



Brussels, 15 September 2016
(OR. en)

12152/16

GENVAL 94
JAI 738
MI 567
COMPET 475
COMIX 591
CODEC 1248

NOTE

From:	General Secretariat of the Council
To:	Delegations
Subject:	Proposal for a Directive of the European Parliament and of the Council amending Council Directive 91/477/EEC on control of the acquisition and possession of weapons - 4 columns table

Delegations will find attached a document that provides a comparative overview of the current state of play with respect to the revision of the Weapons Directive.

The text of the Commission proposal (COM (2015) 750 FINAL) is set out in the first column. The Presidency's compromise, reflecting the general approach reached on 10 June 2016 (ST 9841/16), appears in the second column. The third column contains the result of the orientation vote within the IMCO Committee of the European Parliament (A8-0251/2016). Finally, the last column of the document will be reserved to possible compromise wordings of the respective provisions. It is also noted that IMCO's Amendment 105 concerning deactivation, and specific to IMCO's text only, is set out at the end of the document.

The above texts will serve as a basis for upcoming interinstitutional negotiations, due to start in the upcoming weeks.

Proposal for a Directive of the European Parliament and of the Council amending Council Directive 91/477/EEC on control of the acquisition and possession of weapons				
Number	Commission proposal (COM (2015) 750)	Council GA (ST 9841/16)	IMCO Report (A8-0251/2016)	Possible Compromise
	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Council Directive 91/477/EEC on control of the acquisition and possession of weapons			

Recitals

Number	Commission proposal (COM (2015) 750)	Council GA (ST 9841/16)	IMCO Report (A8-0251/2016)	Possible Compromise
Recital 1	(1) Council Directive 91/477/EEC established an accompanying measure for the internal market. It created a balance between on the one hand the undertaking to ensure a certain freedom of movement for some firearms within the Union, and on the other the need to control this freedom using security guarantees suited to this type of product.	(1) Council Directive 91/477/EEC ¹ established an accompanying measure for the internal market. It created a balance between, on the one hand, the undertaking to ensure a certain freedom of movement for some firearms <u>and essential components thereof</u> within the Union, and, on the other <u>hand</u> , the need to control <u>that</u> freedom using security guarantees suited to this type of products <u>in question</u> .	(1) Council Directive 91/477/EEC established an accompanying measure for the internal market. It created a balance between on the one hand the undertaking to ensure a certain freedom of movement for some firearms within the Union, and on the other the need to control this freedom using security guarantees suited to this type of product.	

¹ Council Directive 91/477/EEC of 18 June 1991 on control of the acquisition and possession of weapons (OJ L 256, 13.9.1991, p. 51).

<p>Recital 2</p>	<p>(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.</p>	<p>(2) As a response to recent terrorist acts which demonstrated gaps in the implementation of Directive 91/477/EEC especially with regard to <u>the</u> 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 <u>their</u> reactivation and use by criminals.</p>	<p>(2) <i>deleted</i> [AM 1]</p>	
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<p>Recital 2a (new) [EP]</p> <p>Recital 17a (new) [Council]</p>		<p><u>(17a) 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 should apply to the processing of personal data in the framework of this Directive. Where personal data collected further to this Directive are processed for the purposes of prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, the authorities processing these data should comply with rules adopted further to Directive (EU) 2016/680 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 by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data.</u></p>	<p><i>(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^{1a}. [AM 2]</i></p> <hr/> <p>^{1a} <i>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).</i></p>	
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		(2a) <u>Once firearms are lawfully acquired and possessed in accordance with the provisions of this Directive, national provisions concerning the carrying of weapons, hunting or target shooting should apply.</u>		
Recital 2b (new)			(2b) <i>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. [AM 3]</i>	
Recital 3	(3) Certain issues in Directive 91/477/EEC need further improvement.	(3) deleted	(3) Certain issues <i>arising from</i> Directive 91/477/EEC need <i>to be</i> further <i>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.</i> [AM 4]	

<p>Recital 3a (new)</p>			<p><i>(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. [AM 5]</i></p>	
<p>Recital 3b (new)</p>			<p><i>(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. [AM 6]</i></p>	

<p>Recital 3c (new)</p>			<p><i>(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. [AM 7]</i></p>	
<p>Recital 3d (new)</p>			<p><i>(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. [AM 8]</i></p>	

<p>Recital 4</p>	<p>(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 concerned and provided that those firearms have been deactivated.</p>	<p>(4) deleted</p>	<p>(4) <i>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 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. [AM 9]</i></p>	
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<p>Recital 5</p>	<p>(5) Since collectors have been identified as a possible source of traffic of firearms, they should be covered by this Directive.</p>	<p>(5) <u>To avoid that collectors become a (...) a possible source of traffic of firearms, they should be covered by this Directive. Member States may authorise collectors to acquire and possess firearms, essential components thereof and ammunition in line with this Directive. Moreover, in individual special cases and subject to strict conditions on security, Member States may, subject to periodic review, authorise collectors to acquire and possess prohibited firearms.</u></p>	<p>(5) Collectors have <i>the same rights as other users covered by Directive 91/477/EC and should therefore be included in its scope.</i> [AM 10]</p>	
<p>Recital 6</p>	<p>(6) Since brokers provide services similar to those of dealers, they should also be covered by this Directive.</p>	<p>(6) Since brokers provide services similar to those of dealers, they should also be covered by this Directive.</p>	<p>(6) Since brokers provide services similar to those of dealers, they should also be covered by this Directive, <i>and should be subject to the same obligations as dealers in all relevant respects.</i> [AM 11]</p>	

<p>Recital 6a (new)</p>			<p><i>(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. [AM 12]</i></p>	
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<p>Recital 6b (new)</p>			<p><i>(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^{1a}, 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.</i> [AM 13]</p> <hr/> <p><i>^{1a} 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).</i></p>	
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<p>Recital 7</p>	<p>(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.</p>	<p>(7) Taking into consideration the high risk of reactivating <u>improperly</u> deactivated weapons and in order to enhance security across the Union, deactivated firearms should be covered by this Directive. <u>Additionally, taking into consideration the principles of deactivation of firearms as provided for by the Council Decision of 11 February 2014², which transposes in the EU legal framework the "Protocol against the Illicit Manufacturing of and Trafficking of Firearms, their Parts and Components and Ammunition (UNFP)", a definition of deactivation in accordance with the above-mentioned principles should be given.</u></p>	<p>(7) <i>deleted</i> [AM 14]</p>	
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² Council Decision of 11 February 2014 on the conclusion, on behalf of the European Union, of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime; OJ L89 of 25.03.2014, p.7

<p>Recital 7a (new)</p>			<p><i>(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.</i></p> <p>[AM 15]</p>	
		<p>(7a) Additionally, for the most dangerous firearms stricter rules should be introduced in order to ensure that those firearms are, <u>with some limited exceptions to the rule</u>, not allowed to be owned or traded. (...) Where those rules are not respected, Member States should take appropriate measures including the <u>seizure</u> of those firearms.</p>		

<p>Recital 7b (new)</p>			<p><i>(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. [AM 16]</i></p>	
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		<p>(7b) <u>Member States should, however, have the possibility to authorise the acquisition and the possession of prohibited firearms when necessary for educational, cultural, including film and theatre, research or historical purposes. 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.</u></p>		
<p>Recital 7c and Council recital 13b (storage)</p>		<p>(13b) <u>Firearms and ammunition should be stored in a secure manner when not immediately supervised. If stored other than in a safe, firearms and ammunition should be stored separately from each other. Criteria for (...) storage should be defined by national rules.</u></p>	<p><i>(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. [AM 17]</i></p>	

