



2015/0269(COD)

6.4.2016

AMENDMENTS

26 - 269

Draft opinion

Bodil Valero

(PE576.870v01-00)

on the proposal for a directive of the European Parliament and of the Council amending Council Directive 91/477/EC on control of the acquisition and possession of weapons

Proposal for a directive

(COM(2015)0750 – C8-0358/2015 – 2015/0269(COD))

Amendment 26
Beatrix von Storch

Proposal for a directive

—

Proposal for rejection

***The European Parliament rejects the
Commission proposal.***

Or. de

Amendment 27
Gerard Batten

Proposal for a directive
Title 1

Text proposed by the Commission

Amendment

***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***

deleted

Or. en

Justification

*The control of the acquisition and possession of weapons shall belong to the competence of
the nation state*

Amendment 28
Jeroen Lenaers

Proposal for a directive
Citation 1

Text proposed by the Commission

Amendment

Having regard to the Treaty on the Functioning of the European Union, and in particular **Article 114** thereof,

Having regard to the Treaty on the Functioning of the European Union, and in particular **Articles 67 and 83** thereof,

Or. nl

Amendment 29
Jeroen Lenaers

Proposal for a directive
Citation 1

Text proposed by the Commission

Amendment

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 thereof,

The European Parliament supports the Commission's intentions, but cannot approve the proposal in its current form, and asks the Commission to submit a new, further elaborated proposal based on Articles 67 and 83 of the Treaty on the Functioning of the European Union.

Or. nl

Justification

The Commission proposal builds on the legal basis of the original Firearms Directive of 1991, namely Article 114 TFEU. This article provides the legal basis for amending internal market legislation. As the primary purpose of the new proposals is to promote measures to combat terrorism and organised crime, the legal basis should be altered accordingly. Rather than Article 114 TFEU, therefore, the legal basis should be Articles 67 and 83 TFEU.

Amendment 30
Beatrix von Storch

Proposal for a directive
Citation 2

Text proposed by the Commission

Amendment

Having regard to the proposal from the European Commission,

Rejects the Commission proposal;

Amendment 31
Harald Vilimsky, Lorenzo Fontana, Gilles Lebreton

Proposal for a directive
Recital 1

Text proposed by the Commission

Amendment

(1) Council Directive 91/477/EEC¹⁷ 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.

deleted

¹⁷ ***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).***

Amendment 32
Harald Vilimsky, Lorenzo Fontana, Gilles Lebreton

Proposal for a directive
Recital 1 a (new)

Text proposed by the Commission

Amendment

(1a) Reject the proposal of the commission on the Council Directive 91/477/EC on control of the acquisition and possession of weapons.

Amendment 33
Marina Albiol Guzmán, Barbara Spinelli, Kostas Chrysogonos

Proposal for a directive
Recital 1 a (new)

Text proposed by the Commission

Amendment

(1a) Over 6,700 people die annually in the EU due to firearms owned by civilians.

Or. en

Amendment 34
Marina Albiol Guzmán, Barbara Spinelli, Kostas Chrysogonos

Proposal for a directive
Recital 1 b (new)

Text proposed by the Commission

Amendment

(1b) Numerous international organisations for the promotion of peace establish a direct link between the easiness to obtain firearms and the number of homicides committed.

Or. en

Amendment 35
Sylvia-Yvonne Kaufmann, Birgit Sippel

Proposal for a directive
Recital 2

Text proposed by the Commission

Amendment

(2) As a response to recent terrorist acts which demonstrated gaps in the implementation of Directive 91/477/EEC especially with regard to deactivation of weapons, convertibility and marking rules, the "European Agenda on Security" adopted in April 2015 and the Declaration of the Home Affairs

deleted

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.

Or. en

Amendment 36
Juan Fernando López Aguilar

Proposal for a directive
Recital 2

Text proposed by the Commission

Amendment

(2) As a response to recent terrorist acts which demonstrated gaps in the implementation of Directive 91/477/EEC especially with regard to deactivation of weapons, convertibility and marking rules, the "European Agenda on Security" adopted in April 2015 and the Declaration of the Home Affairs Ministers Council of 29 August 2015 called for the revision of that Directive and for a common approach on the deactivation of firearms to prevent reactivation and use by criminals.

deleted

Or. en

Amendment 37
Nuno Melo, Monika Hohlmeier, Anna Maria Corazza Bildt, Roberta Metsola

Proposal for a directive
Recital 2

Text proposed by the Commission

Amendment

(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

(2) The amendments to Council Directive 91/477/EEC should not result from the fact of implying any form of connection between the recent terrorist attacks and the legal use and possession of weapons

rules, the “European Agenda on Security” adopted in April 2015 and the Declaration of the Home Affairs Ministers Council of 29 August 2015 called for the revision of that Directive and for a common approach on the deactivation of firearms to prevent reactivation and use by criminals.

within the Union, not least by hunters, persons who engage in shooting sports, and collectors. The manufacture of, trade in, and the possession and use of weapons and ammunition are legitimate activities of major recreational, sporting, and economic interest and important for job and wealth creation within the Union.

However, the “European Agenda on Security” adopted in April 2015 and the Declaration of the Home Affairs Ministers Council of 29 August 2015 called for the revision of that Directive and for a common approach on the deactivation of firearms to prevent reactivation and use by criminals.

Or. pt

Amendment 38
Frank Engel

Proposal for a directive
Recital 3

Text proposed by the Commission

(3) Certain issues in Directive 91/477/EEC need further improvement.

Amendment

(3) Certain issues in Directive 91/477/EEC need further improvement *in a proportionate way to tackle arms trafficking for criminal or terrorist purposes.*

Or. fr

Amendment 39
Brice Hortefeux, Rachida Dati, Philippe Juvin

Proposal for a directive
Recital 3

Text proposed by the Commission

(3) Certain issues in Directive 91/477/EEC

Amendment

(3) Certain issues in Directive 91/477/EEC need further improvement *to promote*

need further improvement.

harmonious application by the Member States.

Or. fr

Amendment 40

Cecilia Wikström, Maite Pagazaurtundúa Ruiz, Nathalie Griesbeck, Fredrick Federley, Dita Charanzová, Petr Ježek

Proposal for a directive

Recital 4

Text proposed by the Commission

Amendment

(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.

deleted

Or. en

Justification

The present directive excludes museums and collectors (recognised as such by the Member States) from the application of the directive. Their inclusion would seriously jeopardise important parts of the European cultural heritage, without adding any extra security and should therefore be rejected

Amendment 41

Sylvia-Yvonne Kaufmann

Proposal for a directive

Recital 4

Text proposed by the Commission

(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.***

Amendment

(4) Bodies ***and persons*** 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 should be able to keep those firearms in their possession subject to authorisation by the Member State concerned.

Or. en

Amendment 42

Jussi Halla-aho, Richard Sulík, Tomáš Zdechovský, Anders Primdahl Vistisen, Kristina Winberg, Nuno Melo, Bernd Kölmel, Branislav Škripek, Beatrix von Storch, Roberta Metsola, Hannu Takkula

Proposal for a directive

Recital 4

Text proposed by the Commission

(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.***

Amendment

(4) ***Collectors and*** bodies concerned with the cultural and historical aspects of weapons and recognised as such by the Member State in whose territory they are established should be able to keep ***and acquire*** firearms ***classified in category A*** subject to authorisation by the Member State concerned.

Or. en

Amendment 43

Emil Radev

Proposal for a directive
Recital 4

Text proposed by the Commission

(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.

Amendment

(4) **Collectors and** 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.

Or. bg

Amendment 44
Brice Hortefeux, Rachida Dati, Philippe Juvin

Proposal for a directive
Recital 4

Text proposed by the Commission

(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.

Amendment

(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 **the** firearms have been deactivated **in accordance with Implementing Regulation (EU) 2015/2403 or that they are exempt from requirement to be deactivated for reasons connected with the conservation of cultural and historical heritage, provided that obligations relating to safekeeping are met.**

Amendment 45

Anna Maria Corazza Bildt

Proposal for a directive

Recital 4

Text proposed by the Commission

(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.***

Amendment

(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 should be able to keep those firearms in their possession subject to authorisation by the Member State concerned;

Or. en

Amendment 46

Gérard Deprez, Louis Michel

Proposal for a directive

Recital 4

Text proposed by the Commission

(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.***

Amendment

(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 should be able to keep those firearms in their possession subject to authorisation by the Member State concerned, provided ***they have an appropriate safety mechanism.***

Amendment 47

Jussi Halla-aho, Richard Sulík, Tomáš Zdechovský, Anders Primdahl Vistisen, Kristina Winberg, Bernd Kölmel, Branislav Škripek, Beatrix von Storch, Hannu Takkula

Proposal for a directive

Recital 5

Text proposed by the Commission

Amendment

(5) Since collectors have been identified as a possible source of traffic of firearms, they should be covered by this Directive. ***deleted***

Or. en

Amendment 48

Miriam Dalli

Proposal for a directive

Recital 5

Text proposed by the Commission

Amendment

(5) Since collectors have been identified as a possible source of traffic of firearms, they should be covered by this Directive. ***deleted***

Or. en

Amendment 49

Juan Fernando López Aguilar

Proposal for a directive

Recital 5

Text proposed by the Commission

Amendment

(5) Since collectors have been identified as a possible source of traffic of firearms, they should be covered by this Directive. ***deleted***

Amendment 50
Gérard Deprez, Louis Michel

Proposal for a directive
Recital 5

Text proposed by the Commission

Amendment

(5) Since collectors have been identified as a possible source of traffic of firearms, they should be covered by this Directive. **deleted**

Or. fr

Amendment 51
Frank Engel

Proposal for a directive
Recital 5

Text proposed by the Commission

Amendment

(5) Since collectors have been identified as a possible source of traffic of firearms, they should be covered by this Directive. **deleted**

Or. fr

Amendment 52
Cecilia Wikström, Maite Pagazaurtundúa Ruiz, Fredrick Federley, Dita Charanzová, Petr Ježek

Proposal for a directive
Recital 5

Text proposed by the Commission

Amendment

(5) Since collectors have been identified as a possible source of traffic of firearms, they should be covered by this Directive. **deleted**

Justification

The present directive excludes museums and collectors (recognised as such by the Member States) from the application of the directive. Their inclusion would seriously jeopardise important parts of the European cultural heritage, without adding any extra security and should therefore be rejected

Amendment 53

Emil Radev

Proposal for a directive

Recital 5

Text proposed by the Commission

Amendment

(5) Since collectors have been identified as a possible source of traffic of firearms, they should be covered by this Directive. *deleted*

Or. bg

Amendment 54

Nuno Melo, Monika Hohlmeier, Roberta Metsola

Proposal for a directive

Recital 5

Text proposed by the Commission

Amendment

(5) Since collectors have been identified as a possible source of traffic of firearms, they should be covered by this Directive. *deleted*

Or. pt

Amendment 55

Miriam Dalli

Proposal for a directive

Recital 6 a (new)

Text proposed by the Commission

Amendment

(6a) All provisions and restrictions in this Directive that apply to a firearm of a certain category also apply to the essential components of that firearm.

Or. en

Amendment 56

Sylvia-Yvonne Kaufmann, Sergio Gaetano Cofferati, Birgit Sippel, Ana Gomes

Proposal for a directive

Recital 6 a (new)

Text proposed by the Commission

Amendment

(6a) It is necessary to include minimum requirements for safe storage of firearms in this Directive. 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.

Or. en

Justification

According to the Schengen Information System almost half a million firearms lost or stolen in the EU remain unaccounted for, the overwhelming majority of which are civilian firearms.

Amendment 57

Brice Hortefeux, Rachida Dati, Philippe Juvin

Proposal for a directive

Recital 6 a (new)

(6a) This directive concerns the legal use of firearms and the security-related conditions for their acquisition, possession and use. Given the risks of misuse for criminal or terrorist purposes resulting from the loss or theft of a legally acquired firearm, appropriate measures should be laid down for the storage of firearms which meet public security and public order requirements.

Or. fr

Amendment 58
Frank Engel

Proposal for a directive
Recital 7

Text proposed by the Commission

Amendment

(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 badly deactivated weapons and in order to enhance security across the Union, ***this Directive*** should ***lay down common standards for the definitive deactivation of dangerous firearms***. 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.

Or. fr

Amendment 59
Cecilia Wikström, Maite Pagazaurtundúa Ruiz, Fredrick Federley, Dita Charanzová,

Petr Ježek

Proposal for a directive

Recital 7

Text proposed by the Commission

(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.

Amendment

(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. Where those rules are not respected, Member States should take appropriate measures including the destruction of those firearms.

Or. en

Justification

The proposed ban on certain semi-automatic fire arms should be rejected since the proposal is not based on any reliable evidence indicating that such a ban would contribute to increasing security

Amendment 60

Gérard Deprez, Louis Michel

Proposal for a directive

Recital 7

Text proposed by the Commission

(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***

Amendment

(7) Taking into consideration ***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.***

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.

Or. fr

Amendment 61
Frank Engel

Proposal for a directive
Recital 8

Text proposed by the Commission

(8) In order to ensure the traceability of deactivated firearms, they should be registered in national registries.

Amendment

(8) In order to ensure the traceability of deactivated firearms, they should be registered in ***regularly updated*** national registries ***accessible by each Member State's law enforcement authorities.***

Or. fr

Amendment 62
Nuno Melo, Monika Hohlmeier, Roberta Metsola

Proposal for a directive
Recital 8

Text proposed by the Commission

(8) In order to ensure the traceability of deactivated firearms, they should be registered in national registries.

Amendment

(8) In order to ensure the traceability of deactivated firearms, they should be registered in national registries, ***taking into account, however, the need to preserve weapons in their original form, especially if they bear no physical markings resulting from their characteristics or age.***

Or. pt

Amendment 63
Gérard Deprez, Louis Michel

Proposal for a directive
Recital 8

Text proposed by the Commission

(8) In order to ensure the **traceability** of **deactivated** firearms, **they** should be registered in national registries.

Amendment

(8) In order to ensure **traceability**, the **deactivation** of firearms should be registered in national registries.

Or. fr

Amendment 64
Nuno Melo, Monika Hohlmeier, Roberta Metsola

Proposal for a directive
Recital 9

Text proposed by the Commission

(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.

deleted

Amendment

Or. pt

Amendment 65
Emil Radev

Proposal for a directive
Recital 9

Text proposed by the Commission

(9) Some semi-automatic firearms can be easily converted to automatic firearms, thus posing a threat to security. Even in

deleted

Amendment

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.

