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From: Presidency  
To: JHA Counsellors (Firearms)  
Subject: Draft Directive of the European Parliament and of the Council amending Council Directive 91/477/EEC on control of the acquisition and possession of weapons  
- follow-up to the fourth technical meeting and preparation of the second informal trilogue

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In its first part, this document aims at providing Member States with information on the outcomes of the fourth technical tripartite meeting on the revision of the Firearms directive.

The second part of the document is devoted to the preparation, in terms of possible compromise solutions, of the second informal trilogue, which is set to take place on 25 October 2016 in Strasbourg.

## **1 Follow-up to the fourth technical meeting (17 October 2016)**

The aim of the fourth technical meeting was two-fold: first, to adapt the draft compromise wordings in the 4-columns document on the basis of feedback received from Member States and Members of the EP, and second, to discuss and agree on a provisional agenda for the second informal trilogue on 25 October 2016.

## 1.1 Compromise wordings

Compromise wordings have been adapted in the light of feedback received by the co-legislators from Member States and relevant Members of the EP. Member States are invited to refer to the fourth column of the updated document set out in the Annex to this note.

### 1.1.1 Agreed text

In the first place, the set of minor drafting changes referred to in the first part of 12920/1/16 REV 1 has been approved and now appears as agreed text in the 4-columns document.

Second, the EP has agreed to accept the text of our general approach on the following issues:

#### **Article 1(1e) - definition of broker**

The normative part of the definition had been approved by Member States, but a wording on agents or other representatives had been left between square brackets. The EP has now accepted to delete it.

#### **Article 10aa - safe storage**

The EP has accepted to delete the text [When stored] from this provision, which is now worded in full accordance with our general approach.

In turn, the Presidency now gave agreement to the proposed compromise wording of the corresponding recital (7c).

#### **Article 4(4a) - new paragraph / Article 4a**

Although the opposite solution, i.e. deleting Article 4a from the Council's general approach, had been proposed after the previous technical meeting, the co-legislators have now agreed on keeping that text and deleting the EP's proposal for a new paragraph 4a in Article 4.

### 1.1.2 Scrutiny reservations

Member States that have entered scrutiny reservations are asked to indicate their position on the issues that had been submitted for discussion in 12920/1/16 REV 1 (if not yet done in their written comments). Besides article 11 on distance sales, article 12(2) on the European firearms pass and article 17 on reporting, **a few scrutiny reservations remain on the addition in Article 1(3) with respect to alternative proofs of residence. Given the strong support expressed to this addition, Member States that opposed it are invited to reconsider whether they could accept it.** It should be clarified that no new concept of "residence" is inserted to this article, since that term is already present in the first part of it, as in force in the current directive.

### 1.1.3 New compromise solutions to be discussed by the Member States

#### **New paragraph (-a) in Article 1**

The Presidency has voiced the argument of many Member States that the term "portable device" should be clarified with respect to the intended effect to only cover object representing some danger. The new compromise wording now states "*any portable device **having the appearance of a firearm containing an essential component***". Member States are invited to indicate whether they can endorse this compromise proposal.

#### **Article 5(1)a**

A new compromise wording has now been proposed by the EP, aimed at making as few changes to the original text in force as possible. The only change refers to the new obligation of storage by either the parent or an adult with a valid firearms or hunting licence. This wording also maintains the alternative approach to conditions on guidance, as requested by some Member States during the last meeting of JHA Counsellors. **Member States are therefore invited to state whether they can support this compromise proposal.**

**Article 8(2), Article 11(2), article 11(3) subparagraphs 1 and 2 and article 11(4) subparagraph 2**

The Presidency has informed the EP of the negative feedback received from Member States, as far as the horizontal addition of *brokers* into these articles is concerned. It was agreed that a recital would be proposed by the Presidency to explain that where relevant and feasible, brokers should be subject to the same obligations as dealers. Member States are invited to indicate whether they could support a wording along those lines.

**Article 10 - Suspicious transactions**

During the discussion at the JHA Counsellors' meeting on 12 October 2016, two major concerns have been voiced by a number of Member States. First, many of them supported the Presidency's view that, as worded in the EP amendment, the provision remains unclear and vague. Second, some Member States pointed out that a reference to Regulation 98/2013 on explosives precursors raises the question whether the aim is to prevent certain transactions or to gather intelligence on them, as is the case in the above Regulation.

With respect to the first issue, the EP argues that the corresponding recital (6b) contains some good indications as to which transactions should be considered suspicious, and that in any event, dealers don't have an obligation, but just the possibility to refuse such transactions.

With respect to the second question, the Presidency would like to refer to its new drafting suggestion of Article 10 (cf. Annex) and submit the following questions to delegations:

- 1) could they agree to some limitations on cash payments for firearms in the Directive;
- 2) if so, should the prohibition to accept a sale of firearms against cash be linked to the possibility to establish the identity of the buyer or should there be an outright prohibition of cash payments above a certain threshold;

- 3) could they agree to a system where dealers and brokers would have an obligation to report certain suspicious transactions;
- 4) if so, would they be willing to accept a text that acknowledges the - self-evident - right of brokers/dealers to refuse a transaction.

#### **1.1.4 Outstanding issues**

##### **Article 1(1e) - definition of broker**

The definition in the normative part has now been approved, but the corresponding recital 6a will need to be redrafted by the co-legislators, especially with respect to the concept of minor modifications. The Presidency will propose a wording based on some contributions received from Member States (where minor changes would only concern parts such as stocks or the optics of firearms).

##### **Article 2(2) - scope**

This discussion has now been moved to the next informal trilogue, since none of the co-legislators was in a position to accept the wording proposed by the other. The Presidency intends to firmly argue against any further limitation of the scope, as has been discussed and supported during the last meeting of the JHA Counsellors.

#### **1.2 Agenda for the second informal trilogue on 25 October**

During the fourth technical meeting, the EP has proposed an agenda for the second informal trilogue consisting in discussing all the issues marked in red in the document in Annex, i.e. all the issues reserved for discussion at political level.

While the Presidency was not opposed to this idea, it indicated that some topics would not need to be discussed in detail at this stage, so as to use time efficiently for other issues of high importance.

It was therefore agreed that all issues would be discussed, but particular focus would be devoted to the regime of authorisations, to the classification of firearms and to the exemptions under Article 6. In the second part below, the Presidency seeks to obtain guidance for those discussions.

## **2 Preparation of the 2<sup>nd</sup> informal trilogue**

During discussions at technical level, it has been agreed that all issues reserved for discussion at political level should be at least briefly opened during the 2nd informal trilogue, with some of them being discussed into more detail. The aim of the following paragraphs therefore is to outline the main differences between the texts agreed by the two co-legislators and propose a negotiating approach for the second trilogue.

On each issue, Member States are invited to indicate whether, or to what extent, they can support the approach proposed.

Since any attempt to find a compromise necessarily involves further adaptations of the text we agreed upon, the Presidency strives to find possible links between various outstanding issues, so that balanced solutions could be found between the co-legislators.

### **2.1 Authorisations (medical and psychological testing) / Exemptions**

The EP text requires the establishment of a platform for medical and psychological assessments of all potential firearms holders, either on continuous or non-continuous basis. Such an obligation is contrary to the wording of our general approach. The Presidency suggests to proceed as follows:

- Explain that obligatory medical and psychological testing entails a heavy burden on administration and resources, but without a corresponding benefit in terms of security - experts have been consistently pointing out that an assessment can only state that a person is not dangerous at the moment of testing, but can by no means predict any further evolution.