<p>Recital 7c</p>		<p>(7c) <u>The Directive should not prevent dealers and brokers from handling firearms prohibited in accordance with this Directive in cases where the acquisition and possession of such firearms is exceptionally allowed, where their handling is necessary for the purposes of deactivation or conversion or whenever permitted in cases provided for by this Directive. Neither should the Directive prevent the dealers and brokers from handling such firearms in cases not covered by this Directive, such as firearms to be exported outside the European Union or weapons to be acquired by the armed forces or the police.</u></p>		
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<p>Recital 8</p>	<p>(8) In order to ensure the traceability of deactivated firearms, they should be registered in national registries.</p>	<p>(8) In order to ensure the traceability of (...) <u>all</u> firearms and essential components thereof covered by this Directive, they should be registered in national registries.</p>	<p>(8) In order to <i>increase</i> the traceability of firearms <i>and essential components and to facilitate their free movement, an assembled firearm and all separately sold essential components</i> should be <i>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.</i> [AM 18]</p>	
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<p>Recital 9</p>	<p>(9) Some semi-automatic firearms can be easily converted to automatic firearms, thus posing a threat to security. Even in the absence of conversion to category "A", certain semi-automatic firearms may be very dangerous when their capacity regarding the number of rounds is high. Such semi-automatic weapons should therefore be banned for civilian use.</p>	<p>(9) Some semi-automatic firearms can easily be converted to automatic firearms, thus posing a threat to security. Even in the absence of <u>such</u> conversion (...) certain semi-automatic firearms may be very dangerous when their capacity regarding the number of rounds is high. <u>Therefore, semi-automatic firearms with a fixed loading device allowing to fire a high number of rounds, as well as semi-automatic firearm in combination with a removable loading device with a high number of rounds should be prohibited for civilian use. Such loading devices, such as fixed or detachable magazines, as well as feeding belts, should also be prohibited. When individuals are found to be in the possession of such loading devices these should be seized, as well as any semi-automatic centre fire firearms to which these could be fitted, even if the possession of these firearms was authorised. These individuals should also be deprived from their authorisation.</u></p>		
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Recital 9a			<i>(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. [AM 19]</i>	
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<p>Recital 10</p>	<p>(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.</p>	<p>(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. <u>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.</u></p>	<p>(10) To <i>prevent</i> markings <i>from being</i> easily erased and to clarify on which components the marking should be affixed, common Union rules on marking should be introduced. <i>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.</i> [AM 20]</p>	
<p>Recital 11</p>	<p>(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.</p>	<p>(11) Firearms may be used for far more than 20 years. In order to ensure their traceability, records of them <u>as well as of the essential components thereof</u> should be kept for [20] years after destruction by the competent authorities. <u>Access to these records and all related personal data shall be restricted to competent authorities and be permitted only up until ten years after destruction of the firearm concerned for the purposes of granting or</u></p>	<p>(11) Firearms may be used for far more than 20 years. In order to ensure their traceability, records of them, <i>and of the essential components thereof,</i> should be kept for an indeterminate period of time until <i>their</i> destruction <i>or deactivation</i> is certified. <i>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</i></p>	

		<p><u>withdrawing authorisations, including the possible impositions of administrative penalties, and up until twenty years after destruction where necessary for the enforcement of criminal law.</u></p>	<p><i>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.</i> [AM 21]</p>	
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<p>Recital 12</p>	<p>(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 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.</p>	<p>(12) Selling arrangements <u>for</u> firearms and their <u>essential</u> 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 on line verification of the <u>authenticity</u> of authorisations. It is therefore appropriate to <u>enhance the specific provisions for sales</u> (...) by means of distance communication, <u>in particular</u> the internet (...).</p>	<p>(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 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. [AM 22]</p>	
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<p>Recital 12a (new)</p>			<p><i>(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. [AM 23]</i></p>	
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<p>Recital 13</p>	<p>(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.</p>	<p>(13) Furthermore, the risk of <u>acoustic</u> weapons and other types of blank firing weapons being converted to real firearms is high, and in some <u>recent</u> terrorist acts <u>such</u> converted arms were used. It is therefore essential to address the problem of converted firearms being used in criminal offences, <u>in particular</u> by including them in the scope of the Directive. Technical specifications for alarm and signal weapons (...) should be adopted in order to ensure that they cannot be converted into firearms.</p>	<p>(13) Furthermore, <i>to avoid</i> the risk of alarm weapons and other types of blank firing weapons being <i>manufactured in a way that enables them to be converted into</i> real firearms, <i>technical specifications</i> should be adopted in order to ensure that they cannot be converted into firearms. [AM 24]</p>	
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Recital 13a (new)		<u>(13a) Objects, that have the physical appearance of a firearm ("replica"), but which are manufactured in such a way that they cannot be converted to firing a shot or expelling a bullet or projectile by the action of a combustible propellant, are not covered by this Directive.</u>		
Council Recital 13b (new)		[Moved to recital 7c (storage)]		

<p>Recital 14</p>	<p>(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.</p>	<p>(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.</p>	<p>(14) In order to improve the functioning of the information exchange between Member States, <i>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.</i> 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, <i>and enable compulsory access by Member States.</i> The Commission's assessment <i>should</i> be accompanied, if appropriate, by a legislative proposal taking into account existing instruments regarding exchange of information. <i>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</i></p>	
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			<i>ascertain what happens to firearms until such time as they are destroyed, further used, or again placed on the market.</i> [AM 25]	
Recital 15	(15) In order to ensure appropriate exchange of information between the Member States on authorisations granted and on refusals, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of adopting an act to enable the Member States to create such a system of exchange of information on authorisations granted and on refusals. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing up	(15) In order to ensure appropriate exchange of information between the Member States on authorisations granted and on refusals, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of adopting an act to enable the Member States to create such a system of exchange of information on authorisations granted and on refusals. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, <u>and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement</u>		

	delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.	<u>on Better Law-Making of 13 April 2016³. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council should receive all documents at the same time as Member States' experts, and their experts should systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</u>		
Recital 16	(16) In order to ensure uniform conditions for the implementation of this Directive, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council ⁴ .			

³ Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making of 13 April 2016. OJ L, 123, 12 May 2016, pg. 1

⁴ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

Recital 17	(17) This Directive respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union.			
Recital 17a (new)		[Moved to recital 2a (new)]		
Recital 18	(18) Since the objectives of this Directive cannot be sufficiently achieved by the Member States, but can rather, by reason of the scale and effects of the action, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Directive does not go beyond what is necessary in order to achieve those objectives.			

Recital 19	(19) Directive 91/477/EEC should therefore be amended accordingly,			
Recital 20		<p><u>(20) As regards Iceland and Norway, this Directive and Council Directive 91/477/EEC constitute a development of the provisions of the Schengen acquis within the meaning of the Agreement concluded by the Council of the European Union and the Republic of Iceland and the Kingdom of Norway concerning the latter's association with the implementation, application and development of the Schengen acquis which fall within Article 1 of Council Decision 1999/437/EC.</u></p>		

Recital 22		<u>(22) As regards Switzerland, this Directive and Council Directive 91/477/EEC constitute a development of the provisions of the Schengen acquis within the meaning of the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis which fall within Article 1 of Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2008/146/EC.</u>		
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Recital 24		<p><u>(24) As regards Liechtenstein, this Directive and Council Directive 91/477/EEC constitute a development of the provisions of the Schengen acquis within the meaning of the Protocol between the European Union, the European Community, the Swiss Confederation and the Principality of Liechtenstein on the accession of the Principality of Liechtenstein to the Agreement between the European Union, the European Community and the Swiss Confederation on the Swiss Confederation's association with the implementation, application and development of the Schengen acquis which fall within Article 1 of Decision 1999/437/EC read in conjunction with Article 3 of Council Decision 2011/350/EU.</u></p>		
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ARTICLES

Number	Commission proposal (COM (2015) 750)	Council GA (ST 9841/16)	IMCO Report (A8-0251/2016)	Possible Compromise
Article 1 of the Commission proposal				
Point 1	(1) Article 1 is amended as follows:			
Point 1 point (-a) (new)			<p><i>(-a) In paragraph 1, the following subparagraph is added:</i></p> <p><i>"In addition, any portable device containing an essential component which is capable of being used in a firearm shall be considered a firearm." [AM 26]</i></p>	
Point 1 point (-aa) (new)	[Definition of "part" in original Directive]	(a) Paragraph 1a is deleted.	<i>(-aa) Paragraph 1a is deleted.</i> [AM 27]	
Point 1 point (a)	(a) Paragraph 1b is replaced by the following:			