Or. bg

Amendment 66

Jussi Halla-aho, Richard Sulík, Tomáš Zdechovský, Anders Primdahl Vistisen, Kristina Winberg, Bernd Kölmel, Branislav Škripek, Beatrix von Storch, Hannu Takkula

**Proposal for a directive
Recital 9**

Text proposed by the Commission

Amendment

(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. *deleted*

Or. en

Amendment 67

Cecilia Wikström, Maite Pagazaurtundúa Ruiz, Fredrick Federley, Dita Charanzová, Petr Ježek

**Proposal for a directive
Recital 9**

Text proposed by the Commission

Amendment

(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 *deleted*

*regarding the number of rounds is high.
Such semi-automatic weapons should
therefore be banned for civilian use.*

Or. en

Justification

The proposed ban on certain semi-automatic fire arms should be rejected since the proposal is not based on any reliable evidence indicating that such a ban would contribute to increasing security

Amendment 68
Juan Fernando López Aguilar

Proposal for a directive
Recital 9

Text proposed by the Commission

Amendment

(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.

deleted

Or. en

Amendment 69
Sylvia-Yvonne Kaufmann, Ana Gomes

Proposal for a directive
Recital 9

Text proposed by the Commission

Amendment

(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",

(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.

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. ***The classification of weapons in category "A" should be carried out on the basis of technical and objective criteria.***

Or. en

Justification

The classification of weapons in its category has to be carried out on the basis of technical criteria, not on resemblance with other weapons.

Amendment 70

Gérard Deprez, Louis Michel

Proposal for a directive

Recital 9

Text proposed by the Commission

(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.***

Amendment

(9) Some semi-automatic firearms can be converted to automatic firearms, thus posing a threat to security. ***Harmonisation of European technical specifications and standards is desirable. That harmonisation should involve machining the essential components of semi-automatic weapons to prevent the use of spare parts which could restore the weapon's automatic nature.*** 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. ***The capacity of magazines authorised for sale to private individuals should therefore be limited and criteria for the storage of these weapons and their ammunition should be laid down.***

Or. fr

Amendment 71
Petri Sarvamaa

Proposal for a directive
Recital 9

Text proposed by the Commission

(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.

Amendment

(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 **exceptionally** high. Such semi-automatic weapons **could** therefore be **considered restricted** for civilian use.

Or. en

Amendment 72
Gérard Deprez, Louis Michel

Proposal for a directive
Recital 10

Text proposed by the Commission

(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.

Amendment

(10) To avoid markings **being** erased and to clarify on which components the marking should be affixed, common Union rules on marking should be introduced.

Or. fr

Amendment 73
Brice Hortefeux, Rachida Dati, Philippe Juvin

Proposal for a directive
Recital 10

Text proposed by the Commission

Amendment

(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. ***These rules should take account of the new materials used in weapon manufacture and the emergence of three-dimensional weapons. They should also take into account imported weapons.***

Or. fr

Amendment 74

Sylvia-Yvonne Kaufmann, Sergio Gaetano Cofferati, Caterina Chinnici, Ana Gomes

Proposal for a directive

Recital 10

Text proposed by the Commission

Amendment

(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 ***that markings*** should be affixed ***on all essential components of a firearm***, common Union rules on marking should be introduced.

Or. en

Amendment 75

Gérard Deprez, Louis Michel

Proposal for a directive

Recital 10 a (new)

Text proposed by the Commission

Amendment

(10a) The Member States should lay down safety criteria for the storage and transport of firearms; those criteria should be adapted to the number of weapons held and their level of danger.

Amendment 76

Brice Hortefeux, Rachida Dati, Philippe Juvin

Proposal for a directive

Recital 11

Text proposed by the Commission

(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.

Amendment

(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 **by the relevant authorities**.

Amendment 77

Juan Fernando López Aguilar

Proposal for a directive

Recital 12

Text proposed by the Commission

(12) Selling arrangements of firearms and their components by means of distance communication may pose a serious threat to security as they are more difficult to control than the conventional selling methods, especially as regards the on line verification of the legality of authorisations. It is therefore appropriate to limit the selling of arms and components by means of distance communication, notably internet, to dealers and brokers.

Amendment

deleted

Amendment 78

Frank Engel

Proposal for a directive

Recital 12

Text proposed by the Commission

(12) Selling arrangements of firearms and their components by means of distance communication may pose a serious threat to security as they are more difficult to control than the conventional selling methods, especially as regards the on line verification of the legality of authorisations. It is therefore appropriate to **limit** the selling of arms and components by means of distance communication, notably internet, to dealers and brokers.

Amendment

(12) Selling arrangements of firearms and their components by means of distance communication may pose a serious threat to security as they are more difficult to control than the conventional selling methods, especially as regards the on line verification of the legality of authorisations. It is therefore appropriate to **more effectively control** the selling of arms and components by means of distance communication, notably internet, to dealers and brokers.

Or. fr

Amendment 79

Brice Hortefeux, Rachida Dati, Philippe Juvin

Proposal for a directive

Recital 12

Text proposed by the Commission

(12) Selling arrangements of firearms and their components by means of distance communication may pose a serious threat to security as they are more difficult to control than the conventional selling methods, especially as regards the on line verification of the legality of authorisations. It is therefore appropriate to **limit the selling of arms and components by means of distance communication, notably internet,** to dealers and brokers.

Amendment

(12) Selling arrangements of firearms and their components by means of distance communication may pose a serious threat to security as they are more difficult to control than the conventional selling methods, especially as regards the on line verification of the legality of authorisations. It is therefore appropriate to **lay down more effective provisions regulating the purchase and sale of firearms, components and ammunition on the internet and to limit sales to dealers and registered brokers holding permits or licences issued by Member States.**

Or. fr

Amendment 80
Gérard Deprez, Louis Michel

Proposal for a directive
Recital 12

Text proposed by the Commission

(12) Selling arrangements of firearms **and** their components by means of distance communication may pose a serious threat to security as they are more difficult to control than the conventional selling methods, especially as regards the on line verification of the legality of authorisations. It is therefore appropriate to limit the selling of arms and components by means of distance communication, notably internet, to dealers and brokers.

Amendment

(12) Selling arrangements of firearms, their components **and ammunition** by means of distance communication may pose a serious threat to security as they are more difficult to control than the conventional selling methods, especially as regards the on line verification of the legality of authorisations. It is therefore appropriate to limit the selling of arms and components by means of distance communication, notably internet, to dealers and brokers.

Or. fr

Amendment 81
Cecilia Wikström, Maite Pagazaurtundúa Ruiz, Fredrick Federley, Dita Charanzová, Petr Ježek

Proposal for a directive
Recital 12

Text proposed by the Commission

(12) Selling arrangements of firearms and their components by means of distance communication may pose **a serious threat** to security as they are more difficult to control than the conventional selling methods, **especially as regards the on line verification of the legality of authorisations. It is therefore appropriate to limit** the selling of arms and components by means of distance communication, **notably internet, to dealers and brokers.**

Amendment

(12) Selling arrangements of firearms and their components by means of distance communication may pose **particular threats** to security as they are more difficult to control than the conventional selling methods. **It is therefore appropriate to ensure adequate controls with regards** to the selling of arms and components by means of distance communication.

Or. en

Justification

Completely banning legal distance sales of fire arms is a disproportionate measure considering that it can be organised safely through basic controls of the Member States to ensure notably that both the buyer and seller of a fire arm hold a valid license and that there are no other reasons to oppose the transaction.

Amendment 82

Sylvia-Yvonne Kaufmann, Caterina Chinnici

Proposal for a directive

Recital 12

Text proposed by the Commission

(12) Selling arrangements of firearms and their components by means of distance communication may pose a serious threat to security as they are more difficult to control than the conventional selling methods, especially as regards the on line verification of the legality of authorisations. It is therefore appropriate to limit the selling of arms and components by means of distance communication, notably internet, to dealers and brokers.

Amendment

(12) Selling arrangements of firearms and their components by means of distance communication may pose a serious threat to security as they are more difficult to control than the conventional selling methods, especially as regards the on line verification of the legality of authorisations. It is therefore appropriate to limit the selling of arms and components by means of distance communication, notably internet, to dealers and brokers. ***However, an exception to this rule may be permissible if, following an on line sale, the firearm in question or its essential components can be collected by the person acquiring the firearm only at the premises of police or other competent authorities of Member States as determined under national law.***

Or. en

Amendment 83

Emil Radev

Proposal for a directive

Recital 13

Text proposed by the Commission

(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.

Amendment

(13) 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.

Or. bg

Amendment 84
Frank Engel

Proposal for a directive
Recital 13

Text proposed by the Commission

(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.

Amendment

(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 ***the technical possibility of converting firearms for criminal purposes, notably by imposing stricter standards on the manufacturers of these weapons.*** 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.

Or. fr

Amendment 85

Nuno Melo, Monika Hohlmeier, Anna Maria Corazza Bildt, Roberta Metsola

Proposal for a directive

Recital 13

Text proposed by the Commission

(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.

Amendment

(13) 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.

Or. pt

Amendment 86

Jussi Halla-aho, Richard Sulík, Tomáš Zdechovský, Anders Primdahl Vistisen, Bernd Kölmel, Branislav Škripek, Beatrix von Storch, Hannu Takkula

Proposal for a directive

Recital 13

Text proposed by the Commission

(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

Amendment

(13) Technical specifications for alarm and signal weapons as well as for salute and acoustic weapons ***are*** adopted in order to ensure that they cannot be converted into firearms.

firearms.

Or. en

Amendment 87

Brice Hortefeux, Rachida Dati, Philippe Juvin

Proposal for a directive

Recital 13

Text proposed by the Commission

(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.

Amendment

(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 ***it is impossible to convert them*** into firearms.

Or. fr

Amendment 88

Gérard Deprez, Louis Michel

Proposal for a directive

Recital 14

Text proposed by the Commission

(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

Amendment

(14) In order to improve the functioning of the information exchange between Member States ***and the traceability of firearms***, the Commission should assess the necessary elements of a system to ***provide for compulsory access by all Member States to*** information contained in the computerised data-filing systems in place

accompanied, if appropriate, by a legislative proposal taking into account existing instruments regarding exchange of information.

in Member States. The Commission's assessment **should** be accompanied, if appropriate, by a legislative proposal taking into account existing instruments regarding exchange of information.

Or. fr

Amendment 89

Nuno Melo, Monika Hohlmeier, Anna Maria Corazza Bildt, Roberta Metsola

Proposal for a directive

Recital 14

Text proposed by the Commission

(14) In order to improve the functioning of the information exchange between Member States, the Commission should assess the necessary elements of a system to support such exchange of information contained in the computerised data-filing systems in place in Member States. The Commission's assessment may be accompanied, if appropriate, by a legislative proposal taking into account existing instruments regarding exchange of information.

Amendment

(14) In order to improve the functioning of the information exchange between Member States, the Commission should assess the necessary elements of a system to support such exchange of information contained in the computerised data-filing systems in place in Member States. The Commission's assessment may be accompanied, if appropriate, by a legislative proposal taking into account existing instruments regarding exchange of information. ***In addition to meeting the need to keep track of weapons held by private individuals or other bodies, in accordance with the law, such a system should enable weapons to be traced when they have been seized by, or handed over to, the authorities or forfeited to Member States, thus making it possible to ascertain what happens to weapons until such time as they are destroyed, further used, or again placed on the market.***

Or. pt

Amendment 90

Gérard Deprez, Louis Michel

Proposal for a directive
Recital 15

Text proposed by the Commission

(15) In order to ensure appropriate exchange **of information** between the Member States on **authorisations granted and on refusals**, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of adopting an act to enable the Member States to create such a system of exchange of information **on authorisations granted and on refusals**. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.

Amendment

(15) In order to ensure appropriate exchange between the Member States **of all information on the weapons referred to in this directive**, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of adopting an act to enable the Member States to create such a **systematic and compulsory** system of exchange of information **between the Member States**. 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.

Or. fr

Amendment 91
Brice Hortefeux, Rachida Dati, Philippe Juvin

Proposal for a directive
Recital 15

Text proposed by the Commission

(15) In order to ensure appropriate exchange of information between the Member States on authorisations granted and on refusals, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of adopting an act to enable the Member States to create such a system of exchange of information on authorisations granted and on refusals. It is of particular

Amendment

(15) In order to ensure appropriate exchange of information between the Member States on authorisations granted and on refusals **and on any interruption of an authorisation**, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of adopting an act to enable the Member States to create such a system of exchange of information on

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.

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.

Or. fr

Amendment 92

Sylvie Guillaume, Christine Revault D'Allonnes Bonnefoy, Virginie Rozière, Eric Andrieu

Proposal for a directive

Article 1 – paragraph 1 – point 1 – point -a (new)

Text proposed by the Commission

Amendment

-a) Paragraph 1a of Article 1 of Directive No 91/477/EEC is deleted.

Or. fr

Amendment 93

Kristina Winberg

Proposal for a directive

Article 1 – paragraph 1 – point 1 – point a

Directive 91/477/EEC

Article 1 – paragraph 1b

Text proposed by the Commission

Amendment

(a) Paragraph 1b is replaced by the following:

deleted

‘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.'

Or. sv

Justification

The proposed modification would damage the comprehensive defence capabilities of certain Member States.

Amendment 94

Cecilia Wikström, Fredrick Federley, Dita Charanzová, Petr Ježek

Proposal for a directive

Article 1 – paragraph 1 – point 1 – point a

Directive 91/477/EEC

Article 1 – paragraph 1b

Text proposed by the Commission

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.

Amendment

1b. For the purposes of this Directive, "essential component" shall mean the barrel, frame, receiver, slide or cylinder, bolt or breach block which, being separate objects, are included in the category of the firearms on which they are or are intended to be mounted.

Or. en

Justification

Silencers are not "essential" components and adding them as such would not increase security

Amendment 95

Miriam Dalli

Proposal for a directive

Article 1 – paragraph 1 – point 1 – point a

Text proposed by the Commission

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.

Amendment

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. ***Member States shall adopt measures to ensure that the acquisition and possession of quickly detachable firearm magazines is restricted to persons holding a valid license for the acquisition and possession of a firearm to which the magazine fits or who are otherwise authorised to possess them.***

Or. en

Amendment 96
Emil Radev

Proposal for a directive
Article 1 – paragraph 1 – point 1 – point a
Directive 91/477/EEC
Article 1 – paragraph 1b

Text proposed by the Commission

16. 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."

Amendment

16. For the purposes of this Directive, "essential component" shall mean the barrel, frame, receiver, slide or cylinder, bolt or breach block which, being separate objects, are included in the category of the firearms on which they are or are intended to be mounted."

Or. bg

Amendment 97
Gérard Deprez, Louis Michel

Proposal for a directive
Article 1 – paragraph 1 – point 1 – point a
Directive 91/477/EEC
Article 1 – paragraph 1b

Text proposed by the Commission

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.

