

2015/0269(COD) Control of the acquisition and possession of weapons

2016/04/28 IMCO

12 amendments

Amendment 323 #

Sergio Gaetano COFFERATI, Virginie ROZIÈRE, Evelyne GEBHARDT, Liisa JAAKONSAARI, Catherine STIHLER, Marc TARABELLA, Maria GRAPINI, Josef WEIDENHOLZER

Proposal for a directive

Article 1 – point 1 – point a

Directive 91/477/EEC

Article 1 – paragraph 1b

- barrel, chamber, loader, frame, body, receiver, slide or cylinder, bolt or breech block and any device designed or adapted to diminish the sound caused by firing or other mechanism for containing the pressure of discharge at the rear of the chamber 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.

Amendment 354 #

Sergio Gaetano COFFERATI, Virginie ROZIÈRE, Liisa JAAKONSAARI, Catherine STIHLER, Marc TARABELLA, Maria GRAPINI, Josef WEIDENHOLZER, Sylvia-Yvonne KAUFMANN

- 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.

Amendment 371 #

Lucy ANDERSON, Catherine STIHLER

Proposal for a directive

Article 1 – point 1 – point c

Directive 91/477/EEC

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 components of the firearm have been rendered permanently inoperable and incapable of removal, replacement or a modification that would permit the firearm to be reactivated in any way, in accordance with Implementing Regulation (EU) 2015/2403.
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Amendment 374 #

Sergio Gaetano COFFERATI, Virginie ROZIÈRE, Sylvia-Yvonne KAUFMANN, Liisa JAAKONSAARI, Catherine STIHLER, Marc TARABELLA, Sergio GUTIÉRREZ PRIETO, Nicola DANTI

Proposal for a directive

Article 1 – point 1 – point c

Directive 91/477/EEC

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 parcomponents of the firearm have been rendered permanently inoperable and incapable of removal, replacement or a modification that would permit the firearm to be reactivated in any way.

Amendment 392 #

Lucy ANDERSON, Catherine STIHLER

Proposal for a directive

Article 1 – point 1 – point d

Directive 91/477/EEC

Article 1 – paragraph 2 – point ii

- (ii) the manufacture, trade, exchange, hiring out, repair or conversion of parcomponents of firearms;

Amendment 413 #

Lucy ANDERSON, Catherine STIHLER

Proposal for a directive

Article 1 – point 2

Directive 91/477/EEC

Article 2 – paragraph 2

- 2. This Directive shall not apply to the acquisition or possession of weapons and ammunition, when in accordance with national law, by the armed forces, the police, theof weapons and ammunition of war.

Amendment 419 #

Sergio Gaetano COFFERATI, Virginie ROZIÈRE, Evelyne GEBHARDT, Sylvia-Yvonne KAUFMANN, Liisa JAAKONSAARI, Catherine STIHLER, Biljana BORZAN, Pina PICIERNO,

Sergio GUTIÉRREZ PRIETO, Christel SCHALDEMOSE, Maria GRAPINI, Josef WEIDENHOLZER

Proposal for a directive

Article 1 – point 3

Directive 91/477/EEC

Article 4 – paragraph 1

- 1. Member States shall ensure that any firearm, part, or essential component thereof placed on the market: (a) has been marked and registered in compliance with this Directive provided with a unique marking, which is clear and permanent; and (b) that marking is registered in compliance with this Directive without delay after manufacture or import into the Union. The Commission shall adopt implementing acts establishing technical specifications for the marking. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 13b.

Amendment 431 #

Lucy ANDERSON, Catherine STIHLER

Proposal for a directive

Article 1 – point 3

Directive 91/477/EEC

Article 4 – paragraph 1

- Been assembled firearm or not, placed on the market has been irreversibly marked and registered in compliance with this Directive.

Amendment 453 #

Lucy ANDERSON, Catherine STIHLER

Proposal for a directive

Article 1 – point 3

Directive 91/477/EEC

Article 4 – paragraph 2 – subparagraph 1

- For the purposes of identifying and tracing each assembled firearm and essential component, Member States shall, at the time of manufacture of each firearm or at the time of import to the Union import into the Union of each firearm or essential component, require a unique marking including the name of the manufacturer, the country or place of manufacture, the serial number and the year of manufacture, if not already part of the serial number. This shall be without prejudice to the affixing of the manufacturer's trademark.