Article 1 paragraph 1b	"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."	1b. For the purposes of this Directive, "essential component" <u>means</u> (...) the barrel, (...), frame, <u>the receiver, including both upper and lower receivers, where appropriate</u> , 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.	1b. For the purposes of this Directive, "essential component" shall mean the barrel, frame, <i>the receiver, including both upper and lower receivers, where appropriate</i> , slide, cylinder, bolt or <i>breech</i> block which, being separate objects, are included in the category of the firearms on which they are or are intended to be mounted. [AM 28]	
Point 1 point (b)	(b) Paragraph 1e is replaced by the following:			
Article 1 paragraph 1e	"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."	1e. For the purposes of this Directive, "broker" <u>means</u> any natural or legal person (...), <u>or partnership resident or established in a Member State (...) whose (...) services (...) consist wholly or in part in</u> (...) <u>(a) the negotiation or arrangement of transactions for (...) the purchase, sale or supply of firearms, essential components thereof or ammunition, or</u> <u>(b) arranging the transfer thereof within a Member</u>	1e. For the purposes of this Directive, "broker" shall mean any natural or legal person, <i>or any agent or representative of such a person</i> , other than a dealer, whose trade or business consists wholly or partly in buying, selling, <i>lending, leasing</i> or arranging the transfer within a Member State <i>or</i> from one Member State to another Member State or exporting to a third country <i>or importing into a Member State from a third country</i> fully assembled firearms, their <i>essential components</i> and ammunition. [AM 29]	

		State, from one Member State to another Member State, <u>from a Member State to a third country or from a third country to a Member State</u> (...).		
Point 1 point (c)	(c) In paragraph 1, the following paragraphs are added:			
Article 1 paragraph 1f	"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.	1f. For the purposes of this Directive, "alarm and signal weapons" <u>means</u> (...) devices with a cartridge holder (...) designed to fire <u>only</u> blanks, irritants, other active substances or pyrotechnic <u>signalling</u> ammunition. (...)	1f. For the purposes of this Directive, "alarm and signal weapons" shall mean devices with a cartridge holder designed to <i>only</i> fire blanks, irritants, other active substances or pyrotechnic <i>rounds and which are not capable of being converted to expel a shot, bullet or projectile by the action of a combustible propellant.</i> [AM 30]	

Article 1 paragraph 1g	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.	1g. For the purposes of this Directive, "salute and acoustic weapons" <u>means</u> firearms specifically converted to the sole use of firing blanks, for use <u>such as</u> in theatre performances, photographic sessions, <u>film</u> and television recordings, <u>historical re-enactments, parades, sporting events and training.</u> (...)	1g. For the purposes of this Directive, "salute and acoustic weapons" shall mean firearms specifically converted <i>to</i> the sole use of firing blanks, for use in, <i>for example</i> , theatre performances, photographic sessions, <i>film</i> and television recordings, <i>historical re-enactments, parades, sporting events and training.</i> [AM 31]	
Article 1 paragraph 1h	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 projectile by the action of a combustible propellant.	1h. deleted	1h. <i>deleted</i> [AM 32]	

<p>Article 1 paragraph 1i</p>	<p>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."</p>	<p>1i. For the purposes of this Directive, "deactivated firearms" <u>means</u> firearms that have been <u>deactivated in a way that all essential components of the firearm have been rendered permanently inoperable and incapable of removal, replacement or modification in a manner that would permit the firearm to be reactivated in any way (...)</u> in accordance with Commission Implementing Regulation (EU) 2015/2403 (...) ⁵ "</p>	<p>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 <i>components</i> 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, <i>in accordance with Article 10b.</i></p> <p><i>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.</i></p> <p>[AM 33]</p>	
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⁵ Commission Implementing Regulation (EU) 2015/2403 of 15 December 2015 establishing common guidelines on deactivation standards and techniques for ensuring that deactivated firearms are rendered irreversibly inoperable, OJ, L 333/62, 19.12.2015.

<p>Point 1 point (ca) (new)</p>			<p>(ca) In paragraph 1, the following paragraph is added:</p>	
<p>Article 1 paragraph 1ia (new) [EP] Article 1 paragraph 1j [Council] Museum</p>		<p><u>1j. For the purposes of this Directive, "museum" means permanent institution in the service of society and its development, open to the public, which acquires, conserves, researches exhibits firearms, essential components thereof and ammunition for the purpose of education, study and enjoyment;</u></p>	<p><i>1ia. 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.</i> [AM 34]</p>	
<p>Point 1 point (cb) (new)</p>			<p><i>(cb) In paragraph 1, the following paragraph is added:</i></p>	
<p>Article 1 paragraph 1ib (new) [EP] Article 1 paragraph 1k [Council]</p>		<p><u>1k. For the purposes of this Directive, "collector" means any legal or natural person dedicated to the gathering and conservation of firearms, and recognised as such by a Member State.</u></p>	<p><i>1ib. 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.</i> [AM 35]</p>	

<p>Point 1 point (c)</p> <p>Article 1 paragraph 1j</p>		<p>[Moved to 1(1ia) (museum)]</p>		
<p>Article 1 paragraph 1k</p>		<p>[Moved to 1(1ib) (collector)]</p>		
<p>Point 1 point (cc) (new)</p>		<p>(cc) Paragraph 2b is replaced by the following:</p>		
<p>Article 1 paragraph 2b (new)</p>	<p>[Definition of “illicit trafficking” in original directive]</p>	<p><u>2b. For the purposes of this Directive, "illicit trafficking" (...) means the acquisition, sale, delivery, movement (...) or transfer of firearms, their essential components 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).</u></p>		

Point 1 point (d)	(d) Paragraph 2 is replaced by the following:			
Article 1 paragraph 2	"2. For the purposes of this Directive, "dealer" shall mean any natural or legal person whose trade or business consists wholly or partly in any of the following:	2. For the purposes of this Directive, "dealer" <u>means</u> any natural or legal person whose trade or business consists wholly or in part of any of the following:	2. For the purposes of this Directive, "dealer" shall mean any natural or legal person whose trade or business consists wholly or partly in any of the following:	
	(i) the manufacture, trade, exchange, hiring out, repair or conversion of firearms;	(i) the manufacture, trade, exchange, hiring out, repair or conversion of firearms, <u>essential components</u> (...) <u>of firearms</u> ; or	(i) the manufacture, <i>including modification, other than modification for private use not leading to a change in its category or subcategory, or conversion</i> , trade, exchange, hiring out <i>or repair</i> of firearms; [AM 36]	
	(ii) the manufacture, trade, exchange, hiring out, repair or conversion of parts of firearms;	(ii) the manufacture, trade, exchange (...) or conversion of ammunition.	(ii) the manufacture, <i>including modification, other than modification for private use not leading to a change in its category or subcategory, or conversion</i> , trade, exchange, hiring out <i>or repair</i> of <i>essential components</i> of firearms; [AM 37]	

	(iii) the manufacture, trade, exchange or conversion of ammunition."		(iii) the manufacture, <i>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</i> , or conversion, <i>trade or exchange</i> of ammunition. [AM 38]	
Point 1 point (db) (new)			<i>(db) Paragraph 3 is replaced by the following:</i>	
Article 1 paragraph 3	[Text of original Directive]		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 <i>or her</i> 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 <i>or broker</i> . <i>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.</i> [AM 39]	

Point 2	(2) In Article 2, paragraph 2 is replaced by the following:	(2) In Article 2, paragraph 1 and 2 are replaced by the following:	<i>(1a) Article 2(1) is replaced by the following:</i>	
Article 2 paragraph 1	[Text of original Directive]	1. This Directive is without prejudice to the application of national provisions concerning the carrying of weapons, hunting or target shooting, <u>using weapons lawfully acquired and possessed in accordance with this Directive.</u>	1. This Directive is without prejudice to the application of national provisions concerning the carrying of weapons, hunting or target shooting, <i>or to more stringent national provisions on illegal firearms sales.</i> [AM 40]	
Point 2			<i>(2) In Article 2, paragraph 2 is replaced by the following:</i>	

<p>Article 2 paragraph 2</p>	<p>"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."</p>	<p>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, or the public authorities. <u>Neither shall it apply to commercial transfers (...) as regulated by Directive 2009/43/EC</u>⁶."</p>	<p>2. This Directive shall not apply to the acquisition or possession of weapons and ammunition, in accordance with national law, by the <i>national defence</i> forces, the police <i>and other</i> public authorities. <i>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.</i> Nor shall <i>this Directive</i> apply to commercial transfers of weapons and ammunition of war. [AM 41]</p>	
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⁶ Directive 2009/43/EC of the European Parliament and of the Council of 6 May 2009 simplifying terms and conditions of transfers of defence-related products within the Community, OJ L 146/1, 10.6.2009.

