

COUNCIL DIRECTIVE
of 18 June 1991
on control of the acquisition and possession of weapons
(91/477/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 100a thereof,

Having regard to the proposal from the Commission (¹),

In cooperation with the European Parliament (²),

Having regard to the opinion of the Economic and Social Committee (³),

Whereas Article 8a of the Treaty provides that the internal market must be established by not later than 31 December 1992; whereas the internal market comprises an area without internal frontiers in which the free movement of goods, persons, services and capital is ensured, in accordance with the provisions of the Treaty;

Whereas, at its meeting in Fontainebleau on 25 and 26 June 1984, the European Council expressly set the objective of abolishing all police and customs formalities at intra-Community frontiers;

Whereas the total abolition of controls and formalities at intra-Community frontiers entails the fulfilment of certain fundamental conditions; whereas in its white paper 'Completing the internal market' the Commission stated that the abolition of controls on the safety of objects transported and on persons entails, among other things, the approximation of weapons legislation;

Whereas abolition of controls on the possession of weapons at intra-Community frontiers necessitates the adoption of effective rules enabling controls to be carried out within Member States on the acquisition and possession of firearms and on their transfer to another Member State; whereas systematic controls must therefore be abolished at intra-Community frontiers;

Whereas the mutual confidence in the field of the protection of the safety of persons which these rules will generate between Member States will be the greater if they are underpinned by partially harmonized legislation; whereas it would therefore be useful to determine category of firearms whose acquisition and possession by private persons are to be prohibited, or subject to authorization, or subject to declaration;

Whereas passing from one Member State to another while in possession of a weapon should, in principle, be prohibited; whereas a derogation therefrom is acceptable only if a procedure is adopted that enables Member States to be notified that a firearm is to be brought into their territory;

Whereas, however, more flexible rules should be adopted in respect of hunting and target shooting in order to avoid impeding the free movement of persons more than is necessary;

Whereas the Directive does not affect the right of Member States to take measures to prevent illegal trade in weapons,

(2a) Taking into consideration the fact that terrorism and serious crimes are not effectively stopped by creating unnecessary obstacles for law abiding hunters and sportsmen.

(3) Certain issues in Directive 91/477/EEC need further improvement so as to ensure the proper functioning of the internal market and a high level of security throughout the European Union

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

(3b) Certain persons have a legitimate interest in accessing firearms classified in category A, provided that exemptions are granted on an exceptional basis. These could include, inter alia, armourers, proof houses, manufacturers, certified experts, forensic scientists and, in certain cases, those involved in film production.

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

(3d) It should be possible for Member States to choose to authorise the acquisition and the possession of prohibited firearms when necessary for historical, cultural, scientific, technical, educational, aesthetic or heritage purposes and recognised as such by the Member State in whose territory they are established to keep in their possession firearms classified in category A, provided that those persons demonstrate, prior to being granted authorisation, that they have taken the necessary measures to address any risks to public security or safety, 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.

(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.

(6a) It should be specified in this Directive 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.

(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, 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 buyer 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 purchase any payment solely in cash for the acquisition of firearms should be prohibited.

7. The acquisition and possession of firearms should only be permitted if, inter alia, there is good cause. Member States should have the option of stipulating that the acquisition and possession of firearms for the purpose, for example, of hunting, target shooting, use by associations which cultivate customs and traditions and by cultural and historical bodies, the conduct of various scientific and technical activities, testing procedures and the re-enactment of historical events, filmmaking or historical study constitutes good cause.

(7b) Member States should ensure that an effective system is implemented for monitoring 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, indicating that the conditions for allowing possession may no longer be met.

(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 rules, taking into account the number and nature of the firearms concerned.

8. In order to increase the traceability of firearms and essential components and to facilitate their free movement, an 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. The traceability requirements shall not apply to firearms which have been deactivated in accordance with this Directive.

(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. These rules should apply only to firearms and essential components that are placed on the market as from the date by which Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with the main provisions of this Directive.

(11) Firearms may be used for far more than 20 years. In order to ensure their traceability, records of them as well as of the essential components thereof should be kept for an indeterminate period of time until their destruction or deactivation is certified. Access to these records and all related personal data shall be restricted to competent authorities. The requirement to continue registering firearms and essential components after deactivation should only apply to those 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 rules applicable prior to the entry into force of this Directive, have been removed from the register after deactivation.

(12) Marketing of firearms, parts 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 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, notably internet, by legal or natural persons other than dealers and brokers allow verification at the time of delivery of at least the identity of the recipients and their right to acquire a firearm by the dealer or broker or by a public authority representative.