- Argue that Member States are concerned about security and require systematic medical and psychological assessments for the most dangerous firearms, when authorisations are to be exceptionally granted under Article 6 (Cf. Article 6(3c)a)). This can be considered as a sufficient and proportionate level of security.
- To support this approach in the spirit of compromise, the Presidency suggests to propose an enhancement of the above regime to the EP. Namely, a compromise text might state that for other firearms than those classified in category A, an ad hoc psychological assessment is necessary in cases where there are specific reasons to believe that the person is unfit for such an authorisation.

The Presidency believes that this approach might be accepted by the EP. Moreover, the systematic requirement of medical and psychological testing under Article 6(3c)a) reinforces the chance that the EP will also accept the exemptions for sports shooters as a whole, as set out in Article 6(3) of the general approach.

## 2.2 Classification / Transitional regime ("grandfathering")

The Presidency believes a strong link can be established between the two issues. On the classification, the Presidency intends to explain why a distinction between the regimes for short and long firearms is important, given the increased danger represented by the latter.

Concerning the connected issue of Article 5(3) in our general approach - withdrawal of authorisations for firearms when a person is in illegal possession of a prohibited magazine - the Presidency intends to explain that this is not a criminal sanction (which would be incompatible with the legal basis), but a mere legal consequence necessary for an efficient enforcement of the directive.

To enhance the chances the EP accepts the text of the general approach on these crucial issues, i.e. establishes the said distinction and subjects long firearms to a more stringent regime, the Presidency invites Member States to consider a compromise approach to Article 7(4a) (CONS) / 16a (EP) - the so called grandfathering clause.

In this regard, the EP text contains the possibility to acquire newly prohibited firearms by persons authorised "*in accordance with this directive*". It is however not entirely clear whether such persons would have to be authorised under the new rules, i.e. hold an exemption under article 6, or whether the corresponding authorisation under the rules applicable as of 2008 would also be sufficient.

**Should the EP accept to clarify its wording, so as to correspond to the interpretation that transfers would only be possible to acquirers holding an exemption for category A firearms, the Presidency would consider this as an acceptable compromise and asks Member States to indicate whether they could support this approach.**

### 2.3 Scope (Art. 2) / exemptions (Art. 6)

The co-legislators could not agree on the scope of the Directive at technical level and will have to discuss this issue in informal trilogues (cf. part 1.1.4). The EP has insisted on the insertion of "internal security" into Article 2, thereby further limiting the scope of the Directive, which the Council cannot accept.

However, the orientation vote of the EP also contains a reference to internal security in Article 6, i.e. with respect to possible exemptions for category A firearms.

On the other hand, Article 6 in our general approach contains a number of elements that are of high importance to many Member States but are not mentioned in the text of the EP. **Consequently, Member States are invited to consider whether they could accept the inclusion of "internal security" as one of the grounds for exemptions under Article 6(2), with the aim of finding common ground between the different features of the co-legislators' respective texts.**

Such an addition could then only be envisaged on the understanding that Article 2 is worded in accordance with our general approach.



## 2.4 Marking

In most respects, the Presidency intends to insist on the general approach text for the following reasons:

- all essential components need to be marked, even though they are not to be sold separately, since an efficient tracing should not be hindered in case such components are, for example, acquired illegally and used in criminal activities;
- moreover, the current EP wording seems to allow that assembled sets of two or more essential components (e.g. "frame-barrel" kits) be sold unmarked;
- the same applies to the EP's wish to exempt deactivated firearms and firearms allowed exceptionally under Article 6 from new marking requirements.

**Nevertheless, with the aim of achieving a compromise wording, the Presidency asks the Member States to indicate whether they could support the EP's approach to antique weapons.**

The positions of both the Council and the EP seem to be rather in line (CONS: marking requirements to be defined by national law / EP: firearms exempted from marking requirements if considered antique by national law.

## 2.5 Data-filing systems

The Council general approach contains an obligation for the brokers' and dealers' registers to be connected to the computerised system of the competent authorities (Article 4(4)). The EP text only provides for their obligation to report transactions within 10 days. **The Presidency intends to explain that law enforcement activities might require instant access without such a delay. Support by the Commission can be expected.**

Another issue concerns the period of retention of data in such systems. Our general approach features a differentiated approach based on the newest data protection legislation (both data protection regulation and directive), whereas the EP text is based on retention for an indefinite period. **Legal/data protection arguments should probably be sufficient to sway the EP position.**

**On the other hand, Member States are asked whether they might accept the EP's wording of Article 13(4), first and second subparagraphs. Although these provisions seem to increase administrative burden on Member States, their acceptance might ease the discussion on the preceding points.**



Cell in green: The text can be deemed as already agreed

Cell in yellow: The issue needs further discussion at technical level

Cell in red: The issue needs further discussion in depth at the Trilogue meetings

**Note: Differences between EP's position and the Commission's proposal are highlighted in Bold/italics; underline/italics in the Council column indicates where the Council has amended Commission's text.**

<b>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</b>				
<b>Number</b>	<b>Commission proposal (COM (2015) 750)</b>	<b>Council GA (ST 9841/16)</b>	<b>IMCO Report (A8-0251/2016)</b>	<b>Possible Compromise</b>
	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			GREEN

Recitals				
Number	Commission proposal (COM (2015) 750)	Council GA (ST 9841/16)	IMCO Report (A8-0251/2016)	Possible Compromise
<b>Recital 1</b>	(1) Council Directive 91/477/EEC <sup>1</sup> 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 <sup>2</sup> 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 <sup>3</sup> 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.	<b>YELLOW</b>  (1) Council Directive 91/477/EEC <sup>4</sup> 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 and essential components thereof within the Union, and, on the other hand, the need to control that freedom using security guarantees suited to this type of products in question.
<b>Recital 2</b>	(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	(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	(2) <i>deleted</i> [AM 1]	<b>RED</b>

<sup>1</sup> 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).

<sup>2</sup> 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).

<sup>3</sup> 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).

<sup>4</sup> 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).

Recitals				
Number	Commission proposal (COM (2015) 750)	Council GA (ST 9841/16)	IMCO Report (A8-0251/2016)	Possible Compromise
	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.	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.		
<b>Recital 2a (new) [EP]</b>  <b>Recital 17a (new) [Council]</b>		<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</u>	<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<sup>1a</sup>. [AM 2]</i>  <hr/> <i><sup>1a</sup> Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection</i>	<b>YELLOW</b>  [Council and EP to revert]

Recitals				
Number	Commission proposal (COM (2015) 750)	Council GA (ST 9841/16)	IMCO Report (A8-0251/2016)	Possible Compromise
		<p><u>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>Regulation) (OJ L 119, 4.5.2016, p. 1).</i></p>	
		<p>(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></p>		<p><b>YELLOW</b></p> <p>[Council to consider drafting]</p>

Recitals				
Number	Commission proposal (COM (2015) 750)	Council GA (ST 9841/16)	IMCO Report (A8-0251/2016)	Possible Compromise
Recital 2b (new)			<i>(2b) The fact that terrorism and serious crimes are not effectively stopped by creating unnecessary obstacles for law-abiding hunters and marksmen must be taken into consideration. [AM 3]</i>	RED
Recital 3	(3) Certain issues in Directive 91/477/EEC need further improvement.	(3) deleted	<i>(3) Certain issues arising from Directive 91/477/EEC need to be further improved in a proportionate way, to tackle firearms trafficking for criminal or terrorist purposes and to promote a harmonised application of the applicable rules by the Member States, so as to ensure the proper functioning of the internal market and a high level of security throughout the Union. [AM 4]</i>	RED