Amendment 459 #

Sergio Gaetano COFFERATI, Virginie ROZIÈRE, Sylvia-Yvonne KAUFMANN, Liisa JAAKONSAARI, Catherine STIHLER, Marc TARABELLA, Sergio GUTIÉRREZ PRIETO, Maria GRAPINI, Josef WEIDENHOLZER

Proposal for a directive

Article 1 – point 3

Directive 91/477/EEC

Article 4 – paragraph 2 – subparagraph 2

- The marking shall be affixed to the receiver of the firearm (deleted)

Amendment 488 #

Sergio Gaetano COFFERATI, Virginie ROZIÈRE, Liisa JAAKONSAARI, Catherine STIHLER, Biljana BORZAN, Marc TARABELLA, Pina PICIERNO, Sergio GUTIÉRREZ PRIETO, Nicola DANTI, Lucy ANDERSON, Christel SCHALDEMOSE, Maria GRAPINI, Josef WEIDENHOLZER

Proposal for a directive

Article 1 – point 4 – point a

Directive 91/477/EEC

Article 4 – paragraph 4 – subparagraph 1 – second sentence

- This data-filing system shall record each firearm's type, make, model, calibre and serial number all information relating to firearms which is needed in order to trace and identify those firearms. That information shall include each firearm's type, make, model, calibre and serial number, and any conversions or modifications to a firearm, including its certified deactivation or destruction and the date thereof, as well as the names and addresses of the supplier and of each person acquiring or possessing the firearm. The record of firearms, including deactivated firearms, shall be maintained until destruction of, including the dates of acquisition and, where applicable, the end of possession or transfer to another person. The current records relating to each firearm and the person possessing it shall be immediately accessible to all authorised authorities. All records relating to the firearm shall be certified by the competent authorities maintained in an electronically retrievable format for an indefinite period after certified deactivation or destruction.

Amendment 529 #

Sergio Gaetano COFFERATI, Virginie ROZIÈRE, Evelyne GEBHARDT, Sylvia-Yvonne KAUFMANN, Liisa JAAKONSAARI, Catherine STIHLER, Marc TARABELLA, Pina PICIERNO, Sergio GUTIÉRREZ PRIETO, Lucy ANDERSON, Christel SCHALDEMOSE, Maria GRAPINI, Josefa ANDRÉS BAREA

Proposal for a directive

Article 1 – point 6

Directive 91/477/EEC

Article 5 – paragraph 1 – point b

- (b) are not likely to be a danger to themselves or others, to public order or to public safety; having been convicted of a violent intentional crime shall be considered as indicative of such danger.
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Source: PE-582.208

2016/04/29 IMCO

25 amendments

Amendment 99 #

Lucy ANDERSON, Catherine STIHLER

Proposal for a directive

Recital 2

- (2) As a response to Gun related-crimes, including the 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. In response, the "European Agenda on Security" adopted in April 2015 and the Declaration of the Home Affairs Ministers Council offirearms to prevent reactivation and use by criminals.
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Amendment 150 #

Sergio Gaetano COFFERATI, Virginie ROZIÈRE, Liisa JAAKONSAARI, Catherine STIHLER, Marc TARABELLA, Pina PICIERNO, Sergio GUTIÉRREZ PRIETO, Nicola DANTI, Christel SCHALDEMOSE, Maria GRAPINI, Josef WEIDENHOLZER

Proposal for a directive

Recital 4

- (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 and registration by the Member State concerned and provided that those firearms have been deactivatedmeasures are in place in order to avoid any risk to public security or public order and that the firearms concerned are stored with a level of security proportionate to the risks associated with unauthorized access to such firearms.
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Amendment 175 #

Sergio Gaetano COFFERATI, Virginie ROZIÈRE, Liisa JAAKONSAARI, Catherine STIHLER, Marc TARABELLA, Lucy ANDERSON, Christel SCHALDEMOSE, Maria GRAPINI, Josef WEIDENHOLZER, Sergio GUTIÉRREZ PRIETO

Proposal for a directive

Recital 5

- (5) Since Collectors have been identified as a possible source of traffic of firearms, they should be covered by this Directive the same rights as other users covered by Directive 91/477/EC and should therefore be included in its scope.