OR

(12) Marketing of firearms, parts 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 sale or other transaction by means of, for example, telephone or email should, where allowed under national law, be possible provided that the actual handing over takes place on a face-to-face basis, so as to allow verification of identity and of the right to engage in such a transaction. The handing over can be either between the parties directly, or by way of collecting the firearm, essential component or ammunition at the premises of a dealer, local police station or another body authorised under the national law of the Member State concerned.

(14) In order to improve the functioning of the information exchange between Member States, 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. The Commission's assessment may be accompanied, if appropriate, by a legislative proposal taking into account existing instruments regarding exchange of information.

(15a) 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.

HAS ADOPTED THIS DIRECTIVE:

CHAPTER 1

Scope

Article 1

1. For the purposes of this Directive, 'firearm' shall mean any portable barrelled weapon that expels, is designed to expel or may be converted to expel a shot, bullet or projectile by the action of a combustible propellant, unless it is excluded for one of the reasons listed in Part III of Annex I. Firearms are classified in part II of Annex I.

For the purposes of this Directive, an object shall be considered as capable of being converted to expel a shot, bullet or projectile by the action of a combustible propellant if:

- it has the appearance of a firearm, and
- as a result of its construction or the material from which it is made, it can be so converted.

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

~~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.~~

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

1c. For the purposes of this Directive, 'ammunition' shall mean the complete round or the components thereof, including cartridge cases, primers, propellant powder, bullets or projectiles, that are used in a firearm, provided that those components are themselves subject to authorisation in the relevant Member State.

1d. For the purposes of this Directive, 'tracing' shall mean the systematic tracking of firearms and, where possible, their parts and ammunition from manufacturer to purchaser for the purpose of assisting the competent authorities of Member States in detecting, investigating and analysing illicit manufacturing and illicit trafficking.

1e. For the purposes of this Directive, 'broker' shall mean any natural or legal person, ***his agents and representatives***, other than a dealer, whose trade or business consists wholly or partly in the buying, selling, ***lending, leasing*** or arranging the transfer ~~of weapons within a Member State, 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.~~

If. 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 round and which are not capable of being converted to expel a shot, bullet or projectile by the action of a combustible propellant.

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

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 weapons 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 this is applied, the components removed shall be handed over to the authorities of the Member State for safekeeping.

1i a. For the purposes of this Directive, "museum" means 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;

1i b. For the purposes of this Directive, "collector" means 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.

2. For the purposes of this Directive, 'dealer' shall mean any natural or legal person whose trade or business consists wholly or partly in the manufacture, trade, exchange, hiring out, repair or conversion of firearms, parts and ammunition.

- i. the manufacture, including modification, other than alterations for private use not leading to a change of categorisation, or conversion, trade, exchange, hiring out or repair of firearms;*
- ii. the manufacture, including modification, other than alterations for private use not leading to a change of categorisation, or conversion, trade, exchange, hiring out or repair of essential components of firearms;*
- iii. the manufacture, other than hand-loading or reloading of ammunition for private use including modification, other than alterations for private use not leading to a change of category, or conversion, trade or exchange of ammunition.*

2a. For the purposes of this Directive, 'illicit manufacturing' shall mean the manufacturing or assembly of firearms, their parts and ammunition:

- i. from any essential component of such firearms illicitly trafficked;
- ii. without an authorisation issued in accordance with Article 4 by a competent authority of the Member State where the manufacture or assembly takes place; or
- iii. without marking the assembled firearms at the time of manufacture in accordance with Article 4(1).

2b. For the purposes of this Directive, 'illicit trafficking' shall mean the acquisition, sale, delivery, movement or transfer of firearms, their parts or ammunition from or across the territory of one Member State to that of another Member State if any one of the Member States concerned does not authorise it in accordance with the terms of this Directive or if the assembled firearms are not marked in accordance with Article 4(1).

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 *or broker*. ***If a person's address does not appear on his or her passport or identity card, the country of residence will be determined on the basis of any other official proof of residence recognised by the Member State concerned.***

4. A 'European firearms pass' shall be issued on request by the authorities of a Member State to a person lawfully entering into possession of and using a firearm. It shall be valid for a maximum period of five years, which may be extended, and shall contain the information set out in Annex II. It shall be non-transferable and shall record the firearm or firearms possessed and used by the holder of the pass. It must always be in the possession of the person using the firearm and any change in the possession or characteristics of the firearm, as well as the loss or theft thereof, shall be indicated on the pass.