Recitals				
Number	Commission proposal (COM (2015) 750)	Council GA (ST 9841/16)	IMCO Report (A8-0251/2016)	Possible Compromise
Recital 3a (new)			<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>	<b>YELLOW</b>  [(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 <b>having the appearance of a firearm</b> 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.]  [Council to revert]
Recital 3b (new)			<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>	<b>RED</b>



Recitals				
Number	Commission proposal (COM (2015) 750)	Council GA (ST 9841/16)	IMCO Report (A8-0251/2016)	Possible Compromise
Recital 3c (new)			<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>	RED
Recital 3d (new)			<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>	RED

Recitals				
Number	Commission proposal (COM (2015) 750)	Council GA (ST 9841/16)	IMCO Report (A8-0251/2016)	Possible Compromise
<b>Recital 4</b>	(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.	(4) deleted	(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.</i> [AM 9]	RED

Recitals				
Number	Commission proposal (COM (2015) 750)	Council GA (ST 9841/16)	IMCO Report (A8-0251/2016)	Possible Compromise
<b>Recital 5</b>	(5) Since collectors have been identified as a possible source of traffic of firearms, they should be covered by this Directive.	(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>	(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]	RED
<b>Recital 6</b>	(6) Since brokers provide services similar to those of dealers, they should also be covered by this Directive.	(6) Since brokers provide services similar to those of dealers, they should also be covered by this Directive.	(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]	YELLOW <u>[Council to consider drafting]</u>

Recitals				
Number	Commission proposal (COM (2015) 750)	Council GA (ST 9841/16)	IMCO Report (A8-0251/2016)	Possible Compromise
Recital 6a (new)			<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>	<b>YELLOW</b>  [EP <b>and Council</b> to consider re-drafting of rec. 6a]
Recital 6b (new)			<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<sup>1a</sup>, a transaction for</i>	<b>RED</b>

Recitals				
Number	Commission proposal (COM (2015) 750)	Council GA (ST 9841/16)	IMCO Report (A8-0251/2016)	Possible Compromise
			<p><i>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><sup>1a</sup> Regulation (EU) No 98/2013 of the European Parliament and of the Council of 15 January 2013 on the marketing and use of explosives precursors (OJ L 39, 9.2.2013, p. 1).</i></p>	

Recitals				
Number	Commission proposal (COM (2015) 750)	Council GA (ST 9841/16)	IMCO Report (A8-0251/2016)	Possible Compromise
Recital 7	(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.	(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 2014<sup>5</sup>, 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>	(7) <i>deleted</i> [AM 14]	RED

<sup>5</sup> 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

Recitals				
Number	Commission proposal (COM (2015) 750)	Council GA (ST 9841/16)	IMCO Report (A8-0251/2016)	Possible Compromise
Recital 7a (new)			<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> [AM 15]	RED
		(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.		RED

Recitals				
Number	Commission proposal (COM (2015) 750)	Council GA (ST 9841/16)	IMCO Report (A8-0251/2016)	Possible Compromise
Recital 7b (new)			<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>	RED
		<u>(7b) 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</u>		RED



Recitals				
Number	Commission proposal (COM (2015) 750)	Council GA (ST 9841/16)	IMCO Report (A8-0251/2016)	Possible Compromise
		<u>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>		
<b>Recital 7c and Council recital 13b (storage)</b>		(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>	<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.</i> [AM 17]	<b>YELLOW</b>  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. When the firearm and ammunition must be handed over to a carrier for transport, that carrier is responsible for supervision and storage. Criteria for storage and for safe transport should be defined by national law, taking into account the number and nature of the firearms concerned.

Recitals				
Number	Commission proposal (COM (2015) 750)	Council GA (ST 9841/16)	IMCO Report (A8-0251/2016)	Possible Compromise
Recital 7c		(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>		RED

Recitals				
Number	Commission proposal (COM (2015) 750)	Council GA (ST 9841/16)	IMCO Report (A8-0251/2016)	Possible Compromise
<b>Recital 8</b>	(8) In order to ensure the traceability of deactivated firearms, they should be registered in national registries.	(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.	(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]	RED
<b>Recital 9</b>	(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.	(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</u>		RED

Recitals				
Number	Commission proposal (COM (2015) 750)	Council GA (ST 9841/16)	IMCO Report (A8-0251/2016)	Possible Compromise
		<p><u>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>		

Recitals				
Number	Commission proposal (COM (2015) 750)	Council GA (ST 9841/16)	IMCO Report (A8-0251/2016)	Possible Compromise
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>	RED

Recitals				
Number	Commission proposal (COM (2015) 750)	Council GA (ST 9841/16)	IMCO Report (A8-0251/2016)	Possible Compromise
<b>Recital 10</b>	(10) To avoid that markings are easily erased and to clarify on which components the marking should be affixed, common Union rules on marking should be introduced.	(10) To 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>	(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]	RED
<b>Recital 11</b>	(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.	(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</u>	(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</i>	RED

Recitals				
Number	Commission proposal (COM (2015) 750)	Council GA (ST 9841/16)	IMCO Report (A8-0251/2016)	Possible Compromise
		<u>after destruction of the firearm concerned for the purposes of granting or 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>	<i>authorities. The requirement to continue registering firearms and essential components after deactivation should only apply to those firearms and essential components which are already registered and to the person possessing them at the time of deactivation. That requirement should not apply to subsequent transfers of deactivated firearms or essential components or to firearms and essential components which, pursuant to national law applicable prior to the entry into force of this Directive, have been removed from the register after their deactivation.</i> [AM 21]	
<b>Recital 12</b>	(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	(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	(12) <i>Marketing</i> of firearms, <i>essential components and ammunition by means of the internet or other</i> means of distance communication, <i>for example by way of online auction catalogues or classified advertisements, and the arranging of a sale or other</i>	YELLOW

Recitals				
Number	Commission proposal (COM (2015) 750)	Council GA (ST 9841/16)	IMCO Report (A8-0251/2016)	Possible Compromise
	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.	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 (...).	<i>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.</i> It is therefore appropriate to <i>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.</i> [AM 22]	



Recitals				
Number	Commission proposal (COM (2015) 750)	Council GA (ST 9841/16)	IMCO Report (A8-0251/2016)	Possible Compromise
Recital 12a (new)			<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>	RED

Recitals				
Number	Commission proposal (COM (2015) 750)	Council GA (ST 9841/16)	IMCO Report (A8-0251/2016)	Possible Compromise
Recital 13	(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.	(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.	(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]	RED

Recitals				
Number	Commission proposal (COM (2015) 750)	Council GA (ST 9841/16)	IMCO Report (A8-0251/2016)	Possible Compromise
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>		YELLOW
Council Recital 13b (new)		[Moved to recital 7c (storage)]		
Recital 14	(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	(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	(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	RED

Recitals				
Number	Commission proposal (COM (2015) 750)	Council GA (ST 9841/16)	IMCO Report (A8-0251/2016)	Possible Compromise
	of information.	of information.	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 ascertain what happens to firearms until such time as they are destroyed, further used, or again placed on the market.</i> [AM 25]	
<b>Recital 15</b>	(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	(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		YELLOW

Recitals				
Number	Commission proposal (COM (2015) 750)	Council GA (ST 9841/16)	IMCO Report (A8-0251/2016)	Possible Compromise
	<p>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 delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.</p>	<p>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 on Better Law-Making of 13 April 2016<sup>6</sup>. 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</u></p>		

<sup>6</sup> 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

Recitals				
Number	Commission proposal (COM (2015) 750)	Council GA (ST 9841/16)	IMCO Report (A8-0251/2016)	Possible Compromise
		<u>systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</u>		
<b>Recital 16</b>	(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 <sup>7</sup> .			GREEN
<b>Recital 17</b>	(17) This Directive respects the fundamental rights and observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union.			GREEN
<b>Recital 17a (new)</b>		[Moved to recital 2a (new)]		

<sup>7</sup> 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).