Point 3	(3) In Article 4, paragraphs 1, 2 and 3 are replaced by the following:			
Article 4 paragraph 1	"1. Member States shall ensure that any firearm or part placed on the market has been marked and registered in compliance with this Directive.	<p>1. <u>With respect to the firearms manufactured or imported into the Union after the date referred to in Article 2.1</u>, Member States shall ensure that any firearm or essential component of a <u>firearm</u> placed on the market has been:</p> <p>(i) <u>provided with a unique marking, which is clear and permanent, without delay after manufacture or import to the Union</u> and</p> <p>(ii) (...) registered in compliance with this Directive <u>without delay after manufacture or import to the Union</u>.</p> <p><u>The Commission shall adopt technical specifications for the marking. The implementing acts shall be adopted in accordance with the examination procedure referred to in Article 13 b(2).</u></p>	<p>1. Member States shall ensure that any <i>assembled</i> firearm or <i>separately sold essential component</i> placed on the market has been marked and registered in compliance with this Directive, <i>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.</i></p> <p>[AM 42]</p>	

<p>Article 4 paragraph 2</p>	<p>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.</p>	<p>2. For the purposes of identifying and tracing each (...) firearm <u>and its essential components</u>, Member States shall, <u>without delay (...) after</u> manufacture (...) or (...) import to the Union (...), require a unique marking including the name of the manufacturer, the country or place of manufacture, <u>the brand, the model (...)the</u> 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. <u>Where the essential component is too small to be practicably marked with all of this information, at least a serial number shall be marked on it.</u></p> <p><u>The marking requirements for a firearm that is of particular historical importance shall be determined by national law.</u></p>	<p>2. For the <i>purpose</i> of identifying and tracing each assembled firearm <i>and each separately sold essential component</i>, Member States shall <i>either</i> at the time of manufacture of each firearm <i>and of each essential component intended for sale separately, or without delay after the firearm or component in question has been imported into</i> the Union, require <i>it to be marked with a clear, permanent and</i> 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 <i>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</i></p>	
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			<i>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].</i>
The marking shall be affixed to the receiver of the firearm.	deleted		<i>In the case of an assembled firearm the marking shall be affixed to the receiver or the frame of the firearm.</i>
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.	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. <u>For those purposes, Member States may choose to apply the provisions of the Convention on Reciprocal Recognition of Proofmarks on Small Arms of 1 July 1969.</u>	Member States shall ensure that each elementary package of complete ammunition is marked <i>in such a way</i> as to <i>indicate</i> the name of the manufacturer, the identification batch (lot) number, the calibre and the type of ammunition. <i>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.</i>	

	<p>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.</p>	<p>Furthermore, Member States shall ensure, at the time of transfer of a firearm <u>or essential components of a firearm</u> from government stocks to permanent civilian use, the <u>appropriate</u> unique marking permitting identification of the transferring <u>entity</u>.</p>	<p>Furthermore, Member States shall ensure, at the time of transfer of a firearm from government stocks to permanent civilian use, <i>that it bears</i> the unique marking permitting identification of the transferring government. <i>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.</i> [AM 43]</p>	
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<p>Article 4 paragraph 3 [EP]</p> <p>Article 4b [Council]</p> <p>Dealers/ brokers</p>	<p>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."</p>	<p>3. [Council deletes and addresses in Art 4b, moved to here]</p> <p><i>Article 4b</i></p> <p>1. Member States shall establish a system for the regulation of the activities of dealers and brokers. Such a system <u>shall</u> include <u>at least</u> the following measures:</p>	<p>3. Member States shall regulate the pursuit of the activity of dealers or brokers within their territory, making it conditional upon the following measures:</p>		
		<p>(a) registration of dealers and brokers operating within the territory <u>of each Member State</u>; and</p>			<p>(a) registration of brokers and dealers operating within their territory;</p>
		<p>(b) licensing or authorisation of the activities of dealers and brokers <u>within their territory</u>.</p>			<p>(b) licensing or authorisation of the activities of brokers and dealers;</p>

		2. The system referred to in paragraph 1(b) 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.	(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. [AM 44]	
Point 4	(4) In Article 4, paragraph 4 is amended as follows:			
Point 4 point (a)	(a) in the first subparagraph, the second sentence is replaced by the following:			
Article 4 paragraph 4, second sentence	"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."	This filing system shall record: <ul style="list-style-type: none"> - the type, make, model, calibre and serial number of each firearm <u>and the essential components thereof; and</u> - the names and addresses of the suppliers and of the persons acquiring or possessing the firearm <u>or the essential components thereof.</u> <u>Member States shall ensure</u>	<i>That data-</i> filing system shall record <i>all information relating to firearms which is needed in order to trace and identify those firearms. That information shall include</i> each firearm's type, make, model, calibre and serial number, <i>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,</i> as well as the names and addresses of the supplier and <i>of each</i> person	

		<p><u>that the record of firearms and the essential components thereof, including the related personal data, be retained by the competent authorities for a period of 20 years after destruction of the firearms and essential components.</u></p> <p>Member States shall ensure that the record of firearms and the essential components thereof, including the related personal data, be retained by the competent authorities for a period of 20 years after destruction of the firearms and essential components.</p> <p><u>These records and the related personal data shall be accessible:</u></p> <p><u>- by the authorities competent for the purpose of granting or withdrawing authorisations referred to in Article 7 or for the purposes of tax or customs proceedings until 10 years after destruction of the firearm or the essential components , and</u></p>	<p>acquiring or possessing the firearm, <i>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.</i></p> <p>[AM 45]</p>	
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		<p><u>- by the authorities competent for the purposes of prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties until 20 years after destruction of the firearm or the essential components.</u></p> <p><u>Member States shall ensure that the personal data are deleted upon expiry of the periods specified in the above paragraph. This obligation shall be without prejudice to cases where specific personal data have been transferred to an authority competent for the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties and are used in this specific context, in which case the retention of such data by the competent authority shall be regulated by the national law of the Member State.</u></p>		
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Point 4 point (b)	(b) the second subparagraph is replaced by the following:		
	<p>"Throughout their period of activity, dealers and brokers 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.</p>	<p>Throughout their period of activity, dealers and brokers shall be required to maintain a register in which <u>each</u> firearm <u>and each essential component of a firearm</u> subject to this Directive and which are received or disposed of by them shall be recorded, together with such particulars as enable the firearm <u>or essential components (...)</u> to be identified and traced, in particular the type, make, model, calibre and serial number thereof and the names and addresses of the person supplying and acquiring it.</p>	
	<p>Upon the cessation of his activities, the dealer or broker shall deliver the register to the national authority responsible for the filing system provided for in the first subparagraph.</p>	<p>Upon the cessation of <u>their</u> activities, dealers and brokers shall deliver <u>that</u> register to the national authority responsible for the filing system provided for in the first subparagraph.</p>	

	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 the registers of the dealers and brokers established in their territory are connected to <u>the</u> computerised data-filing system <u>for</u> firearms <u>and</u> (...) <u>essential components</u> (...).	Each Member State shall ensure that dealers and brokers established in their territory <i>report transactions involving firearms or essential components</i> to the <i>national competent authority within a period of time not exceeding 10 days</i> . [AM 46]	
			<i>(4a) In Article 4, the following paragraph is inserted:</i>	
			<i>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.</i> [AM 47]	

Point 4a				
Article 4a		(4a) Article 4a is amended as follows:		
	[Text of original Directive]	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 category C (...), who are specifically permitted to acquire and possess such firearms in accordance with national law.		