Article 2

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

2. This Directive shall not apply to the acquisition or possession of weapons and ammunition, in accordance with national law, by the ~~armed~~ ***national defence*** forces, the police, ***and other*** the public authorities ~~or by collectors and bodies concerned with the cultural and historical aspects of weapons and recognized as such by the Member State in whose territory they are established.~~ ***The national defence forces encompasses all units, reservists and voluntary defence forces within the framework of the national defence systems under the command of the national defence forces, including the military and systems of internal public security.*** Nor shall it apply to commercial transfers of weapons and ammunition of war.

Article 3

Member States may adopt in their legislation provisions which are more stringent than those provided for in this Directive, subject to the rights conferred on residents of the Member States by Article 12 (2).

CHAPTER 2

Harmonization of legislation concerning firearms

Article 4

1. Member States shall ensure either that any ***assembled*** firearm or ~~part~~ ***separately sold essential component*** placed on the market has been marked and registered in compliance with this Directive, ~~or that it has been deactivated~~ ***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.***

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; ~~either~~ *and each essential component intended for sale separately, or without delay after imported into the Union,*

- a) require *clear, permanent and* 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 *and shall not apply to firearms or essential components either considered as antiques under national law or destined for persons authorised pursuant to the second subparagraph of Article 6, provided they bear original markings permitting full traceability*. ~~For these purposes, the Member States may choose to apply the provisions of the Convention of 1 July 1969 on Reciprocal Recognition of Proofmarks on Small Arms; or~~
- b) ~~maintain any alternative unique user friendly marking with a number or alphanumeric code, permitting ready identification by all States of the country of manufacture.~~

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 entry into force of this Directive.

~~The marking shall be affixed to an essential component of the firearm, the destruction of which would render the firearm unusable.~~

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 so as to provide the name of the manufacturer, the identification batch (lot) number, the calibre and the type of ammunition. For these purposes, Member States ~~may~~ *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 ~~on Reciprocal Recognition of Proofmarks on Small Arms~~.

Furthermore, Member States shall ensure, at the time of transfer of a firearm from government stocks to permanent civilian use, the ~~appropriate~~ unique marking permitting identification ~~by States~~ of the transferring ~~country~~ *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 (new), save in the case of transfers to persons granted authorisations pursuant to the first or the second subparagraph of Article 6.

3. Member States shall ~~make~~ *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) on the basis of at least~~ a check of the private and professional integrity and of the abilities of the dealer, **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 person who directs the undertaking.

~~4. Member States shall, by 31 December 2014, ensure the establishment and maintenance of a computerised data-filing system, either a centralised system or a decentralised system which guarantees to authorised authorities access to the data-filing systems in which each firearm subject to this Directive shall be recorded. This filing system shall record and maintain for not less than 20 years 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.~~

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, leading to a change in categorisation, to a firearm, 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 end 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.

Throughout their period of activity, dealers shall be required to maintain a register in which all firearms subject to this Directive and which are received or disposed of by them shall be recorded, together with such particulars as enable the firearm to be identified and traced, in particular the type, make, model, calibre and serial number thereof and the names and addresses of the persons supplying and acquiring it. Upon the cessation of his activities, the dealer shall deliver the register to the national authority responsible for the filing system provided for in **first** subparagraph 4.

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

4a. No dealer or broker shall sell, transfer or deliver any firearms, essential components or ammunition to another person who does not hold a licence or authorisation for such firearm or ammunition."

5. Member States shall ensure that all firearms may be linked to their owner at any moment. However, as regards firearms classified in category D, Member States shall, as from 28 July 2010, put into place appropriate tracing measures, including, as from 31 December 2014, measures enabling linking at any moment to the owner of firearms placed on the market after 28 July 2010.

Without prejudice to Article 3, Member States shall allow the acquisition and possession of firearms only by persons who have been granted a licence or, with respect to categories C or D, who are specifically permitted to acquire and possess such firearms in accordance with national law.

Article 4b

Member States shall consider establishing a system for the regulation of the activities of brokers. Such a system might include one or more measures such as:

- a) requiring the registration of brokers operating within their territory;
- b) requiring the licensing or authorisation of the activity of brokering.

Article 5

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:
 - 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 licenced or otherwise approved training centre , ***and such adult accepts responsibility for storage pursuant to Article 5a; and;***
 - 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.

Member States may withdraw authorisation for possession of a firearm if any of the conditions on the basis of which it was granted are no longer satisfied.