Recitals				
Number	Commission proposal (COM (2015) 750)	Council GA (ST 9841/16)	IMCO Report (A8-0251/2016)	Possible Compromise
<b>Recital 18</b>	(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.			GREEN
<b>Recital 19</b>	(19) Directive 91/477/EEC should therefore be amended accordingly,			GREEN

Recitals				
Number	Commission proposal (COM (2015) 750)	Council GA (ST 9841/16)	IMCO Report (A8-0251/2016)	Possible Compromise
Recital 20		<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>		YELLOW
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</u>		YELLOW



Recitals				
Number	Commission proposal (COM (2015) 750)	Council GA (ST 9841/16)	IMCO Report (A8-0251/2016)	Possible Compromise
		<u>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>		
<b>Recital 24</b>		<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>		YELLOW

## ARTICLES

Number	Commission proposal (COM (2015) 750)	Council GA (ST 9841/16)	IMCO Report (A8-0251/2016)	Possible Compromise
<b>Article 1 of the Commission proposal</b>				
<b>Point 1</b>	(1) Article 1 is amended as follows:			
<b>Point 1 point (-a) (new)</b>			<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."</i> [AM 26]</p>	<p><b>YELLOW</b></p> <p>[(-a) In paragraph 1, the following subparagraph is added:</p> <p>"In addition, any portable device <b>having the appearance of a firearm</b> containing an essential component which is capable of being used in a firearm shall be considered a firearm."]</p> <p>[Council to revert]</p>
<b>Point 1 point (-aa) (new)</b>	[Definition of "part" in original Directive]	(a) Paragraph 1a is deleted.	<i>(-aa) Paragraph 1a is deleted.</i> [AM 27]	<b>GREEN</b>
<b>Point 1 point (a)</b>	(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 breech 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]	<b>YELLOW</b>  1b. For the purposes of this Directive, "essential component" means the barrel, frame, receiver, including both upper and lower receivers, where applicable, slide, cylinder, bolt or breech block which, being separate objects, are included in the category of the firearms on which they are or are intended to be mounted.  [Horizontal change to "means" from "shall mean".]
<b>Point 1 point (b)</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 (...)</u> <u>whose (...) services (...)</u> consist wholly or in part <u>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 State, from one Member State to another</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.	<b>YELLOW</b>  1e. For the purposes of this Directive, "broker" means any natural or legal person, other than a dealer, whose trade or business consists wholly or partly in  (a) the negotiation or arrangement of transactions for the purchase, sale or supply of firearms, essential components or ammunition, or  (b) arranging the transfer thereof within a Member State, from one Member State to another Member State, from a Member State to a third country or from a third country to a Member State.

		Member State, <u>from a Member State to a third country or from a third country to a Member State</u> (...).	[AM 29]	<p><u>New recital to be added:</u></p> <p>For the purposes of this Directive, the definition of a broker should be understood to cover any natural or legal person including partnerships. <del>{An agent or other representative of a broker should itself be considered a broker.}</del> For the purposes of this Directive, the term “supply” should be deemed to include lending and leasing.</p> <p><del>{EP to revert}</del></p>
<b>Point 1 point (c)</b>	(c) In paragraph 1, the following paragraphs are added:			
	"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 <b><i>only</i></b> fire blanks, irritants, other active substances or pyrotechnic <b><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></b> [AM 30]	<p><b>YELLOW</b></p> <p>[EP to consider drafting]</p>

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 <b>to</b> the sole use of firing blanks, for use in, <b>for example</b> , theatre performances, photographic sessions, <b>film</b> and television recordings, <b>historical re-enactments, parades, sporting events and training.</b> [AM 31]	RED
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. <b>deleted</b> [AM 32]	GREEN
Article 1 paragraph 1i	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	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</u>	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 <b>components</b> of the firearm have been rendered permanently inoperable and incapable of removal, replacement or a	RED

	modification that would permit the firearm to be reactivated in any way."	way (...) in accordance with Commission Implementing Regulation (EU) 2015/2403 (...) <sup>8</sup> "	modification that would permit the firearm to be reactivated in any way, <i>in accordance with Article 10b.</i>  <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> [AM 33]	
<b>Point 1 point (ca) (new)</b>			(ca) In paragraph 1, the following paragraph is added:	

<sup>8</sup> 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>Article 1 paragraph 1ia (new) [EP]</p> <p>Article 1 paragraph 1j [Council]</p> <p>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. [AM 34]</i></p>	<p>RED</p>
<p><b>Point 1 point (cb) (new)</b></p>			<p><i>(cb) In paragraph 1, the following paragraph is added:</i></p>	
<p>Article 1 paragraph 1ib (new) [EP]</p> <p>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. [AM 35]</i></p>	<p>RED</p>

<b>Point 1 point (c)</b> Article 1 paragraph 1j		[Moved to 1(1ia) (museum)]		
Article 1 paragraph 1k		[Moved to 1(1ib) (collector)]		
<b>Point 1 point (cc) (new)</b>		(cc) Paragraph 2b is replaced by the following:		
Article 1 paragraph 2b (new)	[Definition of “illicit trafficking” in original directive]	2b. For the purposes of this Directive, "illicit trafficking" (...) <u>means</u> the acquisition, sale, delivery, movement or transfer of firearms, their <u>essential components</u> 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).		<b>YELLOW</b>  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 firearms, essential components or ammunition is not marked in accordance with Article 4.



<b>Point 1 point (d)</b>	(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:	<p><b>YELLOW</b></p> <p>2. For the purposes of this Directive, "dealer" means any natural or legal person whose trade or business consists wholly or in part of any of the following:</p> <p>(i) the manufacture, trade, exchange, hiring out, repair, modification or conversion of firearms or essential components; or</p> <p>(ii) the manufacture, trade, exchange, modification or conversion of ammunition.</p> <p><u>EP AM 12 modified on rec. 6a:</u></p> <p>[EP <b>and Council</b> to consider re-drafting of rec. 6a]</p>
	(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]	
<b>Point 1 point (db) (new)</b>			<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]	<b>YELLOW</b>  3. For the purposes of this Directive, a person shall be deemed to be a resident of the country indicated by the address appearing on a document establishing his or her place of residence, such as a passport or an identity card, which, on a check on possession or on acquisition, is submitted to the authorities of a Member State or to a dealer or broker. If a person's address does not appear on his or her passport or identity card, his or her country of residence shall be determined on the basis of any other official proof of residence recognised by the Member State concerned.

<b>Point 2</b>	(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]	<b>YELLOW</b> 1. This Directive is without prejudice to the application of national provisions concerning the carrying of weapons, hunting or target shooting, using weapons lawfully acquired and possessed in accordance with this Directive.
<b>Point 2</b>			<i>(2) In Article 2, paragraph 2 is replaced by the following:</i>	

Article 2 paragraph 2	"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."	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</u> shall it apply to commercial transfers (...) <u>as regulated by Directive 2009/43/EC</u> <sup>9</sup> ."	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]	<b>YELLOW</b>  <b><u>[Article 2(2) to be dealt with under the political discussion on Article 6]</u></b>
<b>Point 3</b>	(3) In Article 4, paragraphs 1, 2 and 3 are replaced by the following:			

<sup>9</sup> 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.