Amendment 179 #

Sergio Gaetano COFFERATI, Virginie ROZIÈRE, Evelyne GEBHARDT, Sylvia-Yvonne KAUFMANN, Liisa JAAKONSAARI, Catherine STIHLER, Marc TARABELLA, Sergio GUTIÉRREZ PRIETO, Lucy ANDERSON, Maria GRAPINI, Josef WEIDENHOLZER

Proposal for a directive

Recital 6

- (6) Since brokers provide services similar to those of dealers, they should also be covered by this Directive and should be subject to the same obligations as dealers in all relevant respects.

Amendment 187 #

Sergio Gaetano COFFERATI, Liisa JAAKONSAARI, Catherine STIHLER, Marc TARABELLA, Sergio GUTIÉRREZ PRIETO, Maria GRAPINI, Josef WEIDENHOLZER, Sylvia-Yvonne KAUFMANN

Proposal for a directive

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. category B.Or. en

Amendment 233 #

Sergio Gaetano COFFERATI, Virginie ROZIÈRE, Liisa JAAKONSAARI, Catherine STIHLER, Marc TARABELLA, Sergio GUTIÉRREZ PRIETO, Nicola DANTI, Christel SCHALDEMOSE, Maria GRAPINI, Josef WEIDENHOLZER

Proposal for a directive

Recital 9 a (new)

- (9a) Transitional measures should be provided for some of the new measures introduced on firearms in category A in order to avoid problems of implementation.

Amendment 234 #

Sergio Gaetano COFFERATI, Virginie ROZIÈRE, Liisa JAAKONSAARI, Marlene MIZZI, Catherine STIHLER, Biljana BORZAN, Marc TARABELLA, Sergio GUTIÉRREZ PRIETO, Nicola DANTI, Christel SCHALDEMOSE, Maria GRAPINI, Josef WEIDENHOLZER

Proposal for a directive

Recital 9 b (new)

- (9b) This Directive should not limit the practice of sport activities, for which Member States may permit strictly limited exemptions for reasons of sport training and competitions.

Amendment 239 #

Lucy ANDERSON, Catherine STIHLER

Proposal for a directive

Recital 10

1. (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. For the purpose of identifying and tracing each firearm and essential component, common Union rules on marking should be introduced to ensure that all essential components are irreversibly marked.

Amendment 247 #

Sergio Gaetano COFFERATI, Virginie ROZIÈRE, Evelyne GEBHARDT, Sylvia-Yvonne KAUFMANN, Liisa JAAKONSAARI, Marlene MIZZI, Catherine STIHLER, Biljana BORZAN, Marc TARABELLA, Pina PICIERNO, Sergio GUTIÉRREZ PRIETO, Nicola DANTI, Lucy ANDERSON, Christel SCHALDEMOSE, Maria GRAPINI, Josef WEIDENHOLZER

Proposal for a directive

Recital 11 a (new)

- (11a) It is necessary to include minimum requirements for safe storage of firearms in Directive 91/477/EEC. Member States should ensure that any person that lawfully acquires or possesses a firearm is required to take reasonable precautions to ensure that the firearm – and the ammunition for that firearm – is secured from loss or theft and is not accessible to third parties.

Amendment 285 #

Sergio Gaetano COFFERATI, Virginie ROZIÈRE, Sylvia-Yvonne KAUFMANN, Liisa JAAKONSAARI, Catherine STIHLER, Biljana BORZAN, Marc TARABELLA, Sergio GUTIÉRREZ PRIETO, Maria GRAPINI, Josef WEIDENHOLZER

Proposal for a directive

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 which they respectively belonged before their transformation. 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.

Amendment 585

Sergio Gaetano COFFERATI, Evelyne GEBHARDT, Sylvia-Yvonne KAUFMANN, Liisa JAAKONSAARI, Marlene MIZZI, Catherine STIHLER, Marc TARABELLA, Maria GRAPINI

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. In special cases for reasons of national security and defence the competent authorities may grant strictly limited authorisations for such firearms and ammunition where this is not contrary to public security or public order.

Amendment 608

Sergio Gaetano COFFERATI, Virginie ROZIÈRE, Evelyne GEBHARDT, Liisa JAAKONSAARI, Catherine STIHLER, Marc TARABELLA, Sergio GUTIÉRREZ PRIETO, Nicola DANTI, Lucy ANDERSON, Christel SCHALDEMOSE, Maria GRAPINI

Article 6 – paragraph 2

- 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), provided that effective measures are in place to avoid any risk to public security or public order and provided that the firearms concerned are stored with a level of security proportionate to the risks associated with unauthorised access to such firearms. Member States shall establish a register of all such authorised bodies and of the firearms in their possession classified in category A.

