

Background Note on the Public Consultation relating to the transposition of EU Directive 2017/853 on control of the acquisition and possession of weapons

Directive (EU) 2017/853 amending Council Directive 91/477/EEC on the control of the acquisition and possession of weapons has, together with a previous amending directive (2008/51/EC), already been transposed into Maltese law by virtue of the Arms Act (Cap. 480) and subsidiary legislation.

Both the Directive and the amendments relate to principles and procedures concerning the lawful acquisition and possession of firearms. Further to referring to this principle, Recital (3) stipulates that 'national provisions concerning the carrying of weapons, hunting or target shooting should apply'.

The amendments to Council Directive 91/477/EEC mainly relate to:

- a. marking requirements for firearms manufactured or imported into the EU;
- b. monitoring of licence holders to ensure that licence conditions are respected;
- c. the storage of firearms and ammunition;
- d. the acquisition of firearms by distance selling;
- e. the requirement to grant licences for the collection of automatic firearms only 'in individual cases, exceptionally and in a duly reasoned manner';
- f. new conditions for the granting of authorisation to target shooters to use semi-automatic firearms now placed in Category A of the Directive; and,
- g. to the European Firearms Pass.

New amendments to Council Directive 91/477/EEC will be introduced into Maltese law by means of amendments to the Arms Act (Cap. 480) and to subsidiary legislation. These amendments follow the latest changes at EU level and are in addition to previous amendments introduced to national legislation and transposing relevant EU directives accordingly.

You are being provided with copies of the proposed amendments to the legislation in question. More details will be provided during the meeting to be held on Friday, February 9. Following the meeting, there will be a 6-week period for the submission of written feedback in relation to the proposals for the transposition of the Directive.