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 <u>essential component of a 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> [AM 42]</p>	RED
Article 4 paragraph 2	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	2. For the purposes of identifying and tracing each (...) firearm <u>and its essential components,</u> Member States shall, <u>without delay (...) after manufacture (...) or (...) import to the Union (...),</u> require a unique marking including the	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</i>	RED

	<p>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>name of the manufacturer, the country or place of manufacture, <u>the brand, the model (...)</u>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. <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><i>intended for sale separately, or without delay after the firearm or component in question has been imported into the Union, require <b>it to be marked with a clear, permanent and</b> 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 <b>and shall not apply to firearms or essential components either considered as antiques under national law or destined for persons who have been granted authorisation pursuant to the first or the second subparagraph of Article 6, provided they bear original markings allowing full traceability. Where an essential component is too small to be practicably marked with all of this information, it shall be marked at least with a serial number, alphanumeric or digital code. This requirement shall not apply to firearms or separately sold essential components manufactured</b></i></p>	
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			<i>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 <b>or the frame</b> 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><b>in such a way</b></i> as to <i><b>indicate</b></i> the name of the manufacturer, the identification batch (lot) number, the calibre and the type of ammunition. <i><b>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.</b></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, <b><i>that it bears</i></b> the unique marking permitting identification of the transferring government. <b><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></b> [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 <b>regulate</b> the pursuit of the activity of <b>dealers or brokers</b> within their territory, <b>making it</b> conditional upon <b>the following measures</b>:</p>	<p><b>YELLOW</b></p> <p>1. Member States shall establish a system for the regulation of the activities of dealers and brokers. Such a system shall include at least the following measures:</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 within their territory;</p> <p>(c) a check of the private and professional integrity and of the abilities of the dealer or broker concerned. 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>(a) registration of dealers and brokers operating within the territory <u>of each Member State</u>; and</p>	<p><b>(a) registration of brokers and dealers operating within their territory;</b></p>	
		<p>(b) licensing or authorisation of the activities of dealers and brokers <u>within their territory</u>.</p>	<p><b>(b) licensing or authorisation of the activities of brokers and dealers;</b></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 <b>concerned, and also on the basis of the transparency of the commercial activity.</b> 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]	
<b>Point 4</b>	(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"> <li>- the type, make, model, calibre and serial number of each firearm <u>and the essential components thereof; and</u></li> <li>- the names and addresses of the suppliers and of the persons acquiring or possessing the firearm <u>or the essential components thereof.</u></li> </ul> <u>Member States shall ensure that the record of firearms and the</u>	<b><i>That data-</i></b> filing system shall record <b><i>all information relating to firearms which is needed in order to trace and identify those firearms. That information shall include</i></b> each firearm's type, make, model, calibre and serial number, <b><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></b> as well as the names and addresses of the supplier and <b><i>of each</i></b> person	RED

		<p><u>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><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>- <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</u></p>	<p>acquiring or possessing the firearm, <b><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></b></p> <p>[AM 45]</p>	
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		<p><u>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>		
<b>Point 4 point (b)</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</p>		<p>RED</p>

		supplying and acquiring it.		
	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.	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.		
	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 firearms and (...)</u> <u>essential components (...)</u> .	Each Member State shall ensure that dealers and brokers established in their territory <b><i>report transactions involving firearms or essential components</i></b> to the <b><i>national competent authority within a period of time not exceeding 10 days</i></b> . [AM 46]	
			<b><i>(4a) In Article 4, the following paragraph is inserted:</i></b>	
			<b><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</i></b>	<b>YELLOW</b> 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

			<i>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]	States where he or she is established,] except to a person who may legally acquire and possess the firearm, essential component or ammunition in question.  [EP to consider bracketed text]
<b>Point 4a</b>				
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.		<b>YELLOW</b>  <u>Article 4a is deleted</u>  <b><u>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.</u></b>  <b><u>[Requires technical adaptation according to the political decision on the categories and Annex I]</u></b>
<b>Point 5</b>	(5) Article 4b is replaced by the following:	(5) Article 4b is replaced by the following:	<i>Deleted</i> [AM 48]	

<p>Article 4b Paragraph 1</p>	<p>"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.</p>	<p>[Moved to Art 4(3) above]</p>	<p>[Deleted by AM 48 and addressed in Art 4(3)]</p>	<p><b>YELLOW</b>  <u>Article 4b(1) is deleted</u></p>
<p>Article 4b paragraph 2</p>	<p>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."</p>	<p>[Moved to Art 4(3) above]</p>	<p>[Deleted by AM 48 and addressed in Art 4(3)]</p>	<p><b>YELLOW</b>  <u>Article 4b(2) is deleted</u></p>

<b>Point 5a</b>			<i>(5a) The following article is inserted:</i>	
Article 4ba			<p><b>Article 4ba</b></p> <p><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></p>	<p><b>YELLOW</b></p> <p><u>Included in amended Recital on dealer's activities - see under Article 1(2)</u></p>
<b>Point 6</b>	(6) Articles 5 and 6 are replaced by the following:			
Article 5 Article 5 paragraph 1	<p>"Article 5</p> <p>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:</p>		<p>"Article 5</p> <p>1. Without prejudice to Article 3, Member States shall <b>permit</b> the acquisition and possession of firearms only by persons who have good cause and who: [AM 50]</p>	<p><b>YELLOW</b></p> <p>1. Without prejudice to Article 3, Member States shall <b>permit</b> the acquisition and possession of firearms only by persons who have good cause and who:</p>



<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 <b><i>acquisition, other than through purchase, and</i></b> 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 <b><i>licensed</i></b> or otherwise approved training centre, <b><i>and such adult assumes responsibility for storage pursuant to Article 5a; and</i></b> [AM 51]</p>	<p><b>YELLOW</b></p> <p><del>[EP to consider drafting including on Article 5(1), Article 5(1) point(a) and Article 5(1) point(b)]</del></p> <p><b><u>(a) are at least 18 years of age, except in relation to the acquisition, other than through purchase, and possession of firearms for hunting and target shooting, provided that in that case persons of less than 18 years of age have parental permission, or are under parental guidance or the guidance of an adult with a valid firearms or hunting licence, or are within a licensed or otherwise approved training centre, and either the parent or an adult with a valid firearms or hunting licence assumes responsibility for storage pursuant to Article 5a; and</u></b></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 <b><i>or others</i></b>, 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><b>YELLOW</b></p> <p>(b) are not likely to be a danger to themselves <b><i>or others</i></b>, to public order or to public safety; having been convicted of a violent intentional crime shall be considered as indicative of such danger.</p>

Article 5 paragraph 1a (new)			<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>	RED
Article 5 paragraph 1b (new)			<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>	RED

