



EU Legislation and Proposals for Deactivated Firearms Update 3 – 11th March 2016

EU Deactivation Regulation

The new EU Deactivation Regulation is due to be implemented from April 8th 2016. The information below is based on our current understanding, but **please be aware that the situation is currently quite fluid and some things are either not known or not yet confirmed - as such things may change.**

What does the Regulation mean for UK Collectors and Businesses?

- Any firearm newly deactivated from this date will have to be deactivated to the EU standards
- Any current UK deactivated firearms that you currently own can be **retained** without any further work
- If you wish to sell/transfer (including gifting) a current UK deactivated firearm on/after this date, it must be re-deactivated to the EU standards prior to sale or transfer

How do the EU Deactivation standards differ from the UK standards?

- Light, medium and heavy machine guns have to be welded solid
- Semi-automatic .22 rifles and semi-automatic shotguns have to be welded solid
- Pistols have to be 'captivated' – this means that they will still cock and dry-fire, but measures will be taken to prevent disassembly
- Revolvers also have to be 'captivated' – again they will still cock and dry fire, but the current understanding is that measures will be taken to prevent removal of the cylinder from the crane (on a swing out model) or from the frame (on a break-action model)
- All magazines have to be 'permanently' welded/fixed in place. Where a magazine should be present, but isn't, the frame/receiver must be adapted so that it can no longer accept a magazine
- Requirements for barrels **may** result in unsightly holes being visible on certain firearms – in particular revolvers, Lugers, Broomhandle Mausers, etc. Basically anything with an exposed barrel.

The above is our **current** interpretation which may change when physical samples have been produced and assessed – see also 'What is happening now?' below

Are there any exclusions or concessions?

- The Home Office have confirmed to the DWA that any firearm type that is not specifically mentioned in the EU standards, can continue to be deactivated to the current UK specifications. This includes mortars, launchers and very probably flare pistols and artillery pieces. **The final list is subject to confirmation.**



What is happening now?

- The DWA is working with the Proof Houses to interpret the EU specifications in physical samples
- These samples will be examined by NABIS and the Home Office will then take a decision on whether the physical interpretation meets the required standard
- Once the samples are approved, deactivation to the new standards can begin

What are the issues in implementing the Regulation?

- The EU standards are poorly written, technically inaccurate, difficult to implement and in some cases impossible to achieve
- The process of agreeing the physical samples may well not be completed by 8th April
- Even when agreed, there will be a delay whilst items are deactivated to the new requirements and inspected by Proof Houses
- As such it is likely that there will be a period after 8th April where retailers may have nothing to sell and by implication, there will be nothing for collectors to buy

What is being done to try and improve the situation?

- The DWA has been lobbying very hard for an immediate review of the EU Deactivation Regulation and for the EU to recognise the current UK standard as an equivalent to avoid the need for retrospective deactivation upon sale/transfer
- The DWA is also strongly promoting the concept that any review of the Regulation should consider the current UK standard as the basis of any revised EU standard
- See update below regarding the Directive.

EU Proposals for the Firearms Directive

The process of suggesting and agreeing amendments to the Directive proposals is well under way. This involves a number of different bodies and committees within the EU, but is being ably driven by Vicky Ford the chair of the IMCO Committee. Nothing is yet agreed, but things are looking much more positive. We are cautiously optimistic that the proposed prohibition of Category A deactivated firearms will be removed from the final proposals and that Museums will be given the necessary exemptions to allow them to retain Category A firearms without the need for them to be deactivated. **However, nothing can be assumed as the amendment process is ongoing.**

Vicky Ford has listened carefully to our concerns over the new Deactivation Regulation and in her working document of suggested amendments, has suggested that the Regulation needs to be reviewed immediately. She