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

1a. In the case of collectors, Member States may restrict ownership of firearms to a limited number of firearms for all categories. This shall not apply if these firearms have been rendered inoperable as referred to in this Directive.

1b. An acquirer through inheritance must immediately contact the competent authority in his Member State in order to seek authorisation for possession of a firearm. If no need can be demonstrated, firearms and ammunition which is subject to authorisation must be rendered inoperable as referred to in this Directive or sold or given to an authorised natural or legal person.

2. Member States shall establish a monitoring system, including the assessment of relevant medical and psychological information according to national legislation, 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 allowed are no longer met.

2a. Collection as referred to in Article 1(1h) shall be a valid reason to acquire and possess firearms in categories B, C, and D for persons who are at least 18 years of age and not likely to be a danger to themselves, to public order, or to public safety. A conviction for a violent intentional crime shall be considered as indicative of such danger.

3. Collection as referred to in Article 1(1h) shall be a valid reason to acquire and possess firearms in categories B, C, and D for persons who are at least 18 years of age and not likely to be a danger to themselves, to public order, or to public safety. A conviction for a violent intentional crime shall be considered as indicative of such danger.

Article 5 a

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 being accessed by an unauthorised person. When stored, firearms and ammunition for them shall not be readily accessible together. Supervision in this case shall mean that the person possessing the firearm or the ammunition has control over them during transport and use. The level of scrutiny for the storage arrangements shall correspond to the category of the firearm.

Article 5 b

*Member States shall ensure that in case of the acquisition and selling of firearms and their essential components and the ammunition covered by 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:*

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

Article 6

*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 ~~special~~ **exceptional and duly reasoned** cases, the competent authorities may grant authorizations for such firearms and ammunition ~~where~~ **provided that such authorisation** this is not contrary to public security ~~or~~, public order **or national defence**.*

Member States may choose to grant authorisations to museums and collectors for firearms and ammunition classified in category A provided that they demonstrate to the relevant 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 persons. Such authorised persons shall be required to maintain a register of all firearms in their possession classified in Category A, which shall be accessible to the relevant national authorities. Member States shall establish an appropriate monitoring system with respect to such authorised persons, taking all relevant factors into account.

Member States shall ensure that, except with respect to dealers, the acquisition of firearms and their parts and ammunition by means of distance communication, as defined in Article 2 of 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 (⁴), shall, where authorised, be strictly controlled.

Article 7

1. No one may acquire a firearm classified in category B within the territory of a Member State unless that Member State has so authorized him.

No such authorization may be given to a resident of another Member State without the latter's prior agreement.

2. No one may be in possession of a firearm classified in category B within the territory of a Member State unless that Member State has so authorized him. If he is a resident of another Member State, that other Member State shall be informed accordingly.

3. An authorization to acquire and an authorization to possess a firearm classified in category B may take the form of a single administrative decision.

4. Member States may consider granting persons who satisfy the conditions for the granting of an authorisation for a firearm a multiannual licence for the acquisition and possession of all firearms subject to authorisation, without prejudice to:

- a) the obligation to notify the competent authorities of transfers;
- b) ~~the periodic~~ verification that those persons continue to satisfy the conditions; and
- c) the maximum limits for possession laid down in national law.

The maximum duration of an authorisation shall not exceed five years, unless Member States have implemented a system of continuous monitoring 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.

5. Member States shall adopt rules to ensure that persons holding authorisations for firearms of category B in force under national law as at 28 July 2008 do not need to apply for a licence or permit regarding firearms they hold in categories C or D due to the entry into force of Directive 2008/51/EC of the European Parliament and of the Council of 21 May 2008 (⁵). However, any subsequent transfer of firearms of categories C or D shall be subject to the transferee obtaining or having a licence or being specifically permitted to possess those firearms in accordance with national law.

Article 8

1. No one may be in possession of a firearm classified in category C unless he has declared it to the authorities of the Member State in which that firearm is held.

The Member States shall provide for the compulsory declaration of all firearms classified in category C at present held within their territories but not previously declared within one year of the entry into force of the national provisions transposing this Directive.

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 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.

3. If a Member State prohibits or makes subject to authorization the acquisition and possession within its territory of a firearm classified in category B, C or D, it shall so inform the other Member States, which shall expressly include a statement to that effect on any European firearms pass they issue for such a firearm, pursuant to Article 12 (2).