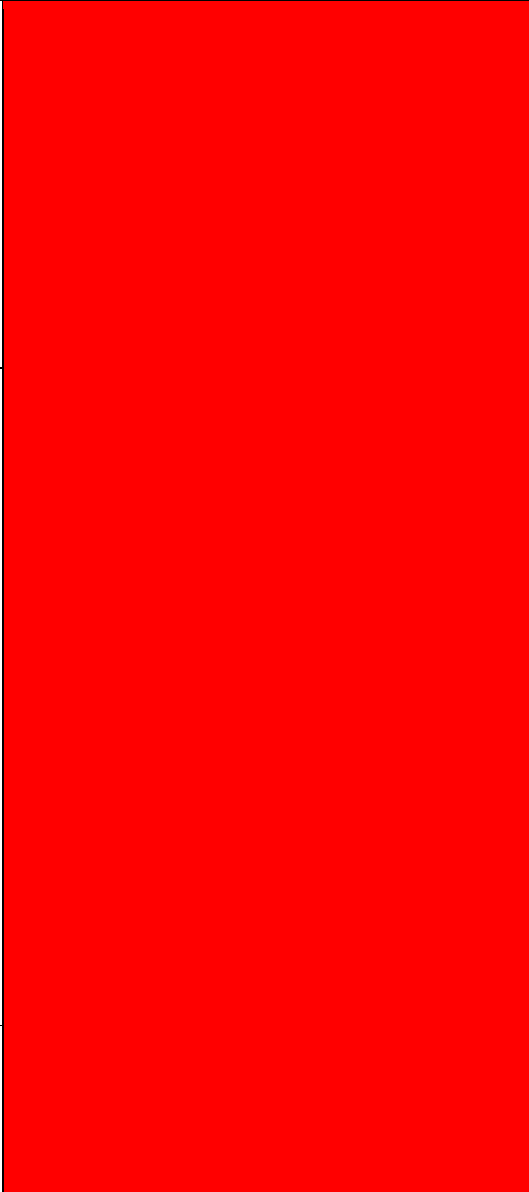
Article 5 paragraph 1c (new)			<i>Ic. Collection may constitute good cause for the acquisition and possession of firearms by collectors who are at least 18 years of age and who are not likely to be a danger to themselves or others, to public order, or to public safety. A conviction for a violent intentional crime shall be considered as indicative of such danger. [AM 55]</i>	RED
Article 5 paragraph 2	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.	2. Member States <u>may make the issuance or renewal of the authorisations referred to in paragraph 1 subject to (...) medical, including psychological, review. Member States shall withdraw (...) authorisations for the possession of a firearm (...) if any of the conditions on the basis of which the authorisation was granted is no longer met.</u>	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]	RED

			<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]	RED
	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 <i>firearm</i> acquired in another Member State unless they prohibit the acquisition of the same <i>type of firearm</i> 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>		RED

<p>Article 5a (new) [EP]</p> <p>Article 10aa [Council]</p> <p>Storage</p>		<p><u>Article 10 aa</u></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><b>Article 5a</b></p> <p><b><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></b></p>	<p><b>YELLOW</b></p> <p>Article 5a</p> <p>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. <del>When stored,</del> <del>Firearms and ammunition for them shall not be readily accessible together.</del> 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.</p> <p><u>Merged and amended EP recital 7c (AM17/CA1) and Council recital 13b:</u></p> <p>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. When the firearm and ammunition must be handed over to a carrier for transport, that carrier is responsible for supervision and storage. Criteria for storage and for safe transport should be defined by national law, taking into account the number and nature of the</p>
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				firearms concerned. <del>[EP to revert]</del>
Article 5b (new) [EP] Article 6a [Council] Distance sales	<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 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><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 Directive 2011/83/EC of the European Parliament and of the Council(**), the identity, and where required, the authorisation of the person acquiring the firearm or the essential components thereof or ammunition is checked prior to or at the latest upon delivery thereof to that person, by:</u></p> <ul style="list-style-type: none"> <li>- <u>an authorised dealer or broker; or</u></li> <li>- <u>a public authority or a representative thereof.</u></li> </ul>	<p><i>Article 5b</i></p> <p><b><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 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></b></p> <ul style="list-style-type: none"> <li><b><i>(a) an authorised dealer or broker; or</i></b></li> <li><b><i>(b) a public authority or a representative thereof.</i></b></li> </ul>	<p><b>YELLOW</b></p> <p>Article 5b</p> <p>Member States shall ensure that, in cases involving the acquisition and selling of firearms and their essential components and ammunition [classified in categories A, B, C [and D] set out in Annex I] by means of distance communication, as defined in Article 2 of Directive 2011/83/EC of the European Parliament and of the Council(*), the identity, and where required, the authorisation of the person acquiring the firearm or the essential components thereof or ammunition is checked prior to, or at the latest upon, delivery thereof to that person, by:</p> <ul style="list-style-type: none"> <li>(a) an authorised dealer or broker; or</li> <li>(b) a public authority or a representative thereof.</li> </ul> <p>_____</p> <p>* Directive 2011/83/EU of the European Parliament and of the Council of 25</p>

		(**) Directive <u>2011/83/EU</u> of the European Parliament and of the Council of <u>25 October 2011</u> on consumer rights, amending <u>Council Directive 93/13/EEC</u> and <u>Directive 1999/44/EC</u> of the European Parliament and of the Council and repealing <u>Council Directive 85/577/EEC</u> and <u>Directive 97/7/EC</u> of the European Parliament and of the Council (OJ L <u>304</u> , <u>22.11.2011</u> , pg. 64 ).	<p>_____</p> <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 Council (OJ L 304, 22.11.2011, p. 64).</i></p> <p>[AM 60 and 63 (the latter deleting the COM proposed text)]</p>	<p>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).</p> <p>[Council to revert]</p>
Article 6				
Article 6 paragraph 1	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.	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 ammunition listed in category A in Annex I</u> . <u>They shall ensure that</u> (...) those firearms, essential components and ammunition <u>unlawfully held in contravention of that</u>	<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</i>	RED

	<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 [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><u>prohibition</u> are seized.</p>	<p><i>may grant authorisation for such firearms and ammunition provided that such authorisation is not contrary to public security, public order or national defence. [AM 61]</i></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 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</i></p>	



			<i>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. [AM 62]</i>	
Article 6 paragraph 2		<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>		RED
Article 6 paragraph 3		<u>3. Member States may authorise dealers or brokers, in their respective professional capacities, [as defined under this Directive] to acquire, manufacture, deactivate, repair,</u>		RED

		<u>supply, transfer and possess firearms, essential components thereof and ammunition from category A subject to strict conditions on security.</u>		
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>		RED
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>	<b><i>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:</i></b>	RED
		<u>a) 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>		RED
Article 6a (new)		<u>Article 6a</u>		
		[Distance sales. Moved to Art 5b]		
<b>Point -7 (new)</b>			<i><b>(-7) In Article 7, paragraph 4, subparagraph 1, point (b) is replaced by the following:</b></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]	RED

<b>Point 7</b>	(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 <u>be reviewed periodically, at intervals</u> not exceeding five years. The authorisation may be renewed <u>or prolonged</u> 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]	RED
<b>Point 7b (new)</b>		(7b) In Article 7, the following paragraph is added after paragraph 4:	<i>The following article is inserted:</i>  <i>“Article 16a</i>	

<p>Article 7 paragraph 4a (new) [Council]</p> <p>Art 16a(1) [EP]</p> <p>Transitory</p>		<p><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/EC<sup>10</sup>, 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></p>	<p><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. [AM 88, part of]</i></p>	<p>RED</p>
<p><b>Point 7a (new)</b></p>			<p>(7a) Article 8(2) is replaced by the following:</p>	

<sup>10</sup> 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 179/5, 8.7.2008.