Amendment

For the purposes of this Directive, "essential component" shall mean the barrel, frame, receiver, slide or cylinder, bolt or breach block, **magazine** 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.

Or. fr

Amendment 98
Sylvie Guillaume, Christine Revault D'Allonnes Bonnefoy, Virginie Rozière, Eric Andrieu

Proposal for a directive
Article 1 – paragraph 1 – point 1 – point a
Directive 91/477/EEC
Article 1 – paragraph 1 b

Text proposed by the Commission

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."

Amendment

1b. For the purposes of this Directive, "essential component" shall mean **any part essential to its operation, including** the barrel, frame, receiver, slide or cylinder, bolt or breach block which, being separate objects, are included in the category of the firearms on which they are or are intended to be mounted.

Or. fr

Amendment 99

Jussi Halla-aho, Richard Sulík, Tomáš Zdechovský, Anders Primdahl Vistisen, Timothy Kirkhope, Kristina Winberg, Bernd Kölmel, Branislav Škripek, Beatrix von Storch, Hannu Takkula

Proposal for a directive

Article 1 – paragraph 1 – point 1 – point a

Directive 91/477/EEC

Article 1 – paragraph 1b

Text proposed by the Commission

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.

Amendment

1b. For the purposes of this Directive, "essential component" shall mean the barrel, frame, receiver, slide or cylinder, bolt or breach block which, being separate objects, are included in the category of the firearms on which they are or are intended to be mounted.

Or. en

Justification

Silencers (sound moderators) do not affect the functionality of firearms, thus they should not be classified as essential components. Sound moderators do not eliminate the sound of a gunshot but merely reduce its peak noise by 15-30dB so as not to harm the hearing of a shooter or a hunting dog.

Amendment 100

Marina Albiol Guzmán, Barbara Spinelli, Kostas Chrysogonos

Proposal for a directive

Article 1 – paragraph 1 – point 1 – point a

Directive 91/477/EEC

Article 1 – paragraph 1b

Text proposed by the Commission

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

Amendment

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.

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; ***the ammunition needed to fire the device shall also fall under this category.***

Or. en

Amendment 101

Jussi Halla-aho, Richard Sulík, Tomáš Zdechovský, Anders Primdahl Vistisen, Timothy Kirkhope, Kristina Winberg, Bernd Kölmel, Branislav Škripek, Beatrix von Storch, Hannu Takkula

Proposal for a directive

Article 1 – paragraph 1 – point 1 – point b

Directive 91/477/EEC

Article 1 – paragraph 1e

Text proposed by the Commission

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.

Amendment

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 ***or importing to a Member State from a third country*** fully assembled firearms, their parts and ammunition.

Or. en

Justification

There is no reason not to include the importation of firearms from third countries to a Member State in the scope of activity of a broker.

Amendment 102

Sylvie Guillaume, Christine Revault D'Allonnes Bonnefoy, Virginie Rozière, Eric Andrieu

Proposal for a directive
Article 1 – paragraph 1 – point 1 – point c
Directive 91/477/EEC
Article 1 – paragraph 1 f

Text proposed by the Commission

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.**

Amendment

1f. For the purposes of this Directive, "alarm and signal weapons" shall mean devices with a cartridge holder having a gas exit to the front, aside or on the top, which are **not converted firearms and which are originally** designed and constructed for the purpose of **causing a sound or a flash effect by means of the firing of a charge** and **whose design is such as to exclude the shooting, or conversion for the purpose of shooting, of any projectile, with the exception of all real firearms that have been modified. The specific calibres of alarm and signal weapons shall exclusively be calibres for which a specific weapon exists designed specially and solely for firing blank, gas or tear gas cartridges with C.I.P. calibres only.**

Or. fr

Amendment 103
Gérard Deprez, Louis Michel

Proposal for a directive
Article 1 – paragraph 1 – point 1 – point c
Directive 91/477/EEC
Article 1 – paragraph 1h

Text proposed by the Commission

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.

Amendment

deleted

Amendment 104

Jussi Halla-aho, Richard Sulík, Tomáš Zdechovský, Anders Primdahl Vistisen, Timothy Kirkhope, Kristina Winberg, Branislav Škripek, Beatrix von Storch, Hannu Takkula

Proposal for a directive

Article 1 – paragraph 1 – point 1 – point c

Directive 91/477/EEC

Article 1 – paragraph 1h

Text proposed by the Commission

Amendment

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. **deleted**

Or. en

Justification

A definition of a replica that refers to objects having the external appearance of a firearm and cannot be converted to expel a bullet refers to an object which is not even hypothetically a firearm and thus has no place in the Firearms Directive and should not be covered by it. There is no need in the Directive for provisions covering toys, decorative items etc.. Furthermore, the imprecise criterion of external appearance makes it difficult to distinguish between replicas and other objects.

Amendment 105

Sylvia-Yvonne Kaufmann, Sergio Gaetano Cofferati

Proposal for a directive

Article 1 – paragraph 1 – point 1 – point c

Directive 91/477/EEC

Article 1 – paragraph 1h

Text proposed by the Commission

Amendment

1h. For the purposes of this Directive, "replica firearms" shall mean objects that

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.

have the physical appearance of a firearm – ***excluding toy weapons clearly designed for children*** – 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.

Or. en

Amendment 106
Kristina Winberg

Proposal for a directive
Article 1 – paragraph 1 – point 1 – point c
Directive 91/447/EEC
Article 1 – paragraph 1i

Text proposed by the Commission

Amendment

1i. For the purposes of this Directive, “deactivated firearms” shall mean firearms that have been modified with the purpose of rendering them permanently unfit for use by deactivation, ensuring that all essential parts of the firearm have been rendered permanently inoperable and incapable of removal, replacement or a modification that would permit the firearm to be reactivated in any way.

deleted

Or. sv

Justification

The proposed modification would damage the comprehensive defence capabilities of certain Member States.

Amendment 107
Gérard Deprez, Louis Michel

Proposal for a directive
Article 1 – paragraph 1 – point 1 – point c

Text proposed by the Commission

1i. For the purposes of this Directive, "deactivated firearms" shall mean firearms that have been modified with the purpose of rendering them permanently unfit for use by deactivation, ensuring that all essential parts of the firearm have been rendered permanently inoperable and incapable of removal, replacement or a modification that would permit the firearm to be reactivated in any way."

Amendment

1i. For the purposes of this Directive, "deactivated firearms" shall mean firearms that have been modified with the purpose of rendering them permanently unfit for use by deactivation, ensuring that all essential parts of the firearm have been rendered permanently inoperable and incapable of removal, replacement or a modification that would permit the firearm to be reactivated in any way, ***in accordance with 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.***

Or. fr

Amendment 108
Nuno Melo, Monika Hohlmeier, Roberta Metsola

Proposal for a directive
Article 1 – paragraph 1 – point 1 – point c
Directive 91/477/EEC
Article 1 – paragraph 1i

Text proposed by the Commission

1i. For the purposes of this Directive, "deactivated firearms" shall mean firearms that have been modified with the purpose of rendering them permanently unfit for use by deactivation, ensuring that all essential parts of the firearm have been rendered permanently inoperable and incapable of removal, replacement or a modification that would permit the firearm ***to be*** reactivated in any way.

Amendment

1i. For the purposes of this Directive, "deactivated firearms" shall mean firearms that have been modified with the purpose of rendering them permanently unfit for use by deactivation, ensuring that all essential parts of the firearm have been rendered permanently inoperable and incapable of removal, replacement or a modification that would permit the firearm ***from being*** reactivated in any way.

However, if weapons are of recognised rarity or historical value, that fact shall be

taken into account for the purposes of deactivation, which may be carried out by removing one or more essential parts of a weapon so as to render it unusable. The parts removed may be handed over to appropriate official bodies for safekeeping, in order to prevent their destruction.

Or. pt

Amendment 109
Miriam Dalli

Proposal for a directive
Article 1 – paragraph 1 – point 1 – point d a (new)
Directive 91/477/EEC
Article 1 – paragraph 2

Text proposed by the Commission

Amendment

(d a) In paragraph 2, the following paragraphs are added:

For the purpose of this directive "museums" and "collectors" shall mean legal or natural persons dedicated to the gathering and conservation of arms and associated artefacts for their heritage, historical, cultural, technical, scientific, aesthetic or educational value and/or for display and/or for their use in academic or practical research or study.

Or. en

Justification

This text guarantees the conservation of heritage by museums and collectors while ensuring that they are regulated by every Member State.

Amendment 110
Frank Engel

Proposal for a directive
Article 1 – paragraph 1 – point 1 a (new)
Directive 91/477/EEC
Article 2 – paragraph 1

Present text

Amendment

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

1a) Paragraph 1 is replaced by the following:

"1. This Directive is without prejudice to the application of national provisions concerning the carrying of weapons, hunting or target shooting, ***or to more stringent legislation on illegal arms sales.***"

Or. fr

(<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:31991L0477>)

Justification

This directive must enhance cross-border traceability and transparency in respect of possession and sale of weapons and allow active measures to be taken to combat arms trafficking.

Amendment 111

Cecilia Wikström, Nathalie Griesbeck, Fredrick Federley, Dita Charanzová, Petr Ježek

Proposal for a directive
Article 1 – paragraph 1 – point 2
Directive 91/477/EEC
Article 2 – paragraph 2

Text proposed by the Commission

Amendment

(2) In Article 2, paragraph 2 is replaced by the following:

deleted

‘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.’

Justification

The current directive includes a broader list of excluded entities covering notably Museums and collectors, recognised as such by the Member State in whose territory they are established. The commission unfortunately seeks to remove these entities from the exclusion list thus putting major cultural and historical values in Europe at risk without any added value with regards to increasing security.

Amendment 112**Frank Engel****Proposal for a directive****Article 1 – paragraph 1 – point 2**

Directive 91/477/EEC

Article 2 – paragraph 2

*Text proposed by the Commission**Amendment*

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.

deleted

Or. fr

Justification

This Directive must continue not to apply to the acquisition or possession of weapons by collectors and bodies concerned with the cultural and historical aspects of weapons and recognized as such by the Member State in whose territory they are established.

Amendment 113

Jussi Halla-aho, Richard Sulík, Tomáš Zdechovský, Anders Primdahl Vistisen, Timothy Kirkhope, Kristina Winberg, Nuno Melo, Bernd Kölmel, Branislav Škripek, Beatrix von Storch, Roberta Metsola, Hannu Takkula

Proposal for a directive**Article 1 – paragraph 1 – point 2**

Text proposed by the Commission

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***.

Amendment

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 ***or by collectors and bodies concerned with the cultural and historical aspects of weapons and recognized as such by the Member State in whose territory they are established***. Nor shall it apply to commercial transfers of ***products of the defence industry***.

Or. en

Justification

This proposal aims to allow for exceptional authorisation for these bodies, rather than leaving them out of the scope of the Directive, as it is provided for in the current Directive. In the last sentence, we suggest replacing the vague and undefined “weapons and ammunition of war” with the term “products of the defence industry”, which is defined in the Directive 2009/43/EC and which is associated with a complex system of controls and oversight. The derogation, if tied to that Directive’s regime, would serve as a safeguard against any theoretical abuse of that derogation. Given that Directive 2009/43/EC is of a later date than the most recent amendment of the Firearms Directive, this could also be viewed as simple adaptation of the Firearms Directive to later legislation.

Amendment 114

Marina Albiol Guzmán, Barbara Spinelli, Kostas Chrysogonos

Proposal for a directive

Article 1 – paragraph 1 – point 2

Directive 91/477/EEC

Article 2 – paragraph 2

Text proposed by the Commission

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***

Amendment

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.

commercial transfers of weapons and ammunition of war.

Or. en

Amendment 115

Miriam Dalli

Proposal for a directive

Article 1 – paragraph 1 – point 2

Directive 91/477/EEC

Article 2 – paragraph 2

Text proposed by the Commission

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.

Amendment

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. ***Nor to the acquisition or possession of those firearms and ammunition which are subject to authorisation, registration or declaration in accordance with national law, by museums and collectors that are recognised as such by the Member State in whose territory they are established.***

Or. en

Amendment 116

Emil Radev

Proposal for a directive

Article 1 – paragraph 1 – point 2

Directive 91/477/EEC

Article 2 – paragraph 2

Text proposed by the Commission

2. This Directive shall not apply to the acquisition or possession of weapons and ammunition, in accordance with national

Amendment

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."

law, by the armed forces, the police, public *services, collectors and bodies carrying on activities connected with cultural and historical aspects of weapons and recognised as such by the Member State in whose territory they are established*. Nor shall it apply to commercial transfers of weapons and ammunition of war."

Or. bg

Amendment 117

Gérard Deprez, Louis Michel

Proposal for a directive

Article 1 – paragraph 1 – point 2 a (new)

Text proposed by the Commission

Amendment

(2a) The Member States which create or have created a special status for collectors shall define the provisions of this Directive applicable to them.

Or. fr

Amendment 118

Bodil Valero

Proposal for a directive

Article 1 – paragraph 1 – point 2 a (new)

Directive 91/477/EEC

Article 2 – paragraph 1 – subparagraph 3 (new)

Text proposed by the Commission

Amendment

(2a) Where a person has lawfully acquired magazines or essential components of firearms prior to the entry into force of this Directive, and such magazines or essential components become subject to a licence requirement by virtue of this Directive, Member States shall ensure that the person concerned can register those magazines or essential

*components in an easy way with the competent authorities by []*at the latest.*

**two years after the date of entry into force of this Directive.*

Or. en

Amendment 119

Marina Albiol Guzmán, Barbara Spinelli, Kostas Chrysogonos

Proposal for a directive

Article 1 – paragraph 1 – point 2 a (new)

Directive 91/477/EEC

Article 2 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

(2 a) In Article 2 the following paragraph is added:

2a. Member States shall introduce an excise tax on firearms, their components and ammunition, without prejudice of VAT and other taxes already imposed on these products.

Or. en

Amendment 120

Marina Albiol Guzmán, Barbara Spinelli

Proposal for a directive

Article 1 – paragraph 1 – point 2 b (new)

Present text

Amendment

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

(2 b) Article 3 is replaced by the following:

Member States may adopt in their legislation provisions which are more stringent than those provided for in this Directive, *including the complete prohibition of the possession of firearms*

*Article 12 (2). CHAPTER 2
Harmonization of legislation concerning
firearms.*

by civilians.

Or. en

Amendment 121
Emil Radev

Proposal for a directive
Article 1 – paragraph 1 – point 3
Directive 91/477/EEC
Article 4 – paragraph 1

Text proposed by the Commission

1. Member States shall ensure that any firearm or *part* placed on the market has been marked and registered in compliance with this Directive.