Article 9

1. The handing over of a firearm classified in category A, B or C to a person who is not resident in the Member State in question shall be permitted, subject to compliance with the obligations laid down in Articles 6, 7 and 8:

- where the person acquiring it has been authorized in accordance with Article 11 himself to effect a transfer to his country of residence,
- where the person acquiring it submits a written declaration testifying to and justifying his intention to be in possession of the firearm in the Member State of acquisition, provided that he fulfils the legal conditions for possession in that Member State.

2. Member States may authorize the temporary handing over of firearms in accordance with procedures which they shall lay down.

Article 10

The arrangements for the acquisition ***of ammunition*** and possession of ammunition ***containing a single projectile*** shall be the same as those for the possession of 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 authorised pursuant to the second subparagraph of Article 6.***

Brokers and dealers may refuse 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 relevant 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 according to Article 4(4) and payment is to be made solely in cash.

Article 10 a

- 1. Member States shall take measures to ensure that alarm and signal weapons cannot be converted into firearms.*
- 2. The Commission shall , by ... [insert date], adopt delegated acts establishing technical specifications for alarm and signal weapons, as well as for salute and acoustic weapons to ensure they cannot be converted into firearms.*

Article 10 ba

- 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 Directive cannot be reconverted into automatic firearms.*
- 2. The Commission shall by [31 December 2017] adopt delegated acts in accordance with Article 13a establishing technical specifications to ensure that semi-automatic firearms which have been converted from originally automatic firearms cannot be reconverted into automatic firearms.*

Article 10 b

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 legislation.

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.

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

a) 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).

b) 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.

CHAPTER 3

Formalities for the movement of weapons within the Community

Article 11

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 *by means of distance communication*.

2. Where a firearm is to be transferred to another Member State, the person concerned shall, before it is taken there, supply the following particulars to the Member State in which such firearm is situated:

- the names and addresses of the person selling or disposing of the firearm and of the person purchasing or acquiring it or, where appropriate, of the owner,
- the address to which the firearm is to be consigned or transported,
- the number of firearms to be consigned or transported,
- the particulars enabling the firearm to be identified and also an indication that the firearm has undergone a check in accordance with the Convention of 1 July 1969 on the Reciprocal Recognition of Proofmarks on Small Arms,
- the means of transfer,
- the date of departure and the estimated date of arrival.

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

The Member State shall examine the conditions under which the transfer is to be carried out, in particular with regard to security.

Where the Member State authorizes such transfer, it shall issue a licence incorporating all the particulars referred to in the first subparagraph. Such licence shall accompany the firearm until it reaches its destination; it shall be produced whenever so required by the authorities of the Member States.

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.

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

4. Each Member State shall supply the other Member States with a list of firearms the transfer of which to its territory may be authorized without its prior consent.

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.

Article 12

1. If the procedure provided for in Article 11 is not employed, the possession of a firearm during a journey through two or more Member States shall not be permitted unless the person concerned has obtained the authorization of each of those Member States.

Member States may grant such authorization for one or more journeys for a maximum period of one year, subject to renewal. Such authorizations shall be entered on the European firearms pass, which the traveller must produce whenever so required by the authorities of the Member States.

2. Notwithstanding paragraph 1, hunters, in respect of categories C and D, and marksmen, in respect of categories B, C and D, may, without prior authorisation, 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.

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 the pass; (AM 703)

(a) the issuance or renewal of a European firearms pass conditional upon the payment of any unjustified fee or charge; (AM 702)

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.

However, this derogation shall not apply to journeys to a Member State which prohibits the acquisition and possession of the firearm in question or which, pursuant to Article 8 (3), makes it subject to authorization; in that case, an express statement to that effect shall be entered on the European firearms pass.

In the context of the report referred to in Article 17, the Commission in consultation with the Member States, will also consider the effects of applying the second subparagraph, particularly as regards its impact on public order and public security.

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.

Article 13

1. Each Member State shall communicate all useful information at its disposal concerning definitive transfers of firearms to the Member State to the territory of which such a transfer has been effected.

2. All information that Member States receive by way of the procedures laid down in Article 11 for transfers of firearms and in Article 7 (2) and Article 8 (2) for the acquisition and possession of firearms by non-residents shall be communicated, not later than the time of the relevant transfers, to the Member States of destination and, where appropriate, not later than the time of transfer to the Member States of transit.

3. For the purposes of the efficient application of this Directive, Member States shall exchange information on a regular basis. To this end, the Commission shall set up, by 28 July 2009, a contact group for the exchange of information for the purposes of applying this Article. Member States shall inform each other and the Commission of the national authorities responsible for transmitting and receiving information and for complying with the obligations set out in Article 11(4).