Article 8 paragraph 2	[Text of original Directive]		<p>"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.</p> <p>[AM 66]</p>	<p><b>YELLOW</b></p> <p>[2. Every seller, dealer, broker or private person shall inform the authorities of the Member State in which it takes place of every transfer or handing over of a firearm classified in category C, giving the particulars by which the firearm and the person acquiring it may be identified. If the person acquiring such a firearm is a resident of another Member State, that other Member State shall be informed of the acquisition by the Member State in which it took place and by the person acquiring the firearm.]</p> <p>[Council to revert - <b>Council to consider addition of a recital</b>]</p>
<b>Point 7bb (new)</b>		(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).		<p><b>YELLOW</b></p> <p>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 [or D]], 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).</p> <p>[Council to revert]</p>
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.	<p>The <i>rules</i> for the acquisition of <i>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></p> <p><i>Brokers and dealers may refuse to complete any transaction for</i></p>	<p><b>YELLOW</b></p> <p><u>Council</u> suggestion:</p> <p>(Acquisition of Ammunition and Loading Devices)</p> <p>[Member States' rules governing the acquisition and possession of ammunition [containing a single projectile] and loading devices for firearms shall be the same as those governing the firearms for which that ammunition or device is intended. It shall therefore not be lawful to supply ammunition or loading devices to persons who may not also lawfully acquire or possess a corresponding</p>

			<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>	<p>firearm or firearms.</p> <p>(Inchoate and Suspicious Transactions)</p> <p>The following <u>Article 10-a</u> is inserted:</p> <p>Member States shall ensure that dealers and brokers, in relation to any attempted transaction for the acquisition of firearms, essential components, ammunition, loading devices for firearms, or components for the hand-loading of ammunition:</p> <p>a) do not accept payments in cash unless they can reliably verify, by reference to an officially-recognised source, both the identity of the purchaser and his or her lawful ability to acquire the item or items in question;</p> <p>b) refuse to complete any transfer of possession or ownership where they reasonably consider the transaction suspicious owing to the nature, scale or circumstances thereof; and,</p> <p>c) report any suspicious attempted or inchoate transaction to the competent authorities without delay.]</p>
<p><b>Point 8</b></p>	<p>(8) The following Articles 10a and 10b are inserted:</p>			

Article 10a (new)	"Article 10a  Member States shall take measures to ensure that alarm and signal weapons as well as salute and acoustic weapons cannot be converted into firearms.	Article 10a  1. Member States shall take measures to ensure that alarm and signal weapons (...) cannot be converted into firearms.	Article 10a  Member States shall take measures to ensure that alarm and signal weapons cannot be converted into firearms. [AM 68]	<b>YELLOW</b> except for the DA/IA aspect and the salute and acoustic weapons which remain <b>RED</b>  Member States shall take measures to ensure that alarm and signal weapons cannot be converted into firearms.  [EP to consider drafting]
	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.	The Commission shall adopt technical specifications for alarm and signal weapons (...) to ensure they cannot be converted into firearms.	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]	<b>RED</b> except for alarm/singal weapons  [EP to consider drafting]
	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 13b(2).	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 13b(2).	<i>deleted</i> [AM 70]	<b>RED</b>

		<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>		RED
		<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 year after the date of entry into force of the implementing acts referred to in Article 10a(1).</u></p>		YELLOW except for the DA/IA aspect and the salute and acoustic weapons which remain RED
Article 10aa (new)		[Storage. Moved to Art 5a]		

<p>Article 10b (new)</p>	<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 inoperable. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 13b(2)."</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><b><i>I. Member States shall ensure that the deactivation of firearms is carried out in accordance with the technical specifications set out in Annex III.</i></b></p> <p><b><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></b></p> <p><b><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></b></p> <p><b><i>Member States shall designate a competent authority (the "verifying entity") to verify that the deactivation of the firearm concerned has been carried out in accordance with the technical specifications set out in Annex III.</i></b></p> <p><b><i>Where the deactivation of the firearm has been carried out in accordance with the technical specifications set out in Annex</i></b></p>	<p>RED</p>
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			<p><b><i>III, the verifying entity shall:</i></b></p> <p><b><i>(a) affix a common unique marking to all components modified for the deactivation of the firearm; and</i></b></p> <p><b><i>(b) issue a deactivation certificate to the owner of the firearm.</i></b></p> <p><b><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></b></p> <p><b><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></b></p>	
		<p>The Commission shall adopt deactivation standards and techniques to ensure that deactivated firearms are rendered irreversibly inoperable. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 13b(2).</p>	<p><b><i>2. The Commission is empowered to adopt delegated acts in accordance with Article 13a in order to amend Annex III by updating it, taking into account, where necessary, any additional measures introduced by Member States in accordance with the seventh subparagraph of paragraph 1 of this Article.</i></b></p>	

			[AM 72]	
			<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>	
			<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>	

<b>Point 8a (new)</b>			<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>	RED



<b>Point 8b (new)</b>		(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]	Article 11  1. Firearms may, without prejudice to Article 12, be transferred from one Member State to another only in accordance with the procedure laid down in the following paragraphs. These provisions shall also apply to transfers of firearms following a mail order sale (...) <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>	Article 11  1. Firearms may, without prejudice to Article 12, be transferred from one Member State to another only in accordance with the procedure laid down in the following paragraphs. These provisions shall also apply to transfers of firearms following a sale <i>by means of distance communication.</i> [AM 76]	<b>YELLOW</b>  [Council to consider drafting, including on recital]
<b>Point 8c (new)</b>			(8c) <i>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]	<p><b>YELLOW</b></p> <p>[The information referred to in the last two indents need not be supplied where the transfer takes place between dealers or brokers.]</p> <p>[Council to revert - <b>Council to consider addition of a recital</b>]</p>
<b>Point 8d (new)</b>			<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	<p><b>YELLOW</b></p> <p>[3. In the case of transfer of the firearms, other than weapons of war, excluded from the scope of this Directive pursuant to Article 2(2), each Member State may grant dealers or brokers the right to effect transfers of firearms from its territory to a dealer or broker established in another Member State without the prior authorization referred to in paragraph 2. To that end it shall issue an authorization valid for no more than three years, which may at any time be suspended or cancelled by reasoned decision. A document referring to that authorization must accompany the firearm until it reaches its destination; it must be produced whenever so required by the</p>

			must be produced whenever so required by the authorities of the Member States. [AM 78]	authorities of the Member States.] [Council to revert - <b><u>Council to consider addition of a recital</u></b> ]
<b>Point 8e (new)</b>			<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 <i>or broker</i> 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 <i>or broker</i> and the actual characteristics of the transfer. The information shall be communicated by the dealer <i>or broker</i> within a period allowing sufficient time. [AM 79]	<b>YELLOW</b> [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.] [Council to revert - <b><u>Council to consider addition of a recital</u></b> ]

<b>Point 8f (new)</b>			<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 <i>and brokers</i> who have obtained approval for transferring firearms without prior authorization under the procedure laid down in paragraph 3. [AM 80]	<b>YELLOW</b>  [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.]  [Council to revert - <b>Council to consider addition of a recital</b> ]
<b>Point 8g (new)</b>			<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]	RED
<b>Point 8h</b>			<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, <b>directly or indirectly</b>, upon the payment of any fee or charge <b>or the grant of any administrative approval.</b></i></p> <p>[AM 82]</p>	RED
<b>Point 8i</b>			<p><i>(8i) Article 12(3) is replaced by the following:</i></p>	
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>	RED

<b>Point 9</b>	(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, on the authorisations granted for the transfer of firearms to another Member State as well as information with regard to refusals to grant authorisations as provided for in Article 7 on grounds of security or relating to the reliability of the person concerned, 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</i></p>	RED

			<i>applicable.</i> [AM 84]	
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. This system may use a module of the Internal Market Information System ('IMI') established by Regulation (EU) No 1024/2012 specifically customised for firearms. The Commission shall 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 <b><i>in order to supplement this Directive by laying down</i></b> the modalities of exchange of information on authorisations granted <b><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></b> [AM 85]	RED
<b>Point 10</b>	(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.			GREEN



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.		<b>YELLOW</b>  2. The power to adopt delegated acts 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.		<b>YELLOW</b>  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 to revoke 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.

