

8.3.2017

A8-0251/113

Amendment 113

Dita Charanzová

on behalf of the ALDE Group

Report

A8-0251/2016

Vicky Ford

Control of the acquisition and possession of weapons

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

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 (new)

The Commission shall adopt delegated acts in accordance with Article 13a in order to supplement this Directive by establishing technical specifications to ensure that semi-automatic firearms which have been converted from originally automatic firearms cannot be reconverted into automatic firearms. The Commission shall adopt the first such delegated act by 31 December 2017.

Or. en

Justification

Amendment re-tables compromise adopted in the European Parliament report. This amendment is not included in the text of provisional agreement. This provisions follows logic of harmonized rules for deactivation and proposes harmonized rules for conversion of automatic firearms to semi-automatic. Only those weapons which are converted according to this standards would be allowed for civilian possession.

8.3.2017

A8-0251/114

Amendment 114

Dita Charanzová

on behalf of the ALDE Group

Report

Vicky Ford

Control of the acquisition and possession of weapons

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

A8-0251/2016

Proposal for a directive

Article 1– point 12 – introductory part

Directive 91/477/EEC

Article 17 – paragraph 1

Text proposed by the Commission

“Article 17

The Commission shall submit every five years a report to the European Parliament and the Council on the application of this Directive, accompanied, if appropriate, by proposals in particular *as regards* the categories of firearms of Annex I and *the* issues related to new technologies such as 3D printing. The first report shall be submitted two years after *the entry into force of this Directive*”

Amendment

“Article 17

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 its provisions*, accompanied, if appropriate, by proposals *concerning*, in particular, the categories of firearms in Annex I and issues related to *the implementation of the system for the European firearms pass, to the data-filing system, including the feasibility of enabling each Member State to access such a system, to marking and to new technologies such as the impacts of 3D printing, the use of QR code and the use of Radio Frequency Identification (RFID)*. The first *such* report shall be submitted *by [two years after the date in Article 2(1) of this Amending Directive].*”

Or. en

Justification

Amendment re-tables compromise adopted in the European Parliament report. This amendment is not included in the text of provisional agreement. The amendment asks for a possibility to investigate a direct access for Member States authorities into data-filing system where key information on weapons and their holders are exchanged.

AM\P8_AMA(2016)0251(113-120)_EN.docx

PE598.517v01-00

8.3.2017

A8-0251/115

Amendment 115

Dita Charanzová

on behalf of the ALDE Group

Report

A8-0251/2016

Vicky Ford

Control of the acquisition and possession of weapons

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

Proposal for a directive

Article 1 – point 13 – point a – point i

Directive 91/477/EEC

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

Text proposed by the Commission

Amendment

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

6. Automatic firearms which have been converted into semi-automatic firearms, ***unless the Commission has adopted technical specifications under Article 10ba, in which case this will not apply to firearms that have been converted in accordance with the requirements laid down;***

Or. en

Justification

Amendment re-tables compromise adopted in the European Parliament report. This amendment is not included in the text of provisional agreement. This provision follows logic of harmonized rules for deactivation and proposes harmonized rules for conversion of automatic firearms to semi-automatic. Only those weapons, which are converted according to these standards, would be allowed for civilian possession.

8.3.2017

A8-0251/116

Amendment 116

Dita Charanzová

on behalf of the ALDE Group

Report

A8-0251/2016

Vicky Ford

Control of the acquisition and possession of weapons

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

Proposal for a directive

Article 1 – point 13 – point a – point i

Directive 91/477/EEC

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

Text proposed by the Commission

Amendment

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

7. Semi-automatic *centre-fire* firearms *which allow the firing of more than 21 rounds without reloading, if a loading device with a capacity exceeding 20 rounds is part of the firearm or a detachable loading device with a capacity exceeding 20 rounds is inserted into it*;

Or. en

Justification

Amendment re-tables compromise adopted in the European Parliament report which was not included in the text of the provisional agreement. It aims at unification of rules which limit the number of rounds which can be fired from a semi-automatic weapon without reloading to 20/21.

8.3.2017

A8-0251/117

Amendment 117

Dita Charanzová

on behalf of the ALDE Group

Report

A8-0251/2016

Vicky Ford

Control of the acquisition and possession of weapons

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

Proposal for a directive

Article 1 – point 13 – point a – point iii

Directive 91/477/EEC

Annex I – Part II – point A – category C – point 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

If a firearms is deactivated properly according to the harmonized rules as introduced by Article 10 of this Directive, it is a simply piece a metal which cannot be re-deactivated and used again. It is unnecessary to categorize such an object as a live weapon, on the same level as weapons used for hunting, for instance. The amendments removes deactivated firearms from category C to category D.

8.3.2017

A8-0251/118

Amendment 118

Dita Charanzová

on behalf of the ALDE Group

Report

A8-0251/2016

Vicky Ford

Control of the acquisition and possession of weapons

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

Proposal for a directive

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

Directive 91/477/EEC

Annex I – Part II – point A – category D – point 1a (new)

Text proposed by the Commission

Amendment

(iv) in Category D

1a. Firearms from Categories A, B and C that have been deactivated in accordance with Commission Implementing Regulation (EU) 2015/2403 of 15 December 2015¹.