4. Member States shall ensure the efficient exchange of information by electronic means, in accordance with applicable data protection rules, 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 related 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 judicial or relevant public authority decision, where applicable.

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 or refused for the transfer of firearms to another Member State. The Commission shall adopt such delegated acts by ... [insert date]..."

Article 13a

1. The Commission shall be assisted by a committee.
2. Where reference is made to this paragraph, Articles 5 and 7 of Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (⁶) shall apply, having regard to the provisions of Article 8 thereof.

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three months.

3. 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.

Article 14

Member States shall adopt all relevant provisions prohibiting entry into their territory:

- of a firearm except in the cases defined in Articles 11 and 12 and provided the conditions laid down therein are met,
- of a weapon other than a firearm provided that the national provisions of the Member State in question so permit.

CHAPTER 4

Final provisions

Article 15

1. Member States shall intensify controls on the possession of weapons at external Community frontiers. They shall in particular ensure that travellers from third countries who intend to proceed to another Member State comply with Article 12.
2. This Directive shall not preclude the carrying out of controls by Member States or by the carrier at the time of boarding of a means of transport.
3. Member States shall inform the Commission of the manner in which the controls referred to in paragraphs 1 and 2 are carried out. The Commission shall collate this information and make it available to all Member States.

4. Member States shall notify the Commission of their national provisions, including changes relating to the acquisition and possession of weapons, where the national law is more stringent than the minimum standard they are required to adopt. The Commission shall pass on such information to the other Member States.

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Article 16

Member States shall lay down the rules on penalties applicable to infringements of the national provisions adopted pursuant to this Directive and shall take all measures necessary to ensure that they are implemented. The penalties provided for must be effective, proportionate and dissuasive.

Article 16a

Member States may decide to confirm authorisations for firearms classified in category A.6 or A.7 and legally acquired and registered before [date of entry into force of amending Directive], and to renew them for the legal owner at that date, subject to the other conditions of this Directive, and may also allow such firearms to be acquired by persons authorised by Member States according to this Directive.

Member States may authorise target shooters to acquire and possess semi-automatic firearms classified in categories A.6 or A.7, subject to the following conditions:

- a. the target shooter 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 target shooter is a member of a recognised shooting club, regularly practises target shooting and has been doing so for at least twelve months.*

Target shooters authorised to acquire and possess firearms in categories A.6 or A.7 shall be entitled to have such firearms listed in a European firearms pass pursuant to Article 12(2).

Article 17

The Commission shall, ~~by 28 July 2015,~~ *every five years* submit a report to the European Parliament and the Council on ~~the situation resulting from~~ the application of this Directive, *including a fitness check of the provisions*, accompanied, if appropriate, by proposals *in particular as regards the categories of firearms of Annex I and the issues related to the implementation of the system for the European firearms pass, marking and to new technologies such as impacts of 3D printing. The first report shall be submitted by [two years after the date of entry into force of this Amending Directive].*

The Commission shall, ~~by 28 July 2012[*date*],~~ carry out research and submit a report to the European Parliament and the Council on the possible advantages and disadvantages of a reduction to two categories of firearms (prohibited or authorised) with a view to the better functioning of the internal market for the products in question by means of possible simplification. *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.

The Commission shall, by 28 July 2010, submit a report to the European Parliament and the Council presenting the conclusions of a study of the issue of the placing on the market of replica firearms in order to determine whether the inclusion of such products within the scope of this Directive is possible and desirable.

Article 18

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive ~~in good time so that the measures provided for by this Directive may be put into effect not later than 1 January 1993~~ *[12 months after the publication in the OJ]*. They shall forthwith ~~inform~~ *communicate to* the Commission ~~and the other Member States of the measures taken~~ *text of those provisions*.

When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such a reference shall be laid down by the Member States.

Article 19

This Directive is addressed to the Member States.

ANNEX I

- I. For the purposes of this Directive, 'weapon' means:
 - any firearm as defined in Article 1 of the Directive,
 - weapons other than firearms as defined in national legislation.
- II. For the purposes of this Directive, 'firearm' means:
 - A. Any object which falls into one of the following categories, unless it meets the definition but is excluded for one of the reasons listed in section III.
Category A — Prohibited firearms
 1. Explosive military missiles and launchers.
 2. Automatic firearms.
 3. Firearms disguised as other objects.
 4. Ammunition with penetrating, explosive or incendiary projectiles, and the projectiles

for such ammunition.