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>	<b>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.</b> [AM 86]	GREEN
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 <b>Article 10a(2), Article 10b(2), Article 10ba(2) or Article 13(5)</b> shall enter into force only if no objection has been expressed either by the European Parliament or <b>by</b> the Council within a period of <b>two</b> 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 <b>two</b> months at the initiative of the European	YELLOW  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.

			Parliament or <i>of</i> the Council. [AM 87]	[Technical adaptation of reference to Articles to take place after political agreement on respective Articles]
<b>Point 11</b>	(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(*)			GREEN
	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.			GREEN
	(*) 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)."			GREEN

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	<p>"Article 17</p> <p>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."</p>	<p>"Article 17</p> <p>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.</p>	<p>"Article 17</p> <p>The Commission shall every five years <i>submit</i> to the European Parliament and the Council <i>a report</i> on the application of this Directive, <i>including a fitness check of its provisions</i>, accompanied, if appropriate, by proposals <i>concerning</i>, in particular, the categories of firearms <i>in</i> Annex I and issues related to <i>the implementation of the system for the European firearms pass</i>, to <i>marking and to</i> new technologies such as <i>impacts of</i> 3D printing. The first <i>such</i> report shall be submitted <i>by ...</i> [two years after the <i>date of</i> entry into force of this <i>Amending</i></p>	<p><b>YELLOW</b></p> <p>[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, <u>the use of QR code and the use of Radio Frequency Identification (RFID)</u>. The first such report shall be submitted by ... [two years after the date of entry into force of this Amending Directive].</p> <p>The Commission shall, by ... [date], assess the necessary elements of a system for the</p>

			Directive/. [AM 89]	<p>exchange of information contained in the computerised data-filing systems referred to in Article 4(4) between the Member States, including the feasibility of enabling each Member State to access such a system. The Commission's assessment shall be accompanied, if appropriate, by a legislative proposal taking into account existing instruments regarding exchange of information.]</p> <p>[Council and EP to revert]</p>
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	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]	
<b>Point 13</b>	(13) in Annex I to Directive 91/477/EC part II is amended as follows:			
<b>Point 13 point (a)</b>		(a) part II is replaced by the following:  "For the purpose of this Directive, the following categories of firearms are set out:		<b>YELLOW</b>  Annex I, part II is amended as follows:  (-a) the introductory part is replaced by the following:  "For the purposes of this Directive, firearms are classified in the following categories:"
<b>Point 13</b>	(a) point A is amended as	(i) point A and definition of	(a) point A is amended as	<b>YELLOW</b>

<b>point (a)</b>	follows:	firearms are deleted.	follows:	<p>[(a) point A is amended as follows:</p> <p>(-i) the introductory part is deleted;</p> <p>(i) in category A, the following points are added:</p> <p>(ii) in category B ....</p> <p>(iii) in category C ...]</p> <p>[Subject to technical adaptation on the basis of the political agreement on the Annex]</p>
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<p><b>Point 13 point (a) point (i)</b></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>	<p>RED</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><b><i>7a. Semi-automatic firearms with centre fire percussion, and loading devices, with one or more of the following characteristics:</i></b></p> <p><b><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></b></p> <p><b><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></b></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.</i> [AM 95]</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><b>Point 13 point (a) point (ii)</b></p>	<p>(ii) in category B, point 7 is deleted.</p>	<p>Category B — Firearms subject to authorization</p> <p>1. (...) Repeating short firearms.</p> <p>2. Single-shot short firearms with centre-fire percussion.</p> <p>3. Single-shot short firearms with rimfire percussion whose overall length is less than 28 cm.</p> <p>4. Semi-automatic long firearms whose <u>loading device</u> and</p>		<p>RED</p>

		<p>chamber can together hold more than three <u>rounds in the case of rimfire firearms and more than three but fewer than [twelve] rounds in the case of centrefire firearms.</u></p> <p><u>4a. 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>		
		<p>6. Repeating and semi-automatic long firearms with smooth-bore barrels not exceeding 60 cm in length.</p>		
			<p><i>6a. Semi-automatic firearms for civilian use which resemble weapons with automatic</i></p>	

			<i>mechanisms.</i> [AM 96]	
			<i>6b. Semi-automatic firearms with rimfire percussion in calibre .22 or smaller.</i> [AM 97]	
			<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.</i> [AM 98]	
		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>		

<p><b>Point 13 point (a) point (iii)</b></p>	<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 — <u>Firearms and weapons</u> subject to declaration</p> <p>1. Repeating long firearms other than those listed in category B, point 6.</p> <p>2. Long firearms with single-shot rifled barrels.</p> <p>3. Semi-automatic long firearms <u>other than those listed in category A or B.</u></p> <p>4. Single-shot short firearms with rimfire percussion whose overall length is not less than 28 cm.</p>	<p>(iii) In Category C, the following points are added:</p>	<p>RED</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>7. <u>Single-shot long firearms</u></p>			

		<u>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>		
			(iiia) in category D, the wording under the heading is replaced by the following:	
			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]	RED
<b>Point 13 point (b)</b>	(b) in point B, the following text is deleted.  "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."	(b) (...) point B and the (...) text thereof <u>are</u> deleted.		GREEN

<b>Point 14</b>	(14) in Annex I to Directive 91/477/EC part III is amended as follows:			
<b>Point 14 point (a)</b>	(a) point (a) is deleted;	(a) point (a) is deleted;	(a) point (a) is deleted;	
<b>Point 14 point (b)</b>	(b) point (b) is replaced by the following:  "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;"	(b) point (b) is replaced by the following:  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;	(b) point (b) is replaced by the following:  <i>(b) are designed for <b>alarm, signalling</b>, life-saving, animal slaughter or harpoon fishing, for industrial or technical purposes <b>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</b>, provided that they can be used for the stated purpose only <b>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</b>; [AM 103]</i>	RED
<b>Point 14</b>	(c) the second subparagraph	(c) point (c) is replaced by		RED



point (c)	is deleted.	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>	
			<p>(ca) are deactivated firearms, provided that deactivation has been carried out:</p> <p>(i) in accordance with the technical specifications set out in Annex III; or</p> <p>(ii) before ... [the date of application of this Amending Directive] in accordance with the technical specifications set out in Annex I to Implementing Regulation (EU) 2015/2403; or</p> <p>(iii) prior to 8 April 2016:</p> <p>– in accordance with any national deactivation standards and techniques applied by Member States and established by the Commission pursuant to</p>	RED

			<p>Article 10(2b); or</p> <ul style="list-style-type: none"> <li>– 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</li> <li>– 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]</li> </ul>	
<b>Point 14 point (d)</b>		(d) the second subparagraph is deleted		
<b>Point 14a</b>			(14a) in Annex II, point (f) is replaced by the following:	RED

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, 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)</p>	<p>RED</p>
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			concerned) with the firearm ... (identification) shall be prohibited.’ ‘A journey to... (State(s) concerned) with the firearm ... (identification) shall be subject to authorization.’” [AM 104]	
	AM 105 (deactivation tables) placed at the end of this document			
Article 2 of the Commission proposal				
Article 2 paragraph 1	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.	1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive [ <u>18</u> months after publication in the OJ]. They shall forthwith communicate to the Commission the text of those provisions.	Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive [ <b>12</b> months after <i>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]	RED
	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.	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.		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.	2. <u>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.	RED
		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.		RED
		4. <u>Notwithstanding paragraph 1, Member States may, until [transposition deadline + 18 months] suspend the prohibition of possessing loading devices listed under</u>		RED

		<u>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>		
		<u>5. 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>		RED
		6. 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.		RED

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.	GREEN
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.	GREEN