Amendment

1. Member States shall ensure that any firearm or *essential component thereof* placed on the market has been marked and registered in compliance with this Directive.

Or. bg

Amendment 122
Jussi Halla-aho, Richard Sulík, Tomáš Zdechovský, Anders Primdahl Vistisen, Timothy Kirkhope, Kristina Winberg, Bernd Kölmel, Branislav Škripek, Beatrix von Storch, Hannu Takkula

Proposal for a directive
Article 1 – paragraph 1 – point 3
Directive 91/477/EEC
Article 4 – paragraph 1

Text proposed by the Commission

1. Member States shall ensure that any firearm *or part* placed on the market has been marked and registered in compliance with this Directive.

Amendment

1. Member States shall ensure that any firearm *and any essential component* placed on the market has been marked and registered in compliance with this Directive.

Or. en

Justification

It may not be physically possible to mark and register each single part of every firearm and we maintain that not every part of a firearm should be marked and registered, as many of them are not indispensable for a firearm's functioning. The concept of "essential component" should find application in this context.

Amendment 123

Sylvia-Yvonne Kaufmann, Sergio Gaetano Cofferati, Birgit Sippel, Caterina Chinnici, Ana Gomes

Proposal for a directive

Article 1 – paragraph 1 – point 3

Directive 91/477/EEC

Article 4 – paragraph 1

Text proposed by the Commission

1. Member States shall ensure that **any firearm or part** placed on the market **has** been marked and registered in compliance with this Directive.

Amendment

1. Member States shall ensure that **all the essential components of any firearm** placed on the market **have** been marked and registered in compliance with this Directive.

Or. en

Amendment 124

Bodil Valero

Proposal for a directive

Article 1 – paragraph 1 – point 3

Directive 91/477/EEC

Article 4 – paragraph 1

Text proposed by the Commission

1. Member States shall ensure that any firearm or **part** placed on the market has been marked and registered in compliance with this Directive.

Amendment

1. Member States shall ensure that any firearm or **essential component thereof, as well as magazines manufactured after the date of entry into force of this Directive** placed on the market has been marked **in a durable way** and registered in compliance with this Directive.

Or. en

Amendment 125

Miriam Dalli

Proposal for a directive

Article 1 – paragraph 1 – point 3

Directive 91/477/EEC

Article 4 – paragraph 1

Text proposed by the Commission

1. Member States shall ensure that any firearm or **part** placed on the market has been marked and registered in compliance with this Directive.

Amendment

1. Member States shall ensure that any firearm or **one essential component thereof** placed on the market has been marked **in a durable way** and registered in compliance with this Directive.

Or. en

Amendment 126

Gérard Deprez, Louis Michel

Proposal for a directive

Article 1 – paragraph 1 – point 3

Directive 91/477/EEC

Article 4 – paragraph 1

Text proposed by the Commission

1. Member States shall ensure that any firearm or **part placed on the market** has been marked and registered in compliance with this Directive.

Amendment

1. Member States shall ensure that any firearm or **essential component as defined in Article 1(1b)** has been marked and registered in compliance with this Directive.

Or. fr

Amendment 127

Marina Albiol Guzmán, Barbara Spinelli, Kostas Chrysogonos

Proposal for a directive

Article 1 – paragraph 1 – point 3

Directive 91/477/EEC

Article 4 – paragraph 2

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 128

Brice Hortefeux, Rachida Dati, Philippe Juvin

Proposal for a directive

Article 1 – paragraph 1 – point 3

Directive 91/477/EEC

Article 4 – paragraph 2

Text proposed by the Commission

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

Amendment

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

Or. fr

Amendment 129

Sylvia-Yvonne Kaufmann, Sergio Gaetano Cofferati, Caterina Chinnici, Ana Gomes

Proposal for a directive

Article 1 – paragraph 1 – point 3

Directive 91/477/EEC

Article 4 – paragraph 2 – subparagraph 1

Text proposed by the Commission

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

Amendment

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

Or. en

Amendment 130

Jussi Halla-aho, Richard Sulík, Tomáš Zdechovský, Anders Primdahl Vistisen, Timothy Kirkhope, Kristina Winberg, Bernd Kölmel, Branislav Škripek, Beatrix von Storch, Hannu Takkula

Proposal for a directive

Article 1 – paragraph 1 – point 3

Directive 91/477/EEC

Article 4 – paragraph 2

Text proposed by the Commission

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

Amendment

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 **or as soon as possible thereafter**, 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.

Or. en

Justification

It may not always be possible or practical to mark the firearms exactly at the moment of crossing borders.

Amendment 131

Jussi Halla-aho, Richard Sulík, Tomáš Zdechovský, Anders Primdahl Vistisen, Timothy Kirkhope, Kristina Winberg, Bernd Kölmel, Branislav Škripek, Beatrix von Storch, Hannu Takkula

Proposal for a directive

Article 1 – paragraph 1 – point 3

Directive 91/477/EEC

Article 4 – paragraph 2 – subparagraph 2

Text proposed by the Commission

Amendment

The marking shall be affixed to the receiver of the firearm.

deleted

Or. en

Justification

If the modification suggested for Article 4, paragraph 1 is accepted, receiver would already be among the components to be marked, which makes the sentence superfluous. Also, it should be noted that not every firearm has a receiver.

Amendment 132

Sylvia-Yvonne Kaufmann, Sergio Gaetano Cofferati, Caterina Chinnici

Proposal for a directive

Article 1 – paragraph 1 – point 3

Directive 91/477/EEC

Article 4 – paragraph 2 – subparagraph 2

Text proposed by the Commission

Amendment

The marking shall be affixed to the

deleted

receiver of the firearm.

Or. en

Amendment 133

Marina Albiol Guzmán, Barbara Spinelli, Kostas Chrysogonos

Proposal for a directive

Article 1 – paragraph 1 – point 3

Directive 91/477/EEC

Article 4 – paragraph 2 – subparagraph 2

Text proposed by the Commission

The marking shall be *affixed to the receiver of the firearm.*

Amendment

The marking shall be *visible on the firearm, its components and the ammunition.*

Or. en

Amendment 134

Gérard Deprez, Louis Michel

Proposal for a directive

Article 1 – paragraph 1 – point 3

Directive 91/477/EEC

Article 4 – paragraph 2 – subparagraph 2

Text proposed by the Commission

The marking shall be affixed to the receiver of the firearm.

Amendment

The marking shall be affixed *principally* to the receiver of the firearm *but also to the other essential components of the firearm as defined in Article 1(1b).*

Or. fr

Amendment 135

Marina Albiol Guzmán, Barbara Spinelli

Proposal for a directive

Article 1 – paragraph 1 – point 3

Directive 91/477/EEC
Article 4 – paragraph 2 – subparagraph 4

Text proposed by the Commission

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.***

Amendment

Furthermore, Member States shall ensure, at the time of transfer of a firearm from government stocks ***is not transferred*** to permanent civilian use.

Or. en

Amendment 136

Sylvia-Yvonne Kaufmann, Sergio Gaetano Cofferati, Caterina Chinnici, Ana Gomes

Proposal for a directive

Article 1 – paragraph 1 – point 3

Directive 91/477/EEC

Article 4 – paragraph 2 – subparagraph 4

Text proposed by the Commission

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.

Amendment

Furthermore, Member States shall ensure, at the time of transfer of a firearm ***or any of its essential components*** from government stocks to permanent civilian use, the unique marking permitting identification of the transferring government.

Or. en

Amendment 137

Barbara Matera, Salvatore Domenico Pogliese, Alessandra Mussolini, Stefano Maullu, Lara Comi

Proposal for a directive

Article 1 – paragraph 1 – point 3

Directive 91/477/EEC

Article 4 – paragraph 3

Text proposed by the Commission

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.

Amendment

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 **personal** 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.

Or. it

Justification

La questione è sostanzialmente terminologica. Al fine di garantire la sicurezza pubblica ciò che deve essere indagato è, da un lato, la capacità tecnica dell'operatore autorizzato, al fine di garantire la safety nella sua attività, mentre, dall'altro, una ulteriore valutazione va effettuata sulle sue qualità personali, di talché esse non siano tali da poter far ipotizzare possibili abusi delle autorizzazioni. L'esame deve essere quindi sulla sua integrità personale, ossia sulle sue qualità come persona, mentre il termine "privata" è fuorviante e potrebbe fare riferimento a elementi inconoscibili alle autorità pubbliche o non connessi alla natura del controllo stesso.

Amendment 138
Frank Engel

Proposal for a directive
Article 1 – paragraph 1 – point 3
Directive 91/477/EEC
Article 4 – paragraph 3

Text proposed by the Commission

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.

Amendment

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. ***This authorisation must be for a limited period and renewable only***

after thorough checking of the dealer's or broker's registers of sales and acquisitions.

Or. fr

Amendment 139

Brice Hortefeux, Rachida Dati, Philippe Juvin

Proposal for a directive

Article 1 – paragraph 1 – point 3

Directive 91/477/EEC

Article 4 – paragraph 3

Text proposed by the Commission

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.

Amendment

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, **and also on the basis of the transparency of the commercial activity**. In the case of a legal person, the check shall be on the legal person and on the person who directs the undertaking.

Or. fr

Amendment 140

Sylvie Guillaume, Christine Revault D'Allonnes Bonnefoy, Virginie Rozière, Eric Andrieu

Proposal for a directive

Article 1 – paragraph 1 – point 4 – point a

Directive 91/477/EEC

Article 4 – paragraph 4 – subparagraph 1

Text proposed by the Commission

"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

Amendment

"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***.

acquiring or possessing the firearm. The record of firearms shall be maintained ***for an indefinite period*** until destruction of the firearm has been certified by the competent ***authorities***."

Or. fr

Amendment 141

Barbara Matera, Alessandra Mussolini, Salvatore Domenico Pogliese, Stefano Maullu, Lara Comi

Proposal for a directive

Article 1 – paragraph 1 – point 4 – point a

Directive 91/477/EEC

Article 4 – paragraph 4 – subparagraph 1

Text proposed by the Commission

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.

Amendment

This filing system shall record each firearm's type, make, model, calibre and serial number, as well as the names and addresses of the ***person disposing of the firearm*** and the person acquiring or possessing ***it***. The record of firearms, including deactivated firearms, shall be maintained until destruction of the firearm has been certified by the competent authorities.

Or. it

Justification

The wording of the paragraph should be changed in order to ensure that its scope is properly defined. While the term 'supplier' is of a purely commercial nature, the wording 'person disposing of the firearm' also includes those who give their firearms away free of charge. Clearly this kind of data, too, has to be collected and processed in order to ensure traceability.

Amendment 142

Sylvia-Yvonne Kaufmann, Sergio Gaetano Cofferati, Caterina Chinnici, Ana Gomes

Proposal for a directive

Article 1 – paragraph 1 – point 4 – point a

Directive 91/477/EEC

Article 4 – paragraph 4 – subparagraph 1

Text proposed by the Commission

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.

Amendment

This filing system shall record each firearm's type, *essential components*, 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.

Or. en

Amendment 143

Gérard Deprez, Louis Michel

Proposal for a directive

Article 1 – paragraph 1 – point 4 – point a

Directive 91/477/EEC

Article 4 – paragraph 4 – subparagraph 1

Text proposed by the Commission

"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*.

Amendment

This filing system shall record *in particular* 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*.

Member States shall, by [date] at the latest, provide the competent authorities of all other Member States with direct access to the information held in their national registers. To this end, they shall designate the authority charged with allowing this access and shall

communicate its name to the Commission.

Or. fr

Amendment 144

Barbara Matera, Salvatore Domenico Pogliese, Alessandra Mussolini, Stefano Maullu, Lara Comi

Proposal for a directive

Article 1 – paragraph 1 – point 4 – point b

Directive 91/477/EEC

Article 4 – paragraph 4 – subparagraph 2

Text proposed by the Commission

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.

Amendment

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 *disposing of* and acquiring it.

Or. it

Justification

The wording of the paragraph should be changed in order to ensure that its scope is properly defined. While the term 'supplier' is of a purely commercial nature, the wording 'person disposing of the firearm' also includes those who give their firearms away free of charge. Clearly this kind of data, too, has to be collected and processed in order to ensure traceability.

Amendment 145

Sylvie Guillaume, Christine Revault D'Allonnes Bonnefoy, Virginie Rozière, Eric Andrieu

Proposal for a directive

Article 1 – paragraph 1 – point 4 – point b

Directive 91/477/EEC
Article 4 – paragraph 4 – subparagraph 2

Text proposed by the Commission

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."

Amendment

Each Member State shall ensure that the registries of the dealers and brokers established in their territory are connected to the **single, central** computerised data-filing system of firearms.

The registration of a firearm's deactivation must include the date of deactivation, the firearm's type, manufacturer, model, calibre and serial number and the names and addresses of the person on whose behalf the deactivation was carried out.

Or. fr

Amendment 146
Gérard Deprez, Louis Michel

Proposal for a directive
Article 1 – paragraph 1 – point 5
Directive 91/477/EEC
Article 4b – paragraph 1

Text proposed by the Commission

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:

Amendment

1. Member States shall establish a system for the regulation of the activities of brokers and dealers. Such a system **shall** include the following measures:

Or. fr

Amendment 147
Marina Albiol Guzmán, Barbara Spinelli

Proposal for a directive
Article 1 – paragraph 1 – point 5
Directive 91/477/EEC
Article 4b – paragraph 1

Text proposed by the Commission

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:

Amendment

1. Member States shall establish a system for the regulation of the activities of brokers and dealers. Such a **must** include the following measures:

Or. en

Amendment 148
Frank Engel

Proposal for a directive
Article 1 – paragraph 1 – point 5
Directive 91/477/EEC
Article 4b – paragraph 1 – point b

Text proposed by the Commission

b) licensing or authorisation of the activities of brokers and dealers.

Amendment

b) licensing or authorisation of the activities of brokers and dealers **which shall be for a limited period and renewable subject to thorough checks.**

Or. fr

Amendment 149
Brice Hortefeux, Rachida Dati, Philippe Juvin

Proposal for a directive
Article 1 – paragraph 1 – point 5
Directive 91/477/EEC
Article 4b – paragraph 2

Text proposed by the Commission

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.

Amendment

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 **and also a check of the transparency of the commercial activity.** In the case of a legal person, the check shall be on the legal

person and on the person who directs the undertaking.

Or. fr

Amendment 150

Barbara Matera, Salvatore Domenico Pogliese, Alessandra Mussolini, Stefano Maullu, Lara Comi

Proposal for a directive

Article 1 – paragraph 1 – point 5

Directive 91/477/EEC

Article 4b – paragraph 2

Text proposed by the Commission

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.

Amendment

2. The system referred to in paragraph 1 shall include at least a check of the **personal** 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.

