Control of the acquisition and possession of weapons

2015/0269(COD) - 14/03/2017 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 491 votes to 178, with 28 abstentions, a legislative resolution on the proposal for a directive of the European Parliament and of the Council amending Council Directive 91/477 /EEC on control of the acquisition and possession of weapons.

Parliament's position adopted at first reading following the ordinary legislative procedure amended the Commission proposal.

Members stated that certain aspects of Directive 91/477/EEC on control of the acquisition and possession of weapons need to be further improved taking account of the recent terrorist attacks. The amendments concern the following issues:

Marking: in order to increase the traceability of all firearms and essential components and to facilitate their free movement, the amended text stipulated that all firearms or their essential components should be ma**rked with a clear, permanent and unique marking** and registered in the data-filing systems of the Member States.

Data files: these records should contain all information allowing a firearm to be linked to its owner and should record the name of the manufacturer or brand, the country or place of manufacture, the type, make, model, calibre and serial number of the firearm or any unique marking applied to the frame or receiver of the firearm. Records in the data-filing systems shall be retained for a period of **30 years** after the destruction of the firearms or essential components concerned.

EU Member States should establish a control system for the issuance or renewal of authorisations and for the exchange of information contained in computerised data-filing systems.

Dealers: each Member State shall establish a system for the regulation of the activities of dealers and brokers. Such systems shall include at least the registration, the licensing or authorisation and a check of the private and professional integrity and of the relevant abilities of the dealer or broker concerned.

Dealers and brokers should be able to **refuse to complete any suspicious transaction** for the acquisition of complete rounds of ammunition or live primer components of ammunition. A transaction may be considered suspicious if, for example, it involves quantities uncommon for the envisaged private use, if the purchaser insists on paying in cash while being unwilling to provide proof of his or her identity.

Firearms firing blanks: the amended Directive obliges Member States to take measures to ensure that devices with a cartridge holder which are designed to fire only blanks, irritants, other active substances or pyrotechnic signalling rounds are not capable of being converted to expel a shot, bullet or projectile by the action of a combustible propellant. They should classify these devices as firearms.

Category A (prohibited firearms) shall include any firearm in that category which has been converted to firing only blanks, irritants, other active substances or pyrotechnic signalling rounds.

Semi-automatic firearms: some semi-automatic firearms can easily be converted to automatic firearms, thus posing a threat to security. Therefore, the amended text provides for the application of **stricter rules** for semi-automatic firearms with a detachable loading device having a high capacity, as well as semi-

automatic firearms with a fixed loading device allowing a high number of rounds to be fired. These weapons shall be classified among the most dangerous firearms (category A).

Deactivation of firearms: having regard to the high risk of reactivating improperly deactivated firearms, 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 all its essential components permanently inoperable and incapable of removal, replacement or modification in a manner that would permit the firearm to be reactivated in any way. The Commission shall lay down deactivation standards and techniques to ensure that all essential components of a firearm are **rendered permanently inoperable**.

Specific uses: Member States may grant category A authorisations to **target shooters** and **recognised museums** and, in exceptional and duly reasoned manner, to **collectors**, in accordance with strict safety measures.