

**Question for written answer E-008913/2012
to the Commission**
Rule 117
Simon Busuttil (PPE)

Subject: Marking requirements for historic firearms

Following the entry into force of the EU directive on the marking of firearms (2008/51/EC), several Member States have updated their legislation to comply with the new requirements it introduces. However, since the introduction of new legislation in two Member States (Spain and the Netherlands), collectors of historic firearms have cited problems affecting the free movement of such firearms within the EU arising from unnecessary marking requirements.

1. Can the Commission confirm whether the relevant EU directives are intended to prevent the free movement of historic firearms within the Union, and whether such prevention of free movement could be considered to be in violation of the spirit of the Treaties?
2. Does the relevant EU legislation imply the intention that marking requirements should be applied retroactively, and should the marking requirements of Directive 2008/51/EC also be applied to weapons and ammunition of cultural and historical value?
3. Does EU law provide for compensation or penalisation in respect of material damage to or loss of value of weapons and ammunition of cultural and historical value arising from the marking requirements introduced by certain national administrations in fulfilment of the requirements of Directive 2008/51/EC?
4. Could retroactive marking be considered to be against the spirit of the exemptions contained in the directive, in the case of weapons or ammunition owned by collectors or bodies concerned with the cultural and historical aspects of such weapons?
5. Given that a number of problems have been encountered with new registration systems following the re-marking of firearms which had already been registered in the past, can the Commission confirm whether any action is being undertaken to prevent such errors?
6. Will the Commission provide national administrations with guidance to ensure that marking requirements are interpreted in a uniform manner across the EU?