Point 5	(5) Article 4b is replaced by the following:	(5) Article 4b is replaced by the following:	<i>Deleted</i> [AM 48]	
Article 4b Paragraph 1	"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.	[Moved to Art 4(3) above]	[Deleted by AM 48 and addressed in Art 4(3)]	
Article 4b paragraph 2	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."	[Moved to Art 4(3) above]	[Deleted by AM 48 and addressed in Art 4(3)]	

Point 5a			<i>(5a) The following article is inserted:</i>	
Article 4ba			<i>Article 4ba</i> <i>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. [AM 49]</i>	
Point 6	(6) Articles 5 and 6 are replaced by the following:			
Article 5 Article 5 paragraph 1	"Article 5 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:	"Article 5 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:	"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: [AM 50]	

<p>Article 5 paragraph 1 point (a)</p>	<p>(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 licenced or otherwise approved training centre;</p>	<p>(a) are at least 18 years of age, except in relation to the <u>acquisition, other than through purchase, and</u> 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;</p>	<p>(a) are at least 18 years of age, except in relation to the <i>acquisition, other than through purchase, and</i> 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 <i>licensed</i> or otherwise approved training centre, <i>and such adult assumes responsibility for storage pursuant to Article 5a; and</i> [AM 51]</p>	
<p>Article 5 paragraph 1 point (b)</p>	<p>(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.</p>	<p>(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.</p>	<p>(b) are not likely to be a danger to themselves <i>or others</i>, to public order or to public safety; having been convicted of a violent intentional crime shall be considered as indicative of such danger. [AM 52]</p>	

<p>Article 5 paragraph 1a (new)</p>			<p><i>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. [AM 53]</i></p>	
<p>Article 5 paragraph 1b (new)</p>			<p><i>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. [AM 54]</i></p>	

<p>Article 5 paragraph 1c (new)</p>			<p><i>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. [AM 55]</i></p>	
<p>Article 5 paragraph 2</p>	<p>2. 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.</p>	<p>2. Member States <u>may make the issuance or renewal of the authorisations referred to in paragraph 1 subject to (...) medical, including psychological, review.</u> <u>Member States shall withdraw (...) authorisations for the possession of a firearm (...)</u> if any of the conditions on the basis of which <u>the authorisation</u> was granted is no longer met.</p>	<p>2. Member States shall <i>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,</i> and shall withdraw authorisations if any of the conditions on the basis of which <i>the acquisition or possession was permitted are</i> no longer met. [AM 56]</p>	

			<i>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.</i> [AM 57]	
	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.	Member States <u>shall</u> not prohibit persons resident within their territory from possessing a <u>firearm</u> acquired in another Member State unless they prohibit the acquisition of the same <u>type of firearm</u> within their own territory.	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. [AM 58]	
Article 5 paragraph 3		<u>3. Member States shall ensure that an authorisation to acquire and an authorisation to possess a firearm classified in category A or B of Annex I shall be withdrawn if the person who was granted the authorisation is found to be in the illegal possession of a loading device classified in Category A 9 of Annex I.</u>		

<p>Article 5a (new) [EP]</p> <p>Article 10aa [Council]</p> <p>Storage</p>		<p><i>Article 10 aa</i></p> <p><u>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. 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.</u></p>	<p><i>Article 5a</i></p> <p><i>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.</i></p>	
<p>Article 5b (new) [EP]</p> <p>Article 6a [Council]</p> <p>Distance sales</p>	<p>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</p>	<p><i>Article 6a</i></p> <p>1. <u>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 and C (...) set out in Annex I by means of distance communication, as defined in Article 2 of</u></p>	<p><i>Article 5b</i></p> <p><i>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</i></p>	

	<p>Council(*), shall be authorised only with respect to dealers and brokers and shall be subject to the strict control of the Member States.</p> <p>(*) 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)."</p>	<p>Directive <u>2011/83/EC</u> of the European Parliament and of the Council(**), <u>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:</u></p> <ul style="list-style-type: none"> - <u>an authorised dealer or broker; or</u> - <u>a public authority or a representative thereof.</u> <hr/> <p>(**) Directive <u>2011/83/EU</u> of the European Parliament and of the Council of <u>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</u> (OJ L 304, <u>22.11.2011</u>, pg. 64).</p>	<p><i>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:</i></p> <p><i>(a) an authorised dealer or broker; or</i></p> <p><i>(b) a public authority or a representative thereof.</i></p> <hr/> <p><i>* 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).</i></p> <p>[AM 60 and 63 (the latter deleting the COM proposed text)]</p>	
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Article 6			
Article 6 paragraph 1	<p>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.</p> <p>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</p>	<p>1. <u>Without prejudice to Article 2(2)</u>, Member States shall take all appropriate steps to prohibit the acquisition and the possession of the firearms, the essential components thereof and <u>the</u> ammunition <u>listed</u> in category A <u>in Annex I</u>. <u>They shall ensure that (...)</u> those firearms, essential components and ammunition <u>unlawfully</u> held in <u>contravention of that prohibition</u> are seized.</p>	<p><i>Without prejudice to Article 2(2)</i>, 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 <i>or deactivate</i> those firearms and ammunition held in violation of this provision and seized. <i>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.</i> [AM 61]</p> <p>Member States may <i>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</i></p>

	<p>[the date of entry into force of this Directive] provided they have been deactivated in accordance with the provisions that implement Article 10(b).</p>		<p><i>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.</i></p>	
			<p><i>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.</i> [AM 62]</p>	

<p>Article 6 paragraph 2</p>		<p><u>2. For the protection of critical infrastructure and commercial shipping and high-value convoys, national defence, educational, cultural, research and historical purposes and without prejudice to Article 6(1), the competent authorities may grant in individual special cases authorisations for such firearms, essential components and ammunition where this is not contrary to public security or public order.</u></p>		
<p>Article 6 paragraph 3</p>		<p><u>3. Member States may authorise dealers or brokers, in their respective professional capacities, [as defined under this Directive] to acquire, manufacture, deactivate, repair, supply, transfer and possess firearms, essential components thereof and ammunition from category A subject to strict conditions on security.</u></p>		

Article 6 paragraph 3a (new)		<u>3a. Member States may authorise museums to acquire and possess firearms, essential components thereof and ammunition from category A and B subject to strict conditions on security.</u>		
Article 6 paragraph 3c (new) [Council] Article 16a(2) [EP] Target shooters/ marksmen		<u>3c. Member States may authorise target shooters to acquire and possess semi-automatic firearms and loading devices classified in categories A.6, A.7 and A.9 of Annex I, subject to the following conditions:</u>	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) <u>a satisfactory comprehensive medical and psychological assessment of the target shooter's reliability and in line with the provisions set out in Article 5(1(b));</u>		

		<p>b) <u>provision of proof that the target shooter is participating in shooting competitions recognised by an official shooting sport organisation of that Member State or by an internationally established and officially recognised shooting sport federation; and</u></p>	<p><i>(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</i></p>	
		<p>c) <u>a certificate from an officially recognized shooting sport organisation confirming that:</u></p>		
		<p>i. <u>the target shooter is a member of a shooting club and, has been regularly practising target shooting in it for at least twelve months, and</u></p>	<p><i>(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.</i></p>	
		<p>ii. <u>the firearm is necessary for a shooting discipline recognised by an internationally established and officially recognised shooting sport federation.</u></p>		

			<p><i>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). [AM 88, part of]</i></p>	
		<p>d) <u>As regards firearms classified in category A6, Member States applying a military system based on general conscription and having in place over the last fifty years a system of transfer of military firearms to persons leaving the army after fulfilling their military duties may grant an authorisation to such persons in their quality as sport shooter, to keep one firearm used during the mandatory military period. These firearms shall be transformed into semi-automatic firearms by the public authority which shall periodically check that the persons using such firearms do not represent a risk for public security. The provisions under a), b) and c) shall apply.</u></p>		