Or. it

Justification

La questione è sostanzialmente terminologica. Al fine di garantire la sicurezza pubblica ciò che deve essere indagato è, da un lato, la capacità tecnica dell'operatore autorizzato, al fine di garantire la safety nella sua attività, mentre, dall'altro, una ulteriore valutazione va effettuata sulle sue qualità personali, di talché esse non siano tali da poter far ipotizzare possibili abusi delle autorizzazioni. L'esame deve essere quindi sulla sua integrità personale, ossia sulle sue qualità come persona, mentre il termine "privata" è fuorviante e poco esatto, e potrebbe fare riferimento a elementi sconosciuti alle autorità pubbliche o non connessi alla natura del controllo stesso.

Amendment 151

Marina Albiol Guzmán, Barbara Spinelli, Kostas Chrysogonos

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive 91/477/EEC

Article 5 – paragraph 1

Text proposed by the Commission

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:

Amendment

1. Without prejudice to Article 3, Member States shall authorise the acquisition and possession of firearms, ***their components, and ammunition*** only by persons who have good cause and who:

Or. en

Amendment 152

Cecilia Wikström, Fredrick Federley, Dita Charanzová, Petr Ježek

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive 91/477/EEC

Article 5 – paragraph 1 – point a

Text proposed by the Commission

(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;

Amendment

(a) are at least 18 years of age, except in relation to the ***acquisition other than through purchase, and*** possession of firearms for hunting and target shooting, provided that in that case persons of less than 18 years of age have parental permission, or are under parental guidance or the guidance of an adult with a valid firearms or hunting licence, or are within a licenced or otherwise approved training centre;

Or. en

Justification

The commission has deleted the text, re-introduced by this amendment, without proper justification. The extremely limited and strictly controlled exception allowing Member States to allow certain minors to have fire arms is necessary in the organisation of certain types of educations, notably with regards to forestry. Further it makes no sense to allow these minors to possess fire arms but not permitting the acquisition of the same fire arms. These fire arms are held under strict control.

Amendment 153

Anna Maria Corazza Bildt

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive 91/477/EEC

Article 5 – paragraph 1 – point a

Text proposed by the Commission

(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;

Amendment

(a) are at least 18 years of age, except in relation to the ***acquisition, other than through purchase, and*** possession of firearms for hunting and target shooting, provided that in that case persons of less than 18 years of age have parental permission, or are under parental guidance or the guidance of an adult with a valid firearms or hunting licence, or are within a licenced or otherwise approved training centre;

Or. en

Amendment 154

Marina Albiol Guzmán, Barbara Spinelli, Kostas Chrysogonos

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive 91/477/EEC

Article 5 – paragraph 1 – point a

Text proposed by the Commission

(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;***

Amendment

(a) are at least 18 years of age;

Or. en

Amendment 155

Jussi Halla-aho, Richard Sulík, Tomáš Zdechovský, Anders Primdahl Vistisen, Timothy Kirkhope, Kristina Winberg, Bernd Kölmel, Branislav Škripek, Beatrix von Storch, Hannu Takkula

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive 91/477/EEC

Article 5 – paragraph 1 – point a

Text proposed by the Commission

(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;

Amendment

(a) are at least 18 years of age, except in relation to the ***acquisition, other than through purchase, and*** possession of firearms for hunting and target shooting, provided that in that case persons of less than 18 years of age have parental permission, or are under parental guidance or the guidance of an adult with a valid firearms or hunting licence, or are within a licenced or otherwise approved training centre;

Or. en

Justification

Reverting to the current wording of the Directive is necessary both for the training of young sport shooters as well as for educational purposes (e.g. forestry schools).

Amendment 156

Brice Hortefeux, Rachida Dati, Philippe Juvin

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive 91/477/EEC

Article 5 – paragraph 1 – point b

Text proposed by the Commission

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.

Amendment

b) are not likely to be a danger to themselves ***and to others***, to public order or to public safety; having been convicted of a violent intentional crime shall be considered as indicative of such danger.

Amendment 157

Bodil Valero

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive 91/477/EEC

Article 5 – paragraph 1 – point b

Text proposed by the Commission

(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.

Amendment

(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.

Or. en

Amendment 158

Kristina Winberg

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive 91/477/EEC

Article 5 – paragraph 1 – point b

Text proposed by the Commission

(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.

Amendment

(b) are not likely, ***on objective grounds***, 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.

Or. sv

Amendment 159

Gérard Deprez, Louis Michel

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive 91/477/EEC
Article 5 – paragraph 1 – point b

Text proposed by the Commission

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.

Amendment

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 **evidence** of such danger.

Or. fr

Amendment 160
Gérard Deprez, Louis Michel

Proposal for a directive
Article 1 – paragraph 1 – point 6
Directive 91/477/EEC
Article 5 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

ba) undertake to keep their weapons in accordance with the storage and transport criteria laid down by the laws of their Member State of residence and as referred to in Article 5(1a).

Or. fr

Amendment 161
Bodil Valero

Proposal for a directive
Article 1 – paragraph 1 – point 6
Directive 91/477/EEC
Article 5 – paragraph 1 – point b a new

Text proposed by the Commission

Amendment

(b a) In case not covered by other national systems, enclose a proof of liability insurance covering victim indemnisation for personal injury and property damage

when applying for a firearms license.

The competent authorities shall require proof of liability insurance at regular intervals.

Or. en

Amendment 162

Gérard Deprez, Louis Michel

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive 91/477/EEC

Article 5 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. In order to minimise the risk of theft of privately owned firearms classified in category B, Member States shall provide for safety criteria relating to the storage, possession and transport of firearms and ammunition. These criteria should be adapted to the level of danger of the firearm and the number of weapons held.

Before issuing an authorisation for possession of a firearm, Member States may require private individuals to provide proof that they possess the security installation necessary for storage of firearms in accordance with the requirements of their legislation.

Or. fr

Amendment 163

Juan Fernando López Aguilar

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive 91/477/EEC

Article 5 – paragraph 2 – subparagraph 1

Text proposed by the Commission

Amendment

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. **deleted**

Or. en

Amendment 164

Cecilia Wikström, Fredrick Federley

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive 91/477/EEC

Article 5 – paragraph 2 – subparagraph 1

Text proposed by the Commission

Amendment

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. **deleted**

Or. en

Justification

Most Member States require some sort of medical test before the issuing of a licence. Some Member States however have opted for example for a system where doctors have an obligation to report anyone not considered fit to hold a fire arm to the relevant authorities. Given that these systems function well and pose no issues for the internal market or security in Europe these Member States should be allowed to continue with these systems.

Amendment 165

Miriam Dalli

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive 91/477/EEC
Article 5 – paragraph 2 – subparagraph 1

Text proposed by the Commission

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.

Amendment

Member States shall provide for **the monitoring of firearms** authorisations **including the possibility of medical checks** and shall withdraw authorisations if the conditions on the basis of which it was granted **are** no longer met.

Or. en

Amendment 166
Anna Maria Corazza Bildt

Proposal for a directive
Article 1 – paragraph 1 – point 6
Directive 91/477/EEC
Article 5 – paragraph 2 – subparagraph 1

Text proposed by the Commission

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.

Amendment

Member States shall **withdraw authorisation for possession of a firearm** if any of the conditions on the basis of which it was granted is no longer met.

Or. en

Amendment 167
Nuno Melo, Monika Hohlmeier, Roberta Metsola

Proposal for a directive
Article 1 – paragraph 1 – point 6
Directive 91/477/EEC
Article 5 – paragraph 2 – subparagraph 1

Text proposed by the Commission

Member States shall provide for **standard** medical **tests** for issuing or renewing

Amendment

Member States shall provide for **the production of a medical certificate** for **the**

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.

purposes of issuing or renewing authorisations as referred to in paragraph 1 and shall withdraw authorisations if any of the conditions on the basis of which **they were** granted **are** no longer met.

Or. pt

Amendment 168

Sylvie Guillaume, Christine Revault D'Allonnes Bonnefoy, Eric Andrieu

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive 91/477/EEC

Article 5 – paragraph 2 – subparagraph 1

Text proposed by the Commission

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.

Amendment

Member States shall ***make the issuing of the authorisations referred to in paragraph 1 conditional upon a compulsory medical test establishing that a person's state of physical and mental health is not such as to be incompatible with possession of firearms. Renewal of authorisations for firearms classified in category B shall also be subject to the same medical test. Member States shall withdraw authorisations and refuse to renew them*** if any of the conditions on the basis of which ***authorisation*** was granted is no longer met.

Or. fr

Amendment 169

Sylvia-Yvonne Kaufmann, Sergio Gaetano Cofferati, Ana Gomes

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive 91/477/EEC

Article 5 – paragraph 2 – subparagraph 1

Text proposed by the Commission

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.***

Amendment

Member States shall provide for ***standardised suitability tests, consisting of an evaluation of the physical and cognitive abilities and the psychological well-being of the persons referred to in paragraph 1*** for the issuing or renewing authorisations as referred to in paragraph 1. ***If the result of this suitability test indicates that a person is not suitable for the acquisition and possession of a firearm, then the Member States in question shall not grant or shall withdraw the authorisations as referred to in paragraph 1.***

Or. en

Amendment 170

Jussi Halla-aho, Richard Sulík, Tomáš Zdechovský, Anders Primdahl Vistisen, Timothy Kirkhope, Kristina Winberg, Bernd Kölmel, Branislav Škripek, Beatrix von Storch, Hannu Takkula

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive 91/477/EEC

Article 5 – paragraph 2 – subparagraph 1

Text proposed by the Commission

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.

Amendment

Member States shall withdraw authorisations if any of the conditions on the basis of which it was granted is no longer met.

Or. en

Justification

There are various ways of checking a person's physical and mental fitness, of which standard medical tests are one conceivable and not necessarily effective way. We prefer to leave this choice to Member States.

Amendment 171
Juan Fernando López Aguilar

Proposal for a directive
Article 1 – paragraph 1 – point 6
Directive 91/477/EEC
Article 5 – paragraph 2–subparagraph 1

Text proposed by the Commission

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.

Amendment

2. Member States shall provide for **the monitoring of firearms authorisations including the possibility of medical checks** and shall withdraw authorisations if the conditions on the basis of which it was granted **are** no longer met.

Or. en

Amendment 172
Sylvie Guillaume, Christine Revault D'Allonnes Bonnefoy, Virginie Rozière, Eric Andrieu

Proposal for a directive
Article 1 – paragraph 1 – point 6
Directive 91/477/EEC
Article 5 – paragraph 2 – subparagraph 2

Text proposed by the Commission

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.

Amendment

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 **type of** weapon within their own territory.

Or. fr

Amendment 173
Jussi Halla-aho, Richard Sulík, Tomáš Zdechovský, Anders Primdahl Vistisen, Kristina Winberg, Bernd Kölmel, Branislav Škripek, Beatrix von Storch, Hannu Takkula

Proposal for a directive
Article 1 – paragraph 1 – point 6
Directive 91/477/EEC
Article 5 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

(2a) This Directive is without prejudice to the ownership of firearms and ammunition acquired through inheritance; Member States shall restrain the possession of such firearms by owners who are not duly authorised.

Or. en

Justification

It is necessary to solve the situation of persons without due authorisation who acquire firearms by inheritance, which is a fact independent of their will. While their possession and use of such a firearm should be restrained, there should be no doubt on the mere fact of their ownership and certain rights derived therefrom, such as their legal capacity to sell the firearm.

Amendment 174
Sylvia-Yvonne Kaufmann, Caterina Chinnici

Proposal for a directive
Article 1 – paragraph 1 – point 6
Directive 91/477/EEC
Article 5 – paragraph 2a (new)

Text proposed by the Commission

Amendment

(2a) Provided that the correct procedure is followed for the standardised test, no liability shall attach to the authority or the individual conducting the suitability test in relation to the actions of a person subject to that test.

Or. en

Amendment 175

Sylvia-Yvonne Kaufmann, Sergio Gaetano Cofferati, Ana Gomes

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive 91/477/EEC

Article 5 – paragraph 2b (new)

Text proposed by the Commission

Amendment

(2b) Member States shall withdraw the authorisations referred to in paragraph 1 if any of the conditions contained in this Article are no longer met.

Or. en

Amendment 176

Jaromír Štětina

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive 91/477/EEC

Article 6

Text proposed by the Commission

Amendment

Article 6

Article 6 is replaced by the following:

1. Without prejudice to Article 2(2), Member States shall take all appropriate steps to prohibit the acquisition and the possession of the firearms and ammunition listed in category A in Annex I. They shall ensure that those firearms and ammunition unlawfully held in contravention of that prohibition are seized.

2. In special cases, and without prejudice to paragraph 6.1, the competent authorities may grant authorisations for possession of such firearms and ammunition where this is not contrary to public security, public or national defence order.

Or. en

Amendment 177

Petri Sarvamaa

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive 91/477/EEC

Article 6 – paragraph 1

Text proposed by the Commission

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.

Amendment

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 specific cases the competent authorities may grant authorisation for acquisition and possession of firearms and ammunition listed in category A in Annex I, where this is not contrary to public order.***

Or. en

Amendment 178

Cecilia Wikström, Maite Pagazaurtundúa Ruiz, Fredrick Federley, Dita Charanzová, Petr Ježek

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive 91/477/EEC

Article 6 – paragraph 1

Text proposed by the Commission

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.

Amendment

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 cases where Member States consider it necessary for public security purposes, the competent authorities may grant***

authorisations for the acquisition and possession of such firearms and ammunition.

Or. en

Justification

The current directive provides an exception which is too broad in its application but removing it completely as suggested by the commission would create major problems for civil defence organisations cooperating with the armed forces of the Member States, and would potentially undermine the national security interests of Member States. The proposed wording would restrict the exception to cases which would be necessary to protect public security.

Amendment 179

Bodil Valero

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive 91/477/EEC

Article 6 – paragraph 1

Text proposed by the Commission

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.

