Drive hardened steel pin through magazine, chamber and frame. Secure by weld.</i>



<b>9. MUZZLE LOADING</b>	<b>9.1. Remove or weld the nipple(s), weld the hole(s).</b>
<b>10. SOUND MODERATOR</b>	<b>10.1. Prevent removal of the sound moderator from the barrel by use of hardened steel pin or weld if the sound moderator is part of the weapon.</b>
	<b>10.2. Remove all the inner parts and their attachment points of the moderator so that only a tube remains. Drill two holes in the casing (5mm) in diameter near the point the sound moderator attaches to the barrel.</b>
<b>Hardness of inserts</b>	<b>Hardened steel rod or pin</b>

**TABLE III: Specific operations per essential components of each type of firearm**

<b>TYPE</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>
<b>PROCES S</b>	<b>Pistols (except automatic)</b>	<b>Revolvers</b>	<b>Single-shot long firearms (not break action)</b>	<b>Break action firearms (smoothbore, rifled, combination)</b>	<b>Repeating long firearms (smoothbore, rifled)</b>	<b>Semi-automatic long firearms (smoothbore, rifled)</b>	<b>Automatic firearms: assault rifles, (sub) machine guns</b>	<b>Muzzle loading firearms</b>
<b>1.1</b>			X		X	X	X	
<b>1.2 and 1.3</b>	X		X	X	X	X	X	X
<b>1.4</b>	X					X	X	
<b>1.5</b>								
<b>1.6</b>		X						
<b>2.1</b>			X		X	X	X	
<b>2.2</b>			X		X	X	X	
<b>2.3</b>			X		X	X	X	
<b>3.1</b>		X						
<b>3.2</b>		X						
<b>4.1</b>	X						X (for automatic pistols)	
<b>4.2</b>	X						X (for automatic pistols)	

4.3	X						X (for automatic pistols)	
4.4	X						X (for automatic pistols)	
4.5	X					X	X (for automatic pistols)	
5.1	X						X (for automatic pistols)	
5.2	X						X (for automatic pistols)	
5.3	X						X (for automatic pistols)	
5.4	X (polymer frame)						X (for automatic pistols)	
6.1						X	X	
6.2						X	X	
6.3							X	
6.4							X	
7.1				X				
7.2		X		X				
8.1 or 8.2	X				X	X	X	
8.3					X (magazine tube)	X (magazine tube)		
9.1		X						X
10.1	X		X		X	X	X	
10.2	X		X	X	X	X	X	

(<sup>1</sup>) *Barrel fixed to the frame by screwing or clamping or by another process.*

(<sup>2</sup>) *Welding is a fabrication or sculptural process that joins materials, usually metals or thermoplastics, by causing fusion.*

## **Amendment 106**

### **Proposal for a directive**

#### **Article 2 – paragraph 1 – subparagraph 1**

##### *Text proposed by the Commission*

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive [3 months after *publication to the OJ*]. They shall forthwith communicate to the Commission the text of those *provisions*.

##### *Amendment*

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive [**12** months after *the date of entry into force of this Amending Directive*]. They shall forthwith communicate to the Commission the text of those *measures*.