Article 6 paragraph 3d (new)		<u>3d. Authorisations under this Article shall be reviewed periodically at intervals not exceeding five years.</u>		
Article 6a (new)		<u>Article 6a</u>		
		[Distance sales. Moved to Art 5b]		
Point -7 (new)			<i>(-7) In Article 7, paragraph 4, subparagraph 1, point (b) is replaced by the following:</i>	
Article 7 paragraph 4 subparagraph 1 point (b)	[Text of original Directive]		"(b) verification that those persons continue to satisfy the conditions; and" [AM 64]	
Point 7	(7) In Article 7, the following subparagraph is added to paragraph 4:	deleted	(7) In Article 7, the following subparagraph is added to paragraph 4:	

Article 7 paragraph 4 subparagraph 2	"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 (...) <u>authorisation for possession of a firearm</u> shall be reviewed periodically, at intervals not exceeding five years. The authorisation may be renewed or prolonged if the conditions on the basis of which it was granted are still fulfilled."	The maximum <i>duration of an authorisation</i> shall not exceed five years, <i>unless Member States have implemented a system of continuous monitoring as referred to in the first subparagraph of Article 5(2)</i> . The authorisation may be renewed if the conditions on the basis of which it was granted are still fulfilled. [AM 65]	
Point 7b (new)		(7b) In Article 7, the following paragraph is added after paragraph 4:	<i>The following article is inserted:</i> <i>“Article 16a</i>	
Article 7 paragraph 4a (new) [Council] Art 16a(1) [EP] Transitory		<u>4a. Member States may renew an authorisation for a firearm which was classified in category B set out in Annex I of the Directive, as amended by Directive 2008/51/EC⁷, even if the firearm is currently classified in category A. However, such authorisations may be renewed only for persons already holding an authorisation before the date referred to in Article 3 of this Directive.</u>	<i>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.</i> [AM 88, part of]	

⁷ Directive 2008/51/EC of the European Parliament and of the Council of 21 May 2008 amending Council Directive 91/477/EEC on control of the acquisition and possession of weapons, OJ L179/5, 8.7.2008.

Point 7a (new)			(7a) Article 8(2) is replaced by the following:	
Article 8 paragraph 2	[Text of original Directive]		"2. Every seller, dealer, <i>broker</i> 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. [AM 66]	
Point 7bb (new)		(7bb) Article 8, paragraph 3 is amended as follows:		

Article 8 paragraph 3	[Text of original Directive]	If a Member State prohibits or makes subject to authorisation the acquisition and possession within its territory of a firearm classified in category B <u>or</u> C (...), it shall 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).		
Point 7c (new)		(7c) Article 10 is replaced by the following:	(7b) Article 10 is replaced by the following:	
Article 10	[Text of original Directive]	The arrangements for the acquisition and possession of ammunition <u>and of loading devices</u> shall be the same as those for the possession of the firearms for which the ammunition <u>and the loading device are</u> intended.	The <i>rules</i> for the acquisition <i>of ammunition</i> and <i>for</i> possession of ammunition <i>containing a single projectile</i> shall be the same as those for the firearms for which the ammunition is intended. <i>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.</i> <i>Brokers and dealers may refuse to complete any transaction for</i>	

			<p><i>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. [AM 67]</i></p>	
Point 8	(8) The following Articles 10a and 10b are inserted:			
Article 10a (new)	<p>"Article 10a</p> <p>Member States shall take measures to ensure that alarm and signal weapons as well as salute and acoustic weapons cannot be converted into firearms.</p>	<p>Article 10a</p> <p>1. Member States shall take measures to ensure that alarm and signal weapons (...) cannot be converted into firearms.</p>	<p>Article 10a</p> <p>Member States shall take measures to ensure that alarm and signal weapons cannot be converted into firearms. [AM 68]</p>	

<p>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.</p>	<p>The Commission shall adopt technical specifications for alarm and signal weapons (...) to ensure they cannot be converted into firearms.</p>	<p>The Commission shall adopt <i>delegated acts in accordance with Article 13a in order to supplement this Directive by establishing</i> technical specifications for alarm and signal weapons as well as for salute and acoustic weapons to ensure they cannot be converted into firearms. <i>The Commission shall adopt the first such delegated act by ... [insert date].</i> [AM 69]</p>	
<p>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 13b(2).</p>	<p>Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 13b(2).</p>	<p><i>deleted</i> [AM 70]</p>	
	<p><u>2. Salute and acoustic weapons shall remain in the category set out in Annex 1, Part II, corresponding to the firearm from which they were converted.</u></p>		
	<p><u>3. Alarm and signal weapons that do not fulfil the technical specifications of Article 10a(1) shall be classified in category A and B of Annex 1, part II, one</u></p>		

		<u>year after the date of entry into force of the implementing acts referred to in Article 10a(1).</u>		
Article 10aa (new)		[Storage. Moved to Art 5a]		
Article 10b (new)	<p>Article 10b</p> <p>1. 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.</p> <p>2. The Commission shall adopt deactivation standards and techniques to ensure that deactivated firearms are rendered irreversibly</p>	<p>Article 10b</p> <p>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 <u>and</u> record attesting to the deactivation of the firearm <u>and</u> the apposition of a clearly visible mark to that effect on the firearm.</p>	<p>Article 10b</p> <p><i>1. Member States shall ensure that the deactivation of firearms is carried out in accordance with the technical specifications set out in Annex III.</i></p> <p><i>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.</i></p> <p><i>Deactivation of firearms shall be carried out by public or private entities, or by individuals, authorised to do so in accordance with national law.</i></p> <p><i>Member States shall designate a competent authority (the "verifying entity") to verify that the deactivation of the firearm concerned has been carried out</i></p>	

	<p>inoperable. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 13b(2)."</p>		<p><i>in accordance with the technical specifications set out in Annex III.</i></p> <p><i>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:</i></p> <p><i>(a) affix a common unique marking to all components modified for the deactivation of the firearm; and</i></p> <p><i>(b) issue a deactivation certificate to the owner of the firearm.</i></p> <p><i>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.</i></p> <p><i>Member States may introduce additional measures for the deactivation of firearms in their territory going beyond the technical specifications set out in Annex III. [AM 71]</i></p>	
		<p>The Commission shall adopt deactivation standards and techniques to ensure that</p>	<p>2. The Commission <i>is empowered to adopt delegated acts in accordance with Article</i></p>	

		<p>deactivated firearms are rendered irreversibly inoperable. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 13b(2).</p>	<p><i>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. [AM 72]</i></p>	
			<p><i>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). [AM 73]</i></p>	
			<p><i>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. [AM 74]</i></p>	

Point 8a (new)			<i>(8a) The following article is inserted:</i>	
Article 10ba (new)			<p><i>“Article 10ba</i></p> <p><i>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.</i></p> <p><i>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].” [AM 75]</i></p>	

Point 8b (new)		(9) In Article 11, paragraph 1 is amended as follows:	(8b) Article 11(1) is replaced by the following:	
Article 11	[Text of original Directive]	<p>Article 11</p> <p>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 (...) <u>or selling by means of distance communication, as defined in Article 2 of Directive 2011/83/EU of the European Parliament and of the Council.</u></p>	<p>Article 11</p> <p>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 <i>by means of distance communication</i>. [AM 76]</p>	
Point 8c (new)			<i>(8c) In Article 11(2), the second subparagraph is replaced by the following:</i>	
Article 11 paragraph 2 subparagraph 2	[Text of original Directive]		The information referred to in the last two indents need not be supplied where the transfer takes place between dealers <i>or brokers</i> . [AM 77]	

Point 8d (new)			<i>(8d) In Article 11(3), the first subparagraph is replaced by the following:</i>	
Article 11 paragraph 3 subparagraph 1	[Text of original Directive]		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 <i>or brokers</i> the right to effect transfers of firearms from its territory to a dealer <i>or broker</i> 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. [AM 78]	
Point 8e (new)			<i>(8e) In Article 11(3), the second subparagraph is replaced by the following:</i>	

Article 11 paragraph 3 subparagraph 2	[Text of original Directive]		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. [AM 79]	
Point 8f (new)			<i>(8f) In Article 11(4), the second subparagraph is replaced by the following:</i>	
Article 11 paragraph 4 subparagraph 2	[Text of original Directive]		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. [AM 80]	