5. Pistol and revolver ammunition with expanding projectiles and the projectiles for such ammunition, except in the case of weapons for hunting or for target shooting, for persons entitled to use them.
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 set requirements;*
7. *Semi-automatic firearms which have been converted into automatic firearms;*
 7. a. *Semi-automatic firearms with centrefire 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;*
 - c) *in order to acquire a loading device a correspondent firearm authorisation must be presented at the time of acquisition.*
8. *Any firearm under points 1 to 3 and 6 to 7 after having been converted to firing blanks, irritants, other active substances or pyrotechnic rounds or into a salute or acoustic weapon.*

Category B — Firearms subject to authorization

1. Semi-automatic or repeating short firearms.
2. Single-shot short firearms with centre-fire percussion.
3. Single-shot short firearms with rimfire percussion whose overall length is less than 28 cm.
4. Semi-automatic long firearms whose magazine and chamber can together hold more than three rounds.
5. Semi-automatic long firearms whose magazine and chamber cannot together hold more than three rounds, where the loading device is removable or where it is not certain that the weapon cannot be converted, with ordinary tools, into a weapon whose magazine and chamber can together hold more than three rounds.
6. Repeating and semi-automatic long firearms with smooth-bore barrels not exceeding 60 cm in length.
7. Semi-automatic firearms for civilian use which resemble weapons with automatic

mechanisms.

(a) Any firearm under points 1 to 9 after having been converted to firing blanks, irritants, other active substances or pyrotechnic rounds or into a salute or acoustic weapon.

(b) Semi-automatic firearms with rimfire percussion in calibre .22 or smaller;

Category C — Firearms subject to declaration

1. Repeating long firearms other than those listed in category B, point 6.
2. Long firearms with single-shot rifled barrels.
3. Semi-automatic long firearms other than those in category B, points 4 to 7.
4. Single-shot short firearms with rimfire percussion whose overall length is not less than 28 cm.
5. *Any firearm under points 1 to 4 after having been converted to firing blanks, irritants, other active substances or pyrotechnic rounds or into a salute or acoustic weapon.*

Category D — Other firearms

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

B. Any essential component of such firearms:

The breach-closing mechanism, the chamber and the barrel of a firearm which, being separate objects, are included in the category of the firearms on which they are or are intended to be mounted.

III. For the purposes of this Annex objects which correspond to the definition of a 'firearm' shall not be included in that definition if they:

- (a) have been rendered 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;
- (b) are designed for alarm, signalling, life-saving, animal slaughter or harpoon fishing or 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 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;

(c) are regarded as antique weapons or reproductions of such where these have not been included in the previous categories and are subject to national laws.

C a) 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 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 10b(4); 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;"

Member States shall make arrangements for the deactivation measures referred to in point (a) 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. The Commission shall, acting in accordance with the procedure referred to in Article 13a(2) of the Directive, issue common guidelines on deactivation standards and techniques to ensure that deactivated firearms are rendered irreversibly inoperable.

Pending coordination throughout the Community, Member States may apply their national laws to the firearms listed in this Section.

IV. For the purposes of this Annex:

- a. 'short firearm' means a firearm with a barrel not exceeding 30 centimetres or whose overall length does not exceed 60 centimetres;
- b. 'long firearm' means any firearm other than a short firearm;
- c. 'automatic firearm' means a firearm which reloads automatically each time a round is fired and can fire more than one round with one pull on the trigger;

- d. 'semi-automatic firearm' means a firearm which reloads automatically each time a round is fired and can fire only one round with one pull on the trigger;
- e. 'repeating firearm' means a firearm which after a round has been fired is designed to be reloaded from a magazine or cylinder by means of a manually-operated action;
- f. 'single-shot firearm' means a firearm with no magazine which is loaded before each shot by the manual insertion of a round into the chamber or a loading recess at the breech of the barrel;
- g. 'ammunition with penetrating projectiles' means ammunition for military use where the projectile is jacketed and has a penetrating hard core;
- h. 'ammunition with explosive projectiles' means ammunition for military use where the projectile contains a charge which explodes on impact;
- b) (i) 'ammunition with incendiary projectiles' means ammunition for military use where the projectile contains a chemical mixture which bursts into flame on contact with the air or on impact.

ANNEX II

EUROPEAN FIREARMS PASS

The pass must include the following sections:

- (a) identity of the holder;
- (b) identification of the weapon or firearm, including a reference to the category within the meaning of the Directive;
- (c) period of validity of the pass;
- (d) section for use by the Member State issuing the pass (type and references of authorizations, etc.);
- (e) section for entries by other Member States (authorizations to enter their territory, etc.);
- (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 subject to authorization.'