Amendment

Member States shall take all appropriate steps to prohibit the acquisition and the possession of the firearms, ***ammunition and magazines*** classified in category A and to destroy those firearms and ammunition held in violation of this provision and seized. ***In special cases, the competent authorities may grant authorisations for such firearms, ammunition and magazines where this is not contrary to public security or public order.***

Or. en

Amendment 180

Nuno Melo, Monika Hohlmeier, Roberta Metsola

Proposal for a directive

Article 1 – paragraph 1 – point 6

Text proposed by the Commission

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.***

Amendment

Except where expressly provided otherwise, 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 ***ensure that such weapons are forfeited to the State or, where deemed appropriate, destroyed, if they are held unlawfully.***

Or. pt

Amendment 181

Jussi Halla-aho, Richard Sulík, Tomáš Zdechovský, Anders Primdahl Vistisen, Timothy Kirkhope, Kristina Winberg, Bernd Kölmel, Branislav Škripek, Beatrix von Storch, Hannu Takkula

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive 91/477/EEC

Article 6 – paragraph 1

Text proposed by the Commission

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.***

Amendment

Member States shall take all appropriate steps to prohibit the acquisition and the possession of the firearms and ammunition classified in category A. ***In exceptional and duly reasoned cases, the competent authorities may grant authorisations for the acquisition and possession of such firearms and ammunition where this is not contrary to public security or public order.***

Or. en

Justification

It should be up to the competent authorities of each Member State to decide in each individual case if an exception should be granted, taking into account the public security and public order. Examples of bodies and persons who should be in duly reasoned cases allowed to acquire and possess category A firearms include forensic experts and forensic institutes,

private security businesses and firearms producers. Furthermore, an unequivocal requirement to destroy illegally held firearms and even ammunition after their seizure would in certain cases lead to the destruction of item of cultural or historical value or ones useful or legitimate (e.g. law enforcement) purposes. There is, in particular, absolutely no point for destroying perfectly good ammunition just because it had been held illegally.

Amendment 182

Sylvia-Yvonne Kaufmann, Sergio Gaetano Cofferati

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive 91/477/EEC

Article 6 – paragraph 1a (new)

Text proposed by the Commission

Amendment

For the purposes of national defence, and without prejudice to paragraph 1, the competent authorities may grant authorisations for the acquisition and possession of such firearms and ammunition by reservists or other specifically defined categories of individuals, where this is not contrary to public security or public order.

Or. en

Amendment 183

Cecilia Wikström, Maite Pagazaurtundúa Ruiz, Nathalie Griesbeck, Fredrick Federley, Dita Charanzová, Petr Ježek

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive 91/477/EEC

Article 6 – paragraph 2

Text proposed by the Commission

Amendment

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

deleted

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).

Or. en

Justification

The inclusion of museums and collectors into the scope of the directive jeopardizes an important part of the cultural heritage of Europe without any additional benefits with regards to security. This amendments is in consequence to the amendment on article 2 of the directive (scope)

Amendment 184

Sylvie Guillaume, Christine Revault D'Allonnes Bonnefoy, Eric Andrieu

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive 91/477/EEC

Article 6 – paragraph 2

Text proposed by the Commission

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).*

Amendment

*Without prejudice to Article 6(1), Member States may authorise **experts and** bodies concerned with the cultural and historical aspects of weapons, **fulfilling a public mission to conserve them**, and recognised as such by the Member State in whose territory they are established, to keep in their possession firearms **which have been exempted from deactivation on grounds of the conservation of cultural and historical heritage and if it can be demonstrated that their storage does not put public safety and security or public order at risk.***

Or. fr

Amendment 185

Petri Sarvamaa

Proposal for a directive
Article 1 – paragraph 1 – point 6
Directive 91/477/EEC
Article 6 – paragraph 2

Text proposed by the Commission

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).

Amendment

Without prejudice to paragraph 6.1, Member States may authorise bodies **or private collectors** 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 **and acquire** firearms classified in category A provided they have been deactivated in accordance with the provisions that implement Article 10(b), **and it can be demonstrated that their storage does not put public safety or order at risk.**

Or. en

Amendment 186
Sylvia-Yvonne Kaufmann

Proposal for a directive
Article 1 – paragraph 1 – point 6
Directive 91/477/EEC
Article 6 – subparagraph 2

Text proposed by the Commission

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).

Amendment

Member States may authorise bodies **or persons** 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) **or where they have been exempted from deactivation on grounds of the conservation of cultural and historical heritage and if it can be demonstrated that**

their storage does not put public safety and security or public order at risk.

Or. en

Amendment 187

Brice Hortefeux, Rachida Dati, Philippe Juvin

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive 91/477/EEC

Article 6 – paragraph 2

Text proposed by the Commission

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).*

Amendment

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:

(a) 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 Commission Implementing Regulation (EU) 2015/2403;

or

(b) to keep in their possession firearms classified in category A acquired before [the date of entry into force of this Directive] exempted from the requirement to be deactivated for reasons connected with the conservation of cultural and historical heritage, provided that obligations relating to safekeeping are met and it is guaranteed that the weapons thus conserved do not constitute a risk for public safety or public order.

Amendment 188

Jussi Halla-aho, Richard Sulík, Tomáš Zdechovský, Anders Primdahl Vistisen, Timothy Kirkhope, Kristina Winberg, Bernd Kölmel, Branislav Škripek, Hannu Takkula

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive 91/477/EEC

Article 6 – paragraph 2

Text proposed by the Commission

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).***

Amendment

Member States may authorise ***persons or*** 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 ***acquire and possess*** firearms classified in category A ***when this is not contrary to public security or public order.***

Or. en

Justification

It would be contrary to the goal of conservation of cultural and historical heritage to destroy by deactivation the appearance of a firearm being part of that heritage. Therefore, Member States should be allowed to exempt persons or bodies concerned with the cultural and historical aspects of weapons from deactivation of category A firearms. There is also no reason to abolish such cultural and historical activities after the date of validity of the amending Directive, neither history nor technical development of firearms is likely to stop after that date. Also, the Directive should not discriminate between individual persons and organised bodies.

Amendment 189

Juan Fernando López Aguilar

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive 91/477/EEC

Article 6 – paragraph 2

Text proposed by the Commission

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).***

Amendment

Member States may authorise bodies ***or private collectors*** 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, ***where this is not contrary to public security or public order.***

Or. en

Amendment 190

Gérard Deprez, Louis Michel

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive 91/477/EEC

Article 6 – paragraph 2

Text proposed by the Commission

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).***

Amendment

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, ***provided they have an adequate safety mechanism.***

Or. fr

Amendment 191

Emil Radev

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive 91/477/EEC
Article 6 – paragraph 2

Text proposed by the Commission

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).

Amendment

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 ***acquire or*** keep in their possession firearms classified in category A provided they have been deactivated in accordance with the provisions that implement Article 10(b) ***and provided this does not run counter to the interests of public security or public order.***

Or. bg

Amendment 192

Nuno Melo, Monika Hohlmeier, Roberta Metsola

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive 91/477/EEC

Article 6 – paragraph 2

Text proposed by the Commission

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).

Amendment

In special cases, authorisations to acquire and possess weapons and ammunition of the above type may be granted by competent authorities to persons and bodies concerned with cultural and historical aspects and recognised as such by the Member State in whose territory they are established, provided that this is not contrary to security and law and order.

Or. pt

Amendment 193

Petri Sarvamaa

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive 91/477/EEC

Article 6 – paragraph 3

Text proposed by the Commission

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*.

Amendment

Member States shall authorise the acquisition **and selling** of firearms and their parts and ammunition concerning categories A, B **C and D set out in Annex I** by means of distance communication, as defined in Article 2 of Directive 97/7/EC of the European Parliament and of the Council(*), **only through authorised** dealers and brokers. **Member States shall** subject **such acquisitions and sales to** a strict control, **including secure verification** of the **validity of the license for acquisition of firearms and ammunition and the identity of their buyer**.

Or. en

Amendment 194

Cecilia Wikström, Fredrick Federley, Dita Charanzová, Petr Ježek

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive 91/477/EEC

Article 6 – paragraph 3

Text proposed by the Commission

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.

Amendment

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, **except** with respect to dealers and brokers, be subject to the strict control of the Member States.

Justification

Completely banning legal distance sales of fire arms is a disproportionate measure considering that it can be organised safely through basic controls of the Member States to ensure notably that both the buyer and seller of a fire arm hold a valid license and that there are no other reasons to oppose the transaction.

Amendment 195**Anna Maria Corazza Bildt****Proposal for a directive****Article 1 – paragraph 1 – point 6**

Directive 91/477/EEC

Article 6 – paragraph 3

Text proposed by the Commission

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*.

Amendment

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 ***subject to the strict control of the Member States and allowed only if Member States ensure that the identities of the parties involved are verified.***

Or. en

Amendment 196**Gérard Deprez, Louis Michel****Proposal for a directive****Article 1 – paragraph 1 – point 6**

Directive 91/477/EEC

Article 6 – paragraph 3

Text proposed by the Commission

The acquisition of firearms and their parts and ammunition concerning categories A, B and C by means of distance

Amendment

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.

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. ***It shall be strictly prohibited to sell arms, essential components of arms, or ammunition to individuals by mail or online.***

Or. fr

Amendment 197

Sylvia-Yvonne Kaufmann, Caterina Chinnici

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive 91/477/EEC

Article 6 – paragraph 3

Text proposed by the Commission

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.

Amendment

The acquisition of firearms and their parts 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. ***Member States may derogate from this rule if, following an on line sale, the firearm in question or its essential components can be collected by the person acquiring the firearm only at the premises of police or other competent authorities of Member States as determined under national law.***

Or. en

Amendment 198

Jussi Halla-aho, Richard Sulík, Tomáš Zdechovský, Anders Primdahl Vistisen, Timothy Kirkhope, Kristina Winberg, Bernd Kölmel, Branislav Škripek, Beatrix von Storch, Hannu Takkula

Proposal for a directive
Article 1 – paragraph 1 – point 6
Directive 91/477/EEC
Article 6 – paragraph 3

Text proposed by the Commission

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.

Amendment

The acquisition of firearms and ***essential components*** 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.

Or. en

Justification

Again, the concept of “essential components” should find application here.

Amendment 199
Miriam Dalli

Proposal for a directive
Article 1 – paragraph 1 – point 6
Directive 91/477/EEC
Article 6 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

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 resulting in its re-definition as a short firearm shall be considered manufacturing, and therefore illicit unless done by an authorised dealer or gunsmith.

Or. en

Amendment 200

Sylvie Guillaume, Christine Revault D'Allonnes Bonnefoy, Virginie Rozière, Eric Andrieu

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive 91/477/EEC

Article 6 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

The acquisition of any device designed or adapted to diminish the sound caused by firing a firearm must be subject to the requirement to present a property title for an arm.

Or. fr

Amendment 201

Gérard Deprez, Louis Michel

Proposal for a directive

Article 1 – paragraph 1 – point 6 a (new)

Directive 91/477/EEC

Article 7 – paragraph 3 – subparagraph 2 (new)

Text proposed by the Commission

Amendment

6a) In Article 7, the following subparagraph is added to paragraph 3:

The data on firearms belonging to category B, as well as any decision to authorise or refuse the acquisition or possession of such firearms, should be recorded on the computerised data-filing systems maintained by the Member States and should be directly accessible to the competent authorities of all Member States.

Or. fr

Amendment 202
Cecilia Wikström, Fredrick Federley

Proposal for a directive
Article 1 – paragraph 1 – point 7
Directive 91/477/EEC
Article 7 – paragraph 4

Text proposed by the Commission

Amendment

**(7) In Article 7, the following
subparagraph is added to paragraph 4:**

deleted

***‘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.’***

Or. en

Justification

*Adding a mandatory time limit to permits would imply massive amounts of additional
bureaucracy for authorities and legal fire arms holders alike without improving security.
These resources are better spent on fighting illegal fire arms.*

Amendment 203
Nuno Melo, Monika Hohlmeier, Anna Maria Corazza Bildt, Roberta Metsola

Proposal for a directive
Article 1 – paragraph 1 – point 7
Directive 91/477/EEC
Article 7 – paragraph 4

Text proposed by the Commission

Amendment

**(7) In Article 7, the following
subparagraph is added to paragraph 4:**

deleted

***“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.”***

Or. pt

Amendment 204

Jussi Halla-aho, Richard Sulík, Tomáš Zdechovský, Anders Primdahl Vistisen, Timothy Kirkhope, Kristina Winberg, Bernd Kölmel, Branislav Škripek, Hannu Takkula

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 91/477/EEC

Article 7 – paragraph 4

Text proposed by the Commission

Amendment

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. ***deleted***

Or. en

Justification

The authorities can already revoke any firearms licence if the conditions for its validity are no longer met. It is unclear what would be evaluated every five years and for what purpose. Instead, the administrative and police resources are limited in all Member States and constantly reassessing licences would place a great burden on authorities, hindering them from performing their primary functions. All provisions that potentially violate the right of people to their legal property should be well grounded.

Amendment 205

Anna Maria Corazza Bildt

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 91/477/EEC

Article 7 – paragraph 4

Text proposed by the Commission

Amendment

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. ***deleted***

Or. en

Amendment 206

Petri Sarvamaa

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 91/477/EEC

Article 7 – paragraph 4

Text proposed by the Commission

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.

Amendment

The *periodic review* shall *be executed every* five years. The authorisation may be *continued only* if the conditions on the basis of which it was granted are still fulfilled.

Or. en

Amendment 207

Marina Albiol Guzmán, Barbara Spinelli, Kostas Chrysogonos

Proposal for a directive

Article 1 – paragraph 1 – point 7

Directive 91/477/EEC

Article 7 – paragraph 4

Text proposed by the Commission

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.

Amendment

The maximum limits shall not exceed *three* years. The authorisation may be renewed if the conditions on the basis of which it was granted are still fulfilled.

Or. en

Amendment 208

Gérard Deprez, Louis Michel

Proposal for a directive

Article 1 – paragraph 1 – point 7 a (new) Directive 91/477/EEC

Article 8 – paragraph 1 – subparagraph 2a (new)

Text proposed by the Commission

Amendment

7a) In Article 8, the following subparagraph is added to paragraph 1:

The data on firearms belonging to category C should be recorded on the computerised data-filing systems maintained by the Member States and should be directly accessible to the competent authorities of all Member States.

Or. fr

Amendment 209

Bodil Valero

Proposal for a directive

Article 1 – paragraph 1 – point 7 a (new)

Directive 91/477/EEC

Article 10

Present text

Amendment

"The arrangements for the acquisition and possession of ammunition shall be the same as those for the possession of the firearms for which the ammunition is intended"

(7a) Article 10 is replaced by the following:

"The arrangements for the acquisition and possession of ammunition ***and magazines*** shall be the same as those for the possession of the firearms for which the ammunition ***and magazines*** is intended. ***The acquisition and possession of ammunition and magazines shall be allowed only by persons who are allowed to possess a firearm.***"

Or. en

(<http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:31991L0477&from=en>)

Justification

The new wording adds more clarity to the existing text.

Amendment 210
Kristina Winberg

Proposal for a directive
Article 1 – paragraph 1 – point 8
Directive 91/477/EEC
Article 10a – paragraph 1

Text proposed by the Commission

Amendment

Member States shall take measures to ensure that alarm and signal weapons as well as salute and acoustic weapons cannot be converted into firearms.

deleted

Or. sv

Justification

The proposed modification would damage the comprehensive defence capabilities of certain Member States.