Point 8g (new)			<i>(8g) In Article 12(2), the first subparagraph is replaced by the following:</i>	
Article 12 paragraph 2 subparagraph 1	[Text of original Directive]		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. [AM 81]	
Point 8h			<i>(8h) In Article 12(2), the second subparagraph is replaced by the following:</i>	

Article 12 paragraph 2 subparagraph 2	[Text of original Directive]		<p>Member States may not make:</p> <p><i>(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</i></p> <p><i>(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.</i> [AM 82]</p>	
Point 8i			<i>(8i) Article 12(3) is replaced by the following:</i>	
Article 12 paragraph 3	[Text of original Directive]		<p>3. Under agreements for the mutual recognition of national documents, <i>or by way of mutual recognition of entries in the computerised data-filing systems referred to in Article 4(4)</i>, two or more Member States may provide for arrangements more flexible than those prescribed in this Article for movement with firearms within their territories. [AM 83]</p>	

Point 9	(9) In Article 13, the following paragraphs 4 and 5 are added:		
Article 13 paragraph 4	"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.	"4. The competent authorities of the Member States shall exchange <u>by electronic means</u> information on the authorisations granted for the transfers of firearms to another Member State, <u>and</u> information with regard to refusals to grant authorisations as defined in Article 7 <u>on grounds of security related reliability of the person concerned</u> .	<p>4. <i>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,</i> on the authorisations granted for the <i>transfer</i> of firearms to another Member State as well as information with regard to refusals to grant authorisations as <i>provided for</i> in Article 7 <i>on grounds of security or relating to the reliability of the person concerned, by ... [date]</i>.</p> <p><i>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. [AM 84]</i></p>

Article 13 paragraph 5	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."	5. The Commission <u>shall provide for a system for the exchange of information mentioned in this Article.</u> This system may use a <u>module of the Internal Market Information System ('IMI')</u> established by <u>Regulation (EU) No 1024/2012 specifically customised for firearms.</u> The Commission shall <u>adopt and bring into force by the date referred to in Article 2, paragraph 1</u> delegated acts in accordance with Article 13a <u>therefor and concerning the detailed arrangements for the systematic exchange of information by electronic means.</u>	5. The Commission shall adopt delegated acts in accordance with Article 13a <i>in order to supplement this Directive by laying down</i> the modalities of exchange of information on authorisations granted <i>or refused for the transfer of firearms to another Member State. The Commission shall adopt the first such delegated act by ... [insert date].</i> [AM 85]	
Point 10	(10) Article 13a is replaced by the following:			
Article 13a Paragraph 1	"Article 13a 1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.			

Article 13a paragraph 2	2. The delegation of power referred to in Article 13 shall be conferred on the Commission for an indeterminate period of time from the date of entry into force of this Directive.	2. The power <u>to adopt delegated acts</u> referred to in Article 13 shall be conferred on the Commission for an indeterminate period of time from the date of entry into force of this Directive.		
Article 13a paragraph 3	3. The delegation of power referred to in Article 13 may be revoked at any time by the European Parliament or by the Council. A decision of revocation shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	3. The delegation of power referred to in Article 13 may be revoked at any time by the European Parliament or by the Council. A decision <u>to revoke</u> shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.		

Article 13a paragraph 3a		3a. <u>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.</u>	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. [AM 86]	
Article 13a paragraph 4	4. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.			
Article 13a paragraph 5	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."		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. [AM 87]	

Point 11	(11) Article 13b is inserted:			
Article 13b	"Article 13b 1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011 of the European Parliament and of the Council(*)."			
	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.			
	(*) Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13)."			

Point 11a			(11a) The following article is inserted:	
Article 16a			[Art 16a(1) moved to Article 7 - paragraph 4a (new)] [Art 16a(2) moved to Art 6(3c)]	
Point 12	(12) Article 17 is replaced by the following:			
Article 17	"Article 17 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 submitted two years after the entry into force of this Directive."	"Article 17 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, <u>the use of QR code and the use of Radio Frequency Identification (RFID)</u> . The first report shall be submitted two years after the entry into force of this Directive.	"Article 17 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 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] . [AM 89]	

	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."		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, <i>including the feasibility of enabling each Member State to access such a system.</i> The Commission's assessment shall be accompanied, if appropriate, by a legislative proposal taking into account existing instruments regarding exchange of information. [AM 90]		
Point 13	(13) in Annex I to Directive 91/477/EC part II is amended as follows:				
Point 13 point (a)		(a) part II is replaced by the following: "For the purpose of this Directive, the following categories of firearms are set out:			
Point 13 point (a)	(a) point A is amended as follows:	(i) point A and definition of firearms are deleted.	(a) point A is amended as follows:		

<p>Point 13 point (a) point (i)</p>	<p>(i) in Category A, the following points are added:</p> <p>"6. Automatic firearms which have been converted into semi-automatic firearms;</p>	<p>(ii) In Category A, the following points are added:</p> <p>"6. Automatic firearms which have been converted into semi-automatic firearms.</p>	<p>(i) in Category A, the following points are added:</p> <p>6. Automatic firearms which have been converted into semi-automatic firearms, <i>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;</i> [AM 91]</p>	
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			6a. Semi-automatic firearms which have been converted into automatic firearms; [AM 92]	
	7. Semi-automatic firearms for civilian use which resemble weapons with automatic mechanisms;	deleted	<i>deleted</i> [AM 93]	
		<p><u>7. Any of the following centre fire semi-automatic firearms:</u></p> <p>a) <u>short 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; and</u></p> <p>b) <u>long firearms which allow the firing of more than 11 rounds without reloading, if a loading device with a capacity exceeding 10 rounds is part of the firearm or is inserted into it.</u></p>	<p><i>7a. Semi-automatic firearms with centre fire percussion, and loading devices, with one or more of the following characteristics:</i></p> <p><i>(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;</i></p> <p><i>(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;</i></p>	

		<p>8. <u>Semi-automatic 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 or by a stock that can be removed without using tools.</u></p>		
	<p>8. Firearms under points 1 to 7 after having been deactivated."</p>	<p>deleted</p>	<p>8. <i>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. [AM 95]</i></p>	

		<p><u>9. Loading devices, apt to be fitted to centre fire semi-automatic or to repeating firearms, with the following characteristics:</u></p> <p>a) <u>loading devices which can hold more than 20 rounds;</u></p> <p>b) <u>loading devices for long firearms which can hold more than 10 rounds.</u></p>	<p><i>In order to acquire a loading device, a corresponding firearm authorisation must be presented at the time of acquisition. [AM 94]</i></p>	
			<p><i>(ia)(ib)(ic) in category B, the following points are added:</i></p>	
<p>Point 13 point (a) point (ii)</p>	<p>(ii) in category B, point 7 is deleted.</p>	<p>Category B — Firearms subject to authorization</p> <ol style="list-style-type: none"> 1. (...) 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. 		

		<p>4. Semi-automatic long firearms whose <u>loading device</u> and chamber can together hold more than three rounds in the case of <u>rimfire firearms</u> and <u>more than three but fewer than [twelve] rounds in the case of centrefire firearms.</u></p> <p>4a. <u>Semi-automatic short firearms other than those listed under point 7 a) of category A.</u></p> <p>5. Semi-automatic long firearms whose <u>loading device</u> 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 <u>loading device</u> and chamber can together hold more than three rounds <u>listed under point 7 b) of category A.</u></p>		
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		6. Repeating and semi-automatic long firearms with smooth-bore barrels not exceeding 60 cm in length.		
			<i>6a. Semi-automatic firearms for civilian use which resemble weapons with automatic mechanisms. [AM 96]</i>	
			<i>6b. Semi-automatic firearms with rimfire percussion in calibre .22 or smaller. [AM 97]</i>	
			<i>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. [AM 98]</i>	
		7. Semi-automatic firearms for civilian use which resemble weapons with automatic mechanisms <u>other than those listed under point 6, 7 or 8 of category A.</u>		