***ANNEX III
Amendment***

(14a) The following Annex is added:

'Annex III (new)

Technical specifications for the deactivation of firearms

The deactivation operations to be performed in order to render firearms irreversibly inoperable are defined on the basis of three tables:

Table I lists the different types of firearms,

Table II describes the operations to be performed to render each essential component of firearms irreversibly inoperable,

Table III sets out which deactivation operations are to be performed for the various types of firearm.

TABLE I: List of types of firearms

TYPES OF FIREARMS

<i>1</i>	<i>Pistols (single shot, semi-automatic)</i>
<i>2</i>	<i>Revolvers (including cylinder-loading revolvers)</i>
<i>3</i>	<i>Single-shot long firearms (not break action)</i>
<i>4</i>	<i>Break action firearms (e.g. smoothbore, rifled, combination, falling/rolling block action, short and long firearms)</i>
<i>5</i>	<i>Repeating long firearms (smoothbore, rifled)</i>
<i>6</i>	<i>Semi-automatic long firearms (smoothbore, rifled)</i>
<i>7</i>	<i>(Full) automatic firearms, e.g. selected assault rifles, submachine guns, full automatic pistols (not crew-served machine guns)</i>
<i>8</i>	<i>Muzzle-loading firearms</i>

TABLE II: Specific operations per component

<i>COMPONENT</i>	<i>PROCESS</i>
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1. BARREL	<i>1.1. If the barrel is fixed to the frame (1), pin the barrel to action with a hardened steel pin (diameter > 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 > ½ calibre and maximum 8 mm) and securely weld a plug or a rod into the barrel from the start of the chamber (L ≥ 2/3rd 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 2/3rds 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 60 ± 5°) opening locally the barrel or cut, after the chamber, a longitudinal slot (width 8-10 mm ± 0,5 mm, length ≥ 52 mm) at the same position as the holes, or cut a longitudinal slot (width 4-6 mm ± 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 (L>2/3rd barrel length). Weld into forcing cone. Pin the barrel (through forcing cone) to the frame and weld pin. Drill a hole 2/3rd 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>
2. BREECH BLOCK, BOLT HEAD	<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>
3. CYLINDER	<i>3.1. Remove all internal walls from cylinder for a minimum of 2/3rd 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>
4. SLIDE	<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>

	<p>4.4. Machine away at least 2/3rd of the locking lugs in slide</p> <p>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.</p>
5. FRAME (PISTOLS)	<p>5.1. Remove feed ramp.</p> <p>5.2. Machine away at least 2/3 of the slide rails on both sides of the frame.</p> <p>5.3. Weld the slide stop or use appropriate measures if welding is not possible.</p> <p>5.4. Prevent disassembly of polymer frame pistols by welding, bonding or use appropriate measures if welding or bonding is not possible.</p>
6. AUTOMATIC SYSTEM	<p>6.1. Destroy the piston and the gas system by cutting or welding.</p> <p>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.</p> <p>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).</p>
7. ACTION	<p>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.</p> <p>7.2. Remove the firing pin, enlarge the firing pin hole at a minimum diameter of 5 mm and weld the firing pin hole.</p>
8. MAGAZINE (where applicable)	<p>8.1. Weld the magazine with spots or use appropriate measures, depending on the type of arm and material to prevent removing the magazine.</p> <p>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.</p> <p>8.3. Drive hardened steel pin through magazine, chamber and frame. Secure by weld.</p>
9. MUZZLE LOADING	<p>9.1. Remove or weld the nipple(s), weld the hole(s).</p>
10. SOUND MODERATOR	<p>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.</p> <p>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.</p>

<i>Hardness of inserts</i>	<i>Hardened steel rod or pin</i>
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TABLE III: Specific operations per essential components of each type of firearm

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

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

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

⁽¹⁾ OJ No C 235, 1.9.1987, p. 8 and OJ No C 299, 28.11.1989, p. 6.

⁽²⁾ OJ No C 231, 17.9.1990, p. 69 and OJ No C 158, 17.6.1991, p. 89.

⁽³⁾ OJ No C 35, 8.2.1988, p. 5.

⁽⁴⁾ OJ L 144, 4.6.1997, p. 19. Directive as last amended by Directive 2005/29/EC (OJ L 149, 11.6.2005, p. 22).

(⁵) OJ L 179, 8.7.2008, p. 5.

(⁶) OJ L 184, 17.7.1999, p. 23. Decision as amended by Decision 2006/512/EC (OJ L 200, 22.7.2006, p. 11).

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