Amendment 211
Frank Engel

Proposal for a directive
Article 1 – paragraph 1 – point 8
Directive 91/477/EEC
Article 10a – paragraph 1

Text proposed by the Commission

Amendment

Member States shall take measures to ensure that alarm and signal weapons as well as salute and acoustic weapons cannot be converted into firearms.

Member States shall take measures ***with regard to arms manufacturers and arms dealers*** to ensure that alarm and signal weapons as well as salute and acoustic weapons cannot be converted into firearms.

Or. fr

Amendment 212
Marina Albiol Guzmán, Barbara Spinelli, Kostas Chrysogonos

Proposal for a directive
Article 1 – paragraph 1 – point 8
Directive 91/477/EEC
Article 10a – paragraph 1

Text proposed by the Commission

Member States shall take measures to ensure that alarm and signal weapons as well as salute and acoustic weapons cannot be converted into firearms.

Amendment

Member States shall take measures to ensure that alarm and signal weapons as well as salute and acoustic weapons, ***together with their respective components and ammunition***, cannot be converted into firearms.

Or. en

Amendment 213
Gérard Deprez, Louis Michel

Proposal for a directive
Article 1 – paragraph 1 – point 8
Directive 91/477/EEC
Article 10a – paragraph 1

Text proposed by the Commission

Member States shall take measures to ensure that alarm and signal weapons as well as salute and acoustic weapons cannot be converted into firearms.

Amendment

Member States shall take ***all necessary*** measures to ensure that alarm and signal weapons as well as salute and acoustic weapons cannot be converted into firearms. ***The Member States shall also ensure that these arms have been marked in line with Article 4(1) of this directive and that they are recorded on the computerised data-filing systems maintained by the Member States.***

Or. fr

Amendment 214
Kristina Winberg

Proposal for a directive
Article 1 – paragraph 1 – point 8

Directive 91/477/EEC
Article 10a – paragraph 2

Text proposed by the Commission

Amendment

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.

deleted

Or. sv

Justification

The proposed modification would damage the comprehensive defence capabilities of certain Member States.

Amendment 215
Miriam Dalli

Proposal for a directive
Article 1 – paragraph 1 – point 8
Directive 91/477/EEC
Article 10a – paragraph 2

Text proposed by the Commission

Amendment

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.

Member States shall take measures to ensure that alarm and signal weapons as well as salute and acoustic weapons cannot be converted into firearms. The Commission shall, acting in accordance with the procedure referred to in Article 13a (2) of the Directive, issue common conversion standards by 31.12.2016 ensuring that any conversion of a firearm that changes its category is done in a manner which renders such conversion irreversible.

Or. en

Amendment 216

Marina Albiol Guzmán, Barbara Spinelli, Kostas Chrysogonos

Proposal for a directive

Article 1 – paragraph 1 – point 8

Directive 91/477/EEC

Article 10a – paragraph 2

Text proposed by the Commission

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.

Amendment

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, ***as well as to ensure their components and ammunition cannot be used in firearms.***

Or. en

Amendment 217

Kristina Winberg

Proposal for a directive

Article 1 – paragraph 1 – point 8

Directive 91/477/EEC

Article 10a – paragraph 3

Text proposed by the Commission

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 13b(2).

Amendment

deleted

Or. sv

Justification

The proposed modification would damage the comprehensive defence capabilities of certain Member States.

Amendment 218

Philippe Juvin, Brice Hortefeux, Rachida Dati

Proposal for a directive
Article 1 – paragraph 1 – point 8
Directive 91/477/EEC
Article 10b – paragraph 1

Text proposed by the Commission

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.

Amendment

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 ***each of the essential components of 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.

Or. fr

Amendment 219
Gérard Deprez, Louis Michel

Proposal for a directive
Article 1 – paragraph 1 – point 8
Directive 91/477/EEC
Article 10b – paragraph 1

Text proposed by the Commission

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.

Amendment

Having regard to Commission Regulation 2015/2403 of 15 December 2015 establishing common guidelines on deactivation standards and techniques for ensuring that deactivated firearms are rendered irreversibly inoperable, 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 ***and*** record attesting to the deactivation of the firearm or the apposition of a clearly

visible mark to that effect on the firearm.

Member States shall designate the competent authority to carry out the deactivation of firearms and transmit them to the Commission by [date] at the latest.

Or. fr

Amendment 220

Sylvie Guillaume, Christine Revault D'Allonnes Bonnefoy, Virginie Rozière, Eric Andrieu

Proposal for a directive

Article 1 – paragraph 1 – point 8

Directive 91/477/EEC

Article 10b – paragraph 1

Text proposed by the Commission

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.

Amendment

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 attesting to the deactivation of the firearm ***and*** the apposition of a clearly visible mark to that effect on ***each essential component of the deactivated*** firearm.

Or. fr

Amendment 221

Gérard Deprez, Louis Michel

Proposal for a directive

Article 1 – paragraph 1 – point 8

Directive 91/477/EEC

Article 10b – paragraph 2

Text proposed by the Commission

Amendment

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). *deleted*

Or. fr

Amendment 222

Miriam Dalli

Proposal for a directive

Article 1 – paragraph 1 – point 8

Directive 91/477/EEC

Article 10c (new)

Text proposed by the Commission

Amendment

Article 10c

Member States shall establish regulations on the safe storage of firearms under categories A and B ensuring that firearms are kept in such way as to preclude any risk of them being accessed by unauthorised persons.

Or. en

Justification

While making it obligatory upon Member States to introduce a requirement for secure storage, the standards for such storage should remain the competency of the Member States.

Amendment 223

Bodil Valero

Proposal for a directive

Article 1 – paragraph 1 – point 8

Directive 91/477/EEC
Article 10 c (new)

Text proposed by the Commission

Amendment

Article 10c

Duty surplus stock weapons in category A from police, customs and military are irreversibly deactivated in accordance with Commission Implementing regulation (EU) 2015/2403 of 15 December 2015, except for transfers in accordance with authorisations granted under Article 6(1) or (2)

Or. en

Amendment 224

Sylvia-Yvonne Kaufmann, Sergio Gaetano Cofferati, Birgit Sippel, Ana Gomes

Proposal for a directive

Article 1 – paragraph 1 – point 8

Directive 91/477/EEC

Article 10c (new)

Text proposed by the Commission

Amendment

Article 10c

Member States shall ensure that a person who lawfully acquires or possesses a firearm is required to take reasonable precautions to ensure that the firearm and the ammunition for that firearm are secured from loss or theft and are not accessible to third parties.

Or. en

Amendment 225

Nuno Melo, Jussi Halla-aho, Monika Hohlmeier, Anna Maria Corazza Bildt, Roberta Metsola

Proposal for a directive

Article 1 – paragraph 1 – point 8 a (new)

Text proposed by the Commission

Amendment

(8a) In addition to the necessary registration system for weapons held by private individuals or other entities, in accordance with the law, each Member State shall keep a register ensuring that weapons seized by the authorities or forfeited to the State will be traceable from the moment when they are handed over or seized until such time as they are destroyed or put to use by the authorities or again placed on the market.

Or. pt

Amendment 226

Jaromír Štětina

Proposal for a directive

Article 1 – paragraph 1 – point 8 a (new)

Text proposed by the Commission

Amendment

(8 a) The following Article 10c is inserted:

Article 10c

Member States shall take measures to ensure that long semi-automatic firearms including firearms which have been converted from originally automatic firearms cannot be reconverted into automatic firearms. Mechanical design of any particular type of long semi-automatic firearms including conversions of any particular type of originally automatic firearms into semi-automatic firearms must be authorised for civilian use by a competent public authority before being placed on the market.

If a Member State does not establish a competent authority, Member States shall make arrangements for exercise of authorisation by a competent authority established by the other Member State in order to ensure that the mechanical

design or modifications made to a firearm make a conversion into automatic firearm impossible.

The Commission shall adopt minimum technical standards and techniques to ensure that semi-automatic firearms including firearms which have been converted from originally automatic firearms cannot be converted into automatic firearms. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 13b(2).

Or. en

Amendment 227

Gérard Deprez, Louis Michel

Proposal for a directive

Article 1 – paragraph 1 – point 9

Directive 91/477/EEC

Article 13 – paragraph 4

Text proposed by the Commission

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.

Amendment

4. The competent authorities of the Member States shall exchange *all the* information *in their possession* on the authorisations granted for the transfers of firearms to another Member State *and refusals to grant authorisations*, information with regard to *authorisations and* refusals to grant authorisations as defined in Article 7, *as well as the declarations within the meaning of Article 8.*

Or. fr

Amendment 228

Sylvie Guillaume, Christine Revault D'Allonnes Bonnefoy, Virginie Rozière, Eric Andrieu

Proposal for a directive
Article 1 – paragraph 1 – point 9
Directive 91/477/EEC
Article 13 – paragraph 4

Text proposed by the Commission

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.*

Amendment

4. The competent authorities of the Member States shall exchange information ***electronically*** on the authorisations granted for the transfers ***and refusals referred to in the above paragraphs 1 and 2 by way of a paperless and automated information exchange system at European level by [date] at the latest, and in conformity with Regulation (EU) 2016/... of the European Parliament and of the Council.***

Or. fr

Amendment 229
Brice Hortefeux, Rachida Dati, Philippe Juvin

Proposal for a directive
Article 1 – paragraph 1 – point 9
Directive 91/477/EEC
Article 13 – paragraph 4

Text proposed by the Commission

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.

Amendment

4. The competent authorities of the Member States shall exchange information ***regularly, effectively and electronically*** on the authorisations granted for the transfers of firearms to another Member State, ***on any interruption to authorisations granted***, as well as information with regard to refusals to grant authorisations as defined in Article 7.

Or. fr

Amendment 230
Brice Hortefeux, Rachida Dati, Philippe Juvin

Proposal for a directive
Article 1 – paragraph 1 – point 12
Directive 91/477/EEC
Article 17 – paragraph 1

Text proposed by the Commission

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.

Amendment

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 the modular design of arms and** to new technologies such as 3D printing. The first report shall be submitted two years after the entry into force of this Directive.

Or. fr

Amendment 231

Jussi Halla-aho, Richard Sulík, Tomáš Zdechovský, Anders Primdahl Vistisen, Timothy Kirkhope, Kristina Winberg, Bernd Kölmel, Nuno Melo, Branislav Škripek, Beatrix von Storch, Hannu Takkula

Proposal for a directive
Article 1 – paragraph 1 – point 12
Directive 91/477/EEC
Article 17 – paragraph 1

Text proposed by the Commission

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."

Amendment

The Commission shall submit every five years a report to the European Parliament and the Council on the application of this Directive, **including a fitness check of the new provisions**, 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.

Or. en

Justification

Fitness check should be carried out in order to attest the necessity of the new provisions, taking into account the lack of a prior impact assessment. The fitness check should include looking into the gun crime in the Member States with legal (licenced) firearms, including number of crimes committed, number of firearms reported stolen or missing and number of firearms converted to an automatic action, relative to the situation prior to the adoption of the new provisions.

Amendment 232

Marina Albiol Guzmán, Barbara Spinelli, Kostas Chrysogonos

Proposal for a directive

Article 1 – paragraph 1 – point 12

Directive 91/477/EEC

Article 17 – paragraph 1

Text proposed by the Commission

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."

Amendment

The Commission shall submit every **three** 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."

Or. en

Amendment 233

Gérard Deprez, Louis Michel

Proposal for a directive

Article 1 – paragraph 1 – point 12

Directive 91/477/EEC

Article 17 – paragraph 2

Text proposed by the Commission

The Commission shall, by [date], assess the necessary elements of a system **for the exchange of** information contained in the

Amendment

The Commission shall, by [date], assess the necessary elements of a system **allowing each Member State to access**

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.

information contained in the computerised data-filing systems referred to in Article 4(4). The Commission's assessment shall be accompanied, if appropriate, by a legislative proposal taking into account existing instruments regarding exchange of information.

Or. fr

Amendment 234
Kristina Winberg

Proposal for a directive
Article 1 – paragraph 1 – point 13
Directive 91/477/EEC
ANNEX I – part II

Text proposed by the Commission

Amendment

(13) in Annex I to Directive 91/477/EC part II is amended as follows:

deleted

(a) point A is amended as follows:

(i) in Category A, the following points are added:

‘6. Automatic firearms which have been converted into semi-automatic firearms;

7. Semi-automatic firearms for civilian use which resemble weapons with automatic mechanisms;

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

(ii) in category B, point 7 is deleted.

(iii) In Category C, the following points are added:

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

6. Firearms under category B and points 1 to 5 of category C, after having been deactivated.’

(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.’

Or. sv

Justification

The proposed modification would damage the comprehensive defence capabilities of certain Member States.

Amendment 235
Jaromír Štětina

Proposal for a directive
Article 1 – paragraph 1 – point 13
Directive 91/477/EEC
Annex I – part II

Text proposed by the Commission

(13) in Annex I to Directive 91/477/EC part II is amended as follows:

Amendment

(13) in Annex I to Directive 91/477/EC part II is amended as follows:

a) point A is amended as follows:

(i) in category A, the following points are amended:

6. Automatic firearms which have been converted into semi-automatic firearms which have not been authorised according to article 10c;

7. Semi-automatic long firearms for civilian use which have not been authorised according to article 10c;

(ii) in category A the point 8 is deleted.

(iii) in category B, the following points are amended:

4. Semi-automatic long firearms whose magazine and chamber can together hold more than three rounds and which have been authorised according to article 10c.

5. Semi-automatic long firearms whose magazine and chamber cannot together hold more than three rounds, where the loading device is removable or where it is not certain that the weapon cannot be converted, with ordinary tools, into a weapon whose magazine and chamber can together hold more than three rounds and which have been authorised according to article 10c.

6. Repeating and semi-automatic long firearms with smooth-bore barrels not exceeding 60 cm in length.

7. Semi-automatic firearms for civilian use which resemble weapons with automatic mechanisms and which have been authorised according to article 10c.

Or. en

Amendment 236

Nuno Melo, Monika Hohlmeier, Roberta Metsola

Proposal for a directive

Article 1 – paragraph 1 – point 13 – point a – point i

Directive 91/477/EEC

Annex I – part II – point A – Category A

Text proposed by the Commission

Amendment

(i) in Category A, the following points are added: ***deleted***

“6. Automatic firearms which have been converted into semi-automatic firearms;

7. Semi-automatic firearms for civilian use which resemble weapons with automatic mechanisms;

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

Or. pt

Amendment 237

Jussi Halla-aho, Richard Sulík, Tomáš Zdechovský, Anders Primdahl Vistisen, Kristina Winberg, Bernd Kölmel, Branislav Škripek, Beatrix von Storch, Hannu Takkula

Proposal for a directive

Article 1 – paragraph 1 – point 13 – point a – point i

Directive 91/477/EEC

Annex I – part II – point A – Category A – point 6

Text proposed by the Commission

Amendment

6. Automatic firearms which have been converted into semi-automatic firearms; *deleted*

Or. en

Justification

The mere fact that a firearm has been converted does not have any relation to the risk of it being reverse – converted into an automatic one. Much rather, a ban should be aimed at equipment.

Amendment 238

Emil Radev

Proposal for a directive

Article 1 – paragraph 1 – point 13 – point a – point i

Directive 91/477/EEC

Annex I – part II – point A – Category A – point 6

Text proposed by the Commission

Amendment

6. Automatic firearms which have been converted into semi-automatic firearms; *deleted*

Or. bg

Amendment 239

Frank Engel

Proposal for a directive

Article 1 – paragraph 1 – point 13 – point a – point i

Directive 91/477/EEC

Annex I – part II – point A – Category A – point 6

Text proposed by the Commission

Amendment

6. Automatic firearms which have been converted into semi-automatic firearms; *deleted*

Or. fr

Amendment 240

Petri Sarvamaa

Proposal for a directive

Article 1 – paragraph 1 – point 13 – point a – point i

Directive 91/477/EEC

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

Text proposed by the Commission

Amendment

7. Semi-automatic firearms for civilian use which resemble weapons with automatic mechanisms; *deleted*

Or. en

Amendment 241

Emil Radev

Proposal for a directive

Article 1 – paragraph 1 – point 13 – point a – point i

Directive 91/477/EEC

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

Text proposed by the Commission

Amendment

7. Semi-automatic firearms for civilian use which resemble weapons with automatic mechanisms; *deleted*

Or. bg

Amendment 242

Frank Engel

Proposal for a directive

Article 1 – paragraph 1 – point 13 – point a – point i

Directive 91/477/EEC

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

Text proposed by the Commission

Amendment

7. Semi-automatic firearms for civilian use which resemble weapons with automatic mechanisms; *deleted*

Or. fr

Justification

These arms must continue to be subject to authorisation and not prohibited.

Amendment 243

Gérard Deprez, Louis Michel

Proposal for a directive

Article 1 – paragraph 1 – point 13 – point a – point i

Directive 91/477/EEC

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

Text proposed by the Commission

Amendment

7. Semi-automatic firearms for civilian use which resemble weapons with automatic mechanisms; *deleted*

Or. fr

Amendment 244

Jussi Halla-aho, Richard Sulík, Tomáš Zdechovský, Anders Primdahl Vistisen, Kristina Winberg, Bernd Kölmel, Branislav Škripek, Beatrix von Storch, Hannu Takkula

Proposal for a directive

Article 1 – paragraph 1 – point 13 – point a – point i

Directive 91/477/EEC

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

Text proposed by the Commission

Amendment

7. Semi-automatic firearms for civilian use which resemble weapons with automatic mechanisms; *deleted*

Or. en

Justification

The outside appearance of a firearm bears no relation to its functioning, may to a large extent be modified by the user and is too vague a criterion, incompatible with the principle of legal certainty.

Amendment 245

Cecilia Wikström, Maite Pagazaurtundúa Ruiz, Fredrick Federley, Dita Charanzová, Petr Ježek

Proposal for a directive

Article 1 – paragraph 1 – point 13 – point a – point i

Directive 91/477/EEC

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

Text proposed by the Commission

Amendment

7. Semi-automatic firearms for civilian use which resemble weapons with automatic mechanisms; *deleted*

Or. en

Justification

The definition of B7 fire arms does not enable a clear understanding as to which fire arms would be covered by the suggested ban. The commission in fact acknowledges that it does not know which fire arms would be covered by the proposed ban. I would suggest that not knowing what you want to ban undermines any following argument as to why it should be banned. Furthermore mere resemblance with automatic weapons does not in and of itself imply that these weapons would be more dangerous. It is recalled that B7 weapons can only be held under licence and that the commission have presented no clear indications as to how banning these fire arms would increase security. Therefore this proposal should be firmly rejected.

Amendment 246

Emil Radev

Proposal for a directive

Article 1 – paragraph 1 – point 13 – point a – point i

Directive 91/477/EEC

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

Text proposed by the Commission

Amendment

**8. Firearms under points 1 to 7 after
having been deactivated." *deleted***

Or. bg

Amendment 247

Jussi Halla-aho, Richard Sulík, Tomáš Zdechovský, Anders Primdahl Vistisen, Kristina Winberg, Bernd Kölmel, Branislav Škripek, Beatrix von Storch, Hannu Takkula

Proposal for a directive

Article 1 – paragraph 1 – point 13 – point a – point i

Directive 91/477/EEC

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

Text proposed by the Commission

Amendment

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

Or. en

Justification

Deactivated firearms would in practice be very hard to confiscate as they are not in any register and furthermore, if properly deactivated, pose no appreciable threat to public order and internal security.

Amendment 248

Frank Engel

Proposal for a directive

Article 1 – paragraph 1 – point 13 – point a – point i

Directive 91/477/EEC

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

Text proposed by the Commission

Amendment

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

Or. fr

Justification

If these arms are definitively deactivated using approved technical procedures, they must be subject to authorisation and not prohibited.

Amendment 249

Gérard Deprez, Louis Michel

Proposal for a directive

Article 1 – paragraph 1 – point 13 – point a – point i

Directive 91/477/EEC

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

Text proposed by the Commission

Amendment

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

Or. fr

Amendment 250

Petri Sarvamaa

Proposal for a directive

Article 1 – paragraph 1 – point 13 – point a – point i

Directive 91/477/EEC

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

Text proposed by the Commission

Amendment

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

8. Firearms under points 1 to 6 after having
been deactivated.

Or. en

Amendment 251

Marina Albiol Guzmán, Barbara Spinelli, Kostas Chrysogonos

Proposal for a directive

Article 1 – paragraph 1 – point 13 – point a – point i a (new)

Directive 91/477/EEC

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

Text proposed by the Commission

Amendment

8 a. The components and ammunition used in firearms under points 1 to 8 of category A

Or. en

Amendment 252

Frank Engel

Proposal for a directive

Article 1 – paragraph 1 – point 13 – point a – point ii

Text proposed by the Commission

Amendment

ii) in category B, point 7 is deleted.

deleted

Or. fr

Amendment 253

Gérard Deprez, Louis Michel

Proposal for a directive

Article 1 – paragraph 1 – point 13 – point a – point ii

Text proposed by the Commission

Amendment

ii) in category B, point 7 is deleted.

deleted

Or. fr

Amendment 254

Petri Sarvamaa

Proposal for a directive
Article 1 – paragraph 1 – point 13 – point a – point ii

Text proposed by the Commission

Amendment

(ii) in category B, point 7 is deleted. ***deleted***

Or. en

Amendment 255
Cecilia Wikström, Maite Pagazaurtundúa Ruiz, Fredrick Federley, Dita Charanzová, Petr Ježek

Proposal for a directive
Article 1 – paragraph 1 – point 13 – point a – point ii

Text proposed by the Commission

Amendment

(ii) in category B, point 7 is deleted. ***deleted***

Or. en

Justification

This is a consequence change following the previous AM to Annex I to delete the move of B7 fire arms to category A

Amendment 256
Emil Radev

Proposal for a directive
Article 1 – paragraph 1 – point 13 – point a – point ii

Text proposed by the Commission

Amendment

ii) in category B, point 7 is deleted. ***deleted***

Or. bg

Amendment 257
Cecilia Wikström, Maite Pagazaurtundúa Ruiz, Fredrick Federley, Dita Charanzová,

Petr Ježek

Proposal for a directive

Article 1 – paragraph 1 – point 13 – point a – point iii

Directive 91/477/EEC

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

Text proposed by the Commission

Amendment

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

5. Alarm and signal weapons, salute and acoustic weapons;

Or. en

Justification

Given that the definition of replicas could have a very broad reach it would be suggested to at least move replicas to category D in order not to require notification of them to the authorities

Amendment 258

Jussi Halla-aho, Richard Sulík, Tomáš Zdechovský, Anders Primdahl Vistisen, Kristina Winberg, Bernd Kölmel, Branislav Škripek, Beatrix von Storch, Hannu Takkula

Proposal for a directive

Article 1 – paragraph 1 – point 13 – point a – point iii

Directive 91/477/EEC

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

Text proposed by the Commission

Amendment

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

5. ***Firearms under categories A, B and points 1 to 4 of category C, after having been converted to alarm, signal, salute, acoustic, gas, paintball or airsoft, Flobert, or percussion lock weapons.***

Or. en

Justification

We see no reason for alarm and signal weapons, salute and acoustic weapons to be included in category C, if they were originally produced as such (i.e. not by conversion from live ammunition). Provided that they have been approved and homologated to enter the market (which typically also includes safety checks), they should stay outside of the scope of the Directive. Regarding firearms converted to alarm, signal weapons etc., this proposal aims to

close the loophole that was probably previously used by terrorists and criminals, who converted them back to live ammunition. Including them in category C acts as a preventive measure from their conversion back to the original state, as making them subject to declaration would make them traceable, and therefore uninteresting for committing crimes.

Amendment 259

Gérard Deprez, Louis Michel

Proposal for a directive

Article 1 – paragraph 1 – point 13 – point a – point iii

Directive 91/477/EEC

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

Text proposed by the Commission

Amendment

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

5. Alarm and signal weapons, salute and acoustic weapons;

Or. fr

Amendment 260

Jussi Halla-aho, Richard Sulík, Tomáš Zdechovský, Anders Primdahl Vistisen, Kristina Winberg, Bernd Kölmel, Branislav Škripek, Beatrix von Storch, Hannu Takkula

Proposal for a directive

Article 1 – paragraph 1 – point 13 – point a – point iii

Directive 91/477/EEC

Annex I – part II – point A – Category C – point 6

Text proposed by the Commission

Amendment

6. Firearms under category B and points 1 to 5 of category C, after having been deactivated. *deleted*

Or. en

Justification

As regards deactivated firearms, these pose no appreciable threat to public order and internal security if deactivated properly.

Amendment 261
Cecilia Wikström, Maite Pagazaurtundúa Ruiz

Proposal for a directive

Article 1 – paragraph 1 – point 13 – point a – point iii a (new)

Directive 91/477/EEC

Annex I – part II – point A – Category D

Text proposed by the Commission

Amendment

(iii a) Category D - Other firearms, is replaced by the following

Single-short long firearms with smooth-bore barrels as well as replicas

Or. en

Justification

Given that the definition of replicas could have a very broad reach it would be suggested to at least move replicas to category D in order not to require notification of them to the authorities

Amendment 262
Kristina Winberg

Proposal for a directive

Article 1 – paragraph 1 – point 14

Directive 91/477/EEC

Annex I – part III

Text proposed by the Commission

Amendment

(14) in Annex I to Directive 91/477/EC part III is amended as follows: ***deleted***

(a) point (a) is deleted;

(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;’

(c) the second subparagraph is deleted.

Justification

The proposed modification would damage the comprehensive defence capabilities of certain Member States.

Amendment 263

Jussi Halla-aho, Richard Sulík, Tomáš Zdechovský, Anders Primdahl Vistisen, Kristina Winberg, Bernd Kölmel, Branislav Škripek, Beatrix von Storch, Hannu Takkula

Proposal for a directive

Article 1 – paragraph 1 – point 14 – point a

Text proposed by the Commission

Amendment

(a) point (a) is deleted;

deleted

Or. en

Justification

A reversal to the current wording Directive in accordance with the proposals above. Again, deactivated firearms pose no appreciable threat to public order and internal security if deactivated properly, and should therefore be outside the scope of the Directive. Reversal to the current wording, i.e.: "(a) have been rendered permanently unfit for use by deactivation, ensuring that all essential parts of the firearm have been rendered permanently inoperable and incapable of removal, replacement or a modification that would permit the firearm to be reactivated in any way;"

Amendment 264

Frank Engel

Proposal for a directive

Article 1 – paragraph 1 – point 14 – point a

Text proposed by the Commission

Amendment

a) point (a) is deleted;

deleted

Or. fr

Justification

It should be permitted to keep objects that have been made unusable as firearms through the use of technical procedures guaranteed by an official body or recognised by such a body.

Amendment 265

Nuno Melo, Monika Hohlmeier, Roberta Metsola

Proposal for a directive

Article 1 – paragraph 1 – point 14 – point a

Text proposed by the Commission

Amendment

(a) point (a) is deleted;

deleted

.

Or. pt

Amendment 266

Marina Albiol Guzmán, Barbara Spinelli

Proposal for a directive

Article 1 – paragraph 1 – point 14 – point b – introductory part

Directive 91/477/EEC

Annex I – part III – point b

Text proposed by the Commission

Amendment

(b) point (b) is *replaced by the following*:

(b) point (b) is *deleted*.

Or. en

Amendment 267

Frank Engel

Proposal for a directive

Article 1 – paragraph 1 – point 14 – point b

Directive 91/477/EEC

Annex I – part III – point b

Text proposed by the Commission
point (b) is **replaced by the following**:

Amendment
point (a) is **deleted**

Or. fr

Justification

The original text must be preserved so as to ensure that objects designed for alarm and signal purposes are not included in the category of firearms, provided that they can only be used for that precise purpose.

Amendment 268

Nuno Melo, Monika Hohlmeier, Roberta Metsola

Proposal for a directive

Article 1 – paragraph 1 – point 14 – point c

Text proposed by the Commission
(c) the second subparagraph is deleted.

Amendment
deleted

Or. pt

Amendment 269

Jussi Halla-aho, Richard Sulík, Tomáš Zdechovský, Anders Primdahl Vistisen, Kristina Winberg, Bernd Kölmel, Branislav Škripek, Beatrix von Storch, Hannu Takkula

Proposal for a directive

Article 1 – paragraph 1 – point 14 – point c

Text proposed by the Commission
(c) the second subparagraph is deleted.

Amendment
deleted

Or. en

Justification

*A reversal to the current wording Directive in accordance with the proposals above, i.e.:
"Member States shall make arrangements for the deactivation measures referred to in point (a) to be verified by a competent authority in order to ensure that the modifications made to a firearm render it irreversibly inoperable. Member States shall, in the context of this verification, provide for the issuance of a certificate or record attesting to the deactivation of*

the firearm or the apposition of a clearly visible mark to that effect on the firearm. The Commission shall, acting in accordance with the procedure referred to in Article 13a(2) of the Directive, issue common guidelines on deactivation standards and techniques to ensure that deactivated firearms are rendered irreversibly inoperable."