¹*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 (Text with EEA relevance) (OJ L 333, 19.12.2015, p. 62).*

Or. en

Justification

If a firearm is deactivated properly according to the harmonized rules as introduced by Article 10 of this Directive, it is a simple piece of metal which cannot be re-activated and used again. It is unnecessary to categorise such an object as a live weapon, on the same level as weapons used for hunting, for instance. The amendments remove deactivated firearms from category C to category D.

8.3.2017

A8-0251/119

Amendment 119

Dita Charanzová

on behalf of the ALDE Group

Report

A8-0251/2016

Vicky Ford

Control of the acquisition and possession of weapons

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

Proposal for a directive

Article 1 – paragraph 1 – point 6

Directive 91/477/EEC

Article 6

Text proposed by the Commission

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**.

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).

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

1. Without prejudice to Article 2(2), Member States shall take all appropriate **measures** to prohibit the acquisition and possession of the firearms, **the essential components** and **the** ammunition classified in category A. **They shall ensure that** those firearms, **essential components** and ammunition **unlawfully** held in **contravention of that prohibition are impounded**.

2. For the protection of the security of critical infrastructure, commercial shipping, high-value convoys and sensitive premises, as well as for national defence, educational, cultural, research and historical purposes, and without prejudice to paragraph 1, the national competent authorities may grant, in individual cases, exceptionally and in a duly reasoned manner, authorisations for firearms, essential components and ammunition classified in category A where this is not contrary to public security or public order.

3. Member States may choose to grant to collectors, in individual special cases, exceptionally and in a duly reasoned manner, authorisations to

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.*

acquire and possess firearms, essential components and ammunition classified in category A, subject to strict conditions on security, including the demonstration to the national competent authorities that measures are in place to address any risks to public security or public order and that the firearms, essential components or ammunition concerned are stored with a level of security proportionate to the risks associated with unauthorised access to such items.

Member States shall ensure that collectors authorised under the first subparagraph of this paragraph are identifiable within the data-filing systems referred to in Article 4. Such authorised collectors shall be obliged to maintain a register of all firearms in their possession classified in category A, which shall be accessible to the national competent authorities. Member States shall establish an appropriate monitoring system with respect to such authorised collectors, taking all relevant factors into account.

4. Member States may authorise dealers or brokers, in their respective professional capacities, to acquire, manufacture, deactivate, repair, supply, transfer and possess firearms, essential components and ammunition classified in category A, subject to strict conditions regarding security.

5. Member States may authorise museums to acquire and possess firearms, essential components and ammunition classified in category A, subject to strict conditions regarding security.

6. Member States may authorise target shooters to acquire and possess semi-automatic firearms classified in point 6 or 7 of category A, subject to the following conditions:

(a) a satisfactory assessment of relevant information arising from the

application of Article 5(2);

(b) provision of proof that the target shooter concerned is actively practising for or participating in shooting competitions recognised by an officially recognised shooting sports organisation of the Member State concerned or by an internationally established and officially recognised shooting sport federation; and

(c) provision of a certificate from an officially recognised shooting sports organisation confirming that:

(i) the target shooter is a member of a shooting club and has been regularly practising target shooting in it for at least 12 months, and

(ii) the firearm in question fulfils the specifications required for a shooting discipline recognised by an internationally established and officially recognised shooting sport federation.

As regards firearms classified in point 6 of category A, Member States may choose to authorise transfer of military firearms to individual persons in their quality as target shooter. These firearms shall be transformed into semi-automatic firearms by the public authority which shall periodically check that the persons using such firearms do not represent a risk for public security. The provisions set out in points (a), (b) and (c) of the first subparagraph shall apply.

() Directive 97/7/EC of the European Parliament and of the Council of 20 May 1997 on the protection of consumers in respect of distance contracts (OJ L 144, 4.6.1997, p.19)."*

Or. en

Justification

Article Article 6, para 3c, point d of the provisional agreement with Council proposes a general rule which, by its definition, is a tailor-made rule for Switzerland, as only one country can meet the conditions set in the rule. Thus, it gives lighter rules to a non-EU than for EU countries, which is not acceptable. This amendment intends therefore to keep the general rule and make it equal for all the Member States.

8.3.2017

A8-0251/120

Amendment 120

Dita Charanzová

on behalf of the ALDE Group

Report

A8-0251/2016

Vicky Ford

Control of the acquisition and possession of weapons

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

Proposal for a directive

Article 1 – point 8

Directive 91/477/EEC

Article 10 b – paragraph 2

Text proposed by the Commission

Amendment

2. The Commission shall adopt deactivation standards and techniques to ensure that **deactivated firearms** are rendered **irreversibly** inoperable. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 13b(2).

2. The Commission shall ***no later than by [the date of entry into force on this Directive]*** adopt ***implementing acts laying down*** deactivation standards and techniques to ensure that ***all essential components of a firearm*** are rendered ***permanently*** inoperable ***and incapable of removal, replacement or modification in a manner that would permit the firearm to be reactivated in any way.*** Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 13b(2).

Or. en

Justification

One of the benefits of this revision of the Directive is to harmonize EU-wide rules for deactivation of firearms. As the current implementing regulation on deactivation is not workable, there should be a clear date for the Commission which sets the deadline for the new rules to be adopted. Such a deadline needs to set before the current Directive enters into force so that the new deactivation regime is clear for the Member States when they start the transposition process.