Point 13 point (a) point (iii)	<p>(iii) In Category C, the following points are added:</p> <p>"5. Alarm and signal weapons, salute and acoustic weapons as well as replicas;</p> <p>6. Firearms under category B and points 1 to 5 of category C, after having been deactivated."</p>	<p>Category C — Firearms and weapons subject to declaration</p> <ol style="list-style-type: none"> 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 <u>other than those listed in category A or B.</u> 4. Single-shot short firearms with rimfire percussion whose overall length is not less than 28 cm. 	<p>(iii) In Category C, the following points are added:</p>	
		<p><u>5. Alarm and signal weapons that fulfil the technical specifications of Article 10a(1).</u></p> <p><u>Salute and acoustic weapons shall remain in the category set out in Annex 1, Part II, corresponding to the firearm from which they were converted.</u></p>	<p>5. <i>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;</i> [AM 99]</p>	
		<p><u>6. Firearms from categories A, B and C that have been deactivated in accordance with Regulation (EU) 2015/2403 on deactivation.</u></p>	<p>6. <i>Deleted</i> [AM 100]</p>	

		<p><u>7. Single-shot long firearms with smooth-bore barrels placed on the market after the date by which Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with other provisions of this Directive than the ones in Article 4(4) and Article 4b.</u></p>		
			<p>(iiia) in category D, the wording under the heading is replaced by the following:</p>	
			<p>Single-shot long firearms with smooth-bore barrels, <i>including those which have been converted to firing blanks, irritants, other active substances or pyrotechnic rounds or into a salute or acoustic weapons.</i> [AM 101]</p>	

<p>Point 13 point (b)</p>	<p>(b) in point B, the following text is deleted.</p> <p>"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."</p>	<p>(b) (...) point B and the (...) text thereof <u>are</u> deleted.</p>		
<p>Point 14</p>	<p>(14) in Annex I to Directive 91/477/EC part III is amended as follows:</p>			
<p>Point 14 point (a)</p>	<p>(a) point (a) is deleted;</p>	<p>(a) point (a) is deleted;</p>	<p>(a) point (a) is deleted;</p>	
<p>Point 14 point (b)</p>	<p>(b) point (b) is replaced by the following:</p> <p>"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;"</p>	<p>(b) point (b) is replaced by the following:</p> <p>are <u>solely</u> designed for life-saving, animal slaughter or harpoon fishing or for industrial or technical purposes provided that they can be <u>properly</u> used for the stated purpose only;</p>	<p>(b) point (b) is replaced by the following:</p> <p><i>(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</i></p>	

			can be used for the stated purpose only <i>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;</i> [AM 103]	
Point 14 point (c)	(c) the second subparagraph is deleted.	(c) point (c) is replaced by the following: "are regarded as antique weapons where these have not been included in the previous categories and are subject to national laws."		
Point 14 point (b)			<i>(b) in the first subparagraph, the following point is added:</i>	
			(ca) 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	

			<p>Regulation (EU) 2015/2403; or</p> <p>(iii) prior to 8 April 2016:</p> <ul style="list-style-type: none"> – 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; [AM 102] 	
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Point 14 point (d)		(d) the second subparagraph is deleted		
Point 14a			(14a) in Annex II, point (f) is replaced by the following:	
Annex II point (f)	[Text of original Directive]		<p>“(f) the statements:</p> <p>‘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.</p> <p>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.’</p> <p>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,</p>	

			<p>B, C or D is prohibited or subject to authorization, one of the following statements shall be added:</p> <p>‘A journey to... (State(s) concerned) with the firearm ... (identification) shall be prohibited.’</p> <p>‘A journey to... (State(s) concerned) with the firearm ... (identification) shall be subject to authorization.’” [AM 104]</p>	
<p>AM 105 (deactivation tables) placed at the end of this document</p>				
<p>Article 2 of the Commission proposal</p>				
<p>Article 2 paragraph 1</p>	<p>1. 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.</p>	<p>1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive [18 months after publication in the OJ]. They shall forthwith communicate to the Commission the text of those provisions.</p>	<p>Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive [<i>12 months after the date of entry into force of this Amending Directive</i>]. They shall forthwith communicate to the Commission the text of those <i>measures</i>. [AM 106]</p>	

	When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.	deleted	When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.	
	2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.	<u>2. By way of derogation, Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive 36 months after publication in the OJ] as regards Article 4(4) and Article 4b of this Directive. They shall forthwith communicate to the Commission the text of those provisions.</u>	2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.	
		3. When Member States adopt those provisions <u>under paragraph 1 and 2</u> , they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States		

		shall determine how such reference is to be made.		
		<p>4. <u>Notwithstanding paragraph 1, Member States may, until [transposition deadline + 18 months] suspend the prohibition of possessing loading devices listed under Category A 9 in Annex I to this Directive which were lawfully acquired before [entry into force of this Directive]. However, Member States shall not permit the use of such loading devices after [transposition deadline].</u></p>		
		<p>5. <u>Notwithstanding paragraph 1, Member States may, regarding firearms acquired before [the date referred to in Article 2(1)] suspend the requirement to declare firearms listed under categories C.5 and C.6 and C.7 of Annex I to this Directive until [transposition deadline + 36 months].</u></p>		
		<p>6. Member States shall communicate to the Commission the text of the main provisions of national</p>		

		law which they adopt in the field covered by this Directive.		
Article 3 of the Commission proposal				
	This Directive shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	This Directive shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	This Directive shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	
Article 4 of the Commission proposal				
	This Directive is addressed to the Member States.	This Directive is addressed to the Member States.	This Directive is addressed to the Member States.	

Amendment 105

Text proposed by the Commission - none

Amendment

(14a) The following Annex is added:

‘Annex III

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

1 Pistols (single shot, semi-automatic)

2 Revolvers (including cylinder-loading revolvers)

3 Single-shot long firearms (not break action)

4 Break action firearms (e.g. smoothbore, rifled, combination, falling/rolling block action, short and long firearms)

5	<i>Repeating long firearms (smoothbore, rifled)</i>
6	<i>Semi-automatic long firearms (smoothbore, rifled)</i>
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

COMPONENT	PROCESS
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 ≥ ⅔ 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 ⅓ 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 > ⅓ barrel length). Weld into forcing cone. Pin the barrel (through forcing cone) to the frame and weld pin. Drill a hole ⅓ 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,	<i>2.1. Remove or shorten firing pin.</i>

BOLT HEAD	<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 2/3 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>
	<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>
5. FRAME (PISTOLS)	<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>
6. AUTOMATIC SYSTEM	<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</i>

	<i>epoxy resin).</i>
7. ACTION	<p><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></p> <p><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></p>
8. MAGAZINE (where applicable)	<p><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></p> <p><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></p> <p><i>8.3. Drive hardened steel pin through magazine, chamber and frame. Secure by weld.</i></p>
9. MUZZLE LOADING	<i>9.1. Remove or weld the nipple(s), weld the hole(s).</i>
10. SOUND MODERATOR	<p><i>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.</i></p> <p><i>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.</i></p>
Hardness of inserts	<i>Hardened steel rod or pin</i>

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

TYPE	1	2	3	4	5	6	7	8
PROCESS	<i>Pistols (except automatic)</i>	<i>Revolvers</i>	<i>Single-shot long firearms (not break action)</i>	<i>Break action firearms (smoothbore, rifled, combination)</i>	<i>Repeating long firearms (smoothbore, rifled)</i>	<i>Semi-automatic long firearms (smoothbore, rifled)</i>	<i>Automatic firearms: assault rifles, (sub) machine guns</i>	<i>Muzzle loading firearms</i>
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						<i>X (for automatic pistols)</i>	
4.2	X						<i>X (for automatic pistols)</i>	
4.3	X						<i>X (for automatic pistols)</i>	
4.4	X						<i>X (for automatic pistols)</i>	
4.5	X					X	<i>X (for automatic pistols)</i>	
5.1	X						<i>X (for automatic pistols)</i>	
5.2	X						<i>X (for automatic pistols)</i>	

5.3	X						<i>X (for automatic pistols)</i>	
5.4	<i>X (polymer frame)</i>						<i>X (for automatic pistols)</i>	
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					<i>X (magazine tube)</i>	<i>X (magazine tube)</i>		
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.*