Amendment 645

Sergio Gaetano COFFERATI, Virginie ROZIÈRE, Liisa JAAKONSAARI, Sergio GUTIÉRREZ PRIETO, Nicola DANTI, Maria GRAPINI, Josef WEIDENHOLZER, Evelyne GEBHARDT, Marlene MIZZI, Catherine STIHLER, Biljana BORZAN, Marc TARABELLA, Christel SCHALDEMOSE

Proposal for a directive

Article 1 – point 6

Directive 91/477/EEC

Article 6 – paragraph 3 a (new)

- Member States may permit strictly limited exemptions from the prohibition of shooting organisation and following positive opinion from a national sport shooting federation.

Amendment 651 #

Sergio Gaetano COFFERATI, Virginie ROZIÈRE, Liisa JAAKONSAARI, Catherine STIHLER, Marc TARABELLA, Sergio GUTIÉRREZ PRIETO, Nicola DANTI, Christel SCHALDEMOSE, Maria GRAPINI

Article 6 a (new)

- (6a) The following Article is inserted: "Article 6a Transitional measures Member States may allow firearms classified in category A6 or category A7 and legally acquired and registered before... (the date of the entry into force of this Amending Directive) to be: (a) kept by the legal owner under the storage condition referred to in Article 10ba; or (b) inherited; or (c) acquired by authorised bodies."

Amendment 710 #

Sergio Gaetano COFFERATI, Virginie ROZIÈRE, Evelyne GEBHARDT, Sylvia-Yvonne KAUFMANN, Marlene MIZZI, Liisa JAAKONSAARI, Catherine STIHLER, Marc TARABELLA, Pina PICIERNO, Sergio GUTIÉRREZ PRIETO, Nicola DANTI, Lucy ANDERSON, Christel SCHALDEMOSE, Maria GRAPINI, Josef WEIDENHOLZER

Proposal for a directive

Article 1 – point 9

- 4. For the purpose of the efficient application of this Directive, 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 toby electronic means via a data-exchange platform or interoperable data-exchange platforms, including, without limitation, information on the structure of their computerised data-filing systems as referred to in Article 4(4) with a view to enabling their interconnection with other existing instruments concerning: (a) their application of Articles 5 and 6; (b) authorisations granted for the transfer of firearms to another Member State; and (c) refusals to grant authorisations as defined/provided for in Article 7.

Amendment 715 #

Sergio Gaetano COFFERATI, Virginie ROZIÈRE, Sylvia-Yvonne KAUFMANN, Liisa JAAKONSAARI, Marlene MIZZI, Catherine STIHLER, Marc TARABELLA, Sergio GUTIÉRREZ PRIETO, Lucy ANDERSON, Christel SCHALDEMOSE, Maria GRAPINI, Josef WEIDENHOLZER

Proposal for a directive

Article 1 – point 9

Directive 91/477/EEC

Article 13 – paragraph 5

- 5. The Commission shall be 5. authorisations granted and on refusals adopt and on refusals and the establishment and maintenance of a European platform for data exchange. The Commission shall adopt the first such delegated act by ... [9 months after the date of entry into force of this Amending Directive].

Amendment 769 #

Sergio Gaetano COFFERATI, Virginie ROZIÈRE, Evelyne GEBHARDT, Liisa JAAKONSAARI, Catherine STIHLER, Marc TARABELLA, Sergio GUTIÉRREZ PRIETO, Maria GRAPINI

Proposal for a directive

Article 1 – point 13 – point a – point i

Directive 91/477/EEC

Annex I – part II – point A – category A – point 7

- 7. Semi-automatic firearms for civilian use which resemble weapons with automatic mechanism with one or more of the following characteristics: (a) allowing the user to fire more than 11 rounds without reloading, if a magazine with a capacity exceeding 10 cartridges is connected to the firearm; (b) having a magazine holding more than 10 rounds; (c) long, but capable of being reduced to a length of less than 60cm without losing functionality, notably by means of a folding or telescoping stock or by a stock that can be removed without using tools;

Amendment 780 #

Sergio Gaetano COFFERATI, Sylvia-Yvonne KAUFMANN, Liisa JAAKONSAARI, Marlene MIZZI, Catherine STIHLER, Marc TARABELLA, Sergio GUTIÉRREZ PRIETO, Maria GRAPINI, Josef WEIDENHOLZER

Proposal for a directive

Article 1 – point 13 – point a – point i

Directive 91/477/EEC

Annex I – part II – point A – category A – point 8

- 8. Firearms under points 1 to 7 after having been deactivated.

Amendment 785 #

Sergio Gaetano COFFERATI, Virginie ROZIÈRE, Evelyne GEBHARDT, Sylvia-Yvonne KAUFMANN, Liisa JAAKONSAARI, Catherine STIHLER, Marc TARABELLA, Sergio GUTIÉRREZ PRIETO, Maria GRAPINI, Josef WEIDENHOLZER

Proposal for a directive

Article 1 – point 13 – point a – point i

Directive 91/477/EEC

Annex I – part II – point A – category A – point 8 a (new)

- 8a. Any firearm under category A which has been converted into a salute and acoustic weapon.

Amendment 786 #

Sergio Gaetano COFFERATI, Virginie ROZIÈRE, Liisa JAAKONSAARI, Catherine STIHLER, Marc TARABELLA, Sergio GUTIÉRREZ PRIETO, Maria GRAPINI, Josef WEIDENHOLZER

Proposal for a directive

Article 1 – point 13 – point a – point i a (new) Directive 91/477/EEC

- (ia) in category B, point 4 is replaced by the following: "4. Semi-automatic long firearms whose magazine and chamber can together hold more than three but fewer than 12 rounds."

Amendment 800 #

Sergio Gaetano COFFERATI, Virginie ROZIÈRE, Evelyne GEBHARDT, Liisa JAAKONSAARI, Catherine STIHLER, Marc TARABELLA, Sergio GUTIÉRREZ PRIETO, Maria GRAPINI, Josef WEIDENHOLZER

Proposal for a directive

Article 1 – point 13 – point a – point ii

Directive 91/477/EEC

Annex I – part II – point A – category B – point 7

- (ii) in category B, point 7 is deleted.replaced by the following: "7. Semi-automatic firearms for civilian use which resemble weapons with automatic mechanisms and which are not included in category A."

Amendment 805 #

Sergio Gaetano COFFERATI, Virginie ROZIÈRE, Evelyne GEBHARDT, Sylvia-Yvonne KAUFMANN, Liisa JAAKONSAARI, Catherine STIHLER, Marc TARABELLA, Sergio GUTIÉRREZ PRIETO, Maria GRAPINI, Josef WEIDENHOLZER

Proposal for a directive

Article 1 – point 13 – point a – point ii a (new)

Directive 91/477/EEC

Annex I – part II – point A – category B – point 7 a (new)

- (iia) in Category B, the following point is added: "7a. Any firearm under category B

Amendment 807 #

Sergio Gaetano COFFERATI, Evelyne GEBHARDT, Sylvia-Yvonne KAUFMANN, Liisa

JAAKONSAARI, Catherine STIHLER, Marc TARABELLA, Sergio GUTIÉRREZ PRIETO, Maria GRAPINI, Josef WEIDENHOLZER

Proposal for a directive

Article 1 – point 13 – point a – point ii b (new)

Directive 91/477/EEC

Annex I – part II – point A – category B – point 7 b (new)

- 5. Alarm and signal weapons, salute and acoustic weapons as well as replicas;deleted

Amendment 816 #

Sergio Gaetano COFFERATI, Virginie ROZIÈRE, Evelyne GEBHARDT, Sylvia-Yvonne KAUFMANN, Liisa JAAKONSAARI, Catherine STIHLER, Marc TARABELLA, Sergio GUTIÉRREZ PRIETO, Maria GRAPINI, Josef WEIDENHOLZER

Proposal for a directive

Article 1 – point 13 – point a – point iii

Directive 91/477/EEC

Annex I – part II – point A – category C – point 5

- Alarm and signal weapons, salute and acoustic weapons as well as replica and reproduction firearms;

Amendment 818 #

Sergio Gaetano COFFERATI, Virginie ROZIÈRE, Evelyne GEBHARDT, Sylvia-Yvonne KAUFMANN, Liisa JAAKONSAARI, Catherine STIHLER, Biljana BORZAN, Marc TARABELLA, Sergio GUTIÉRREZ PRIETO, Maria GRAPINI, Josef WEIDENHOLZER

Proposal for a directive

Article 1 – point 13 – point a – point iii

Directive 91/477/EEC

Annex I – part II – point A – category C – point 5 a (new)

- 5a. Any firearm under this category having been converted to salute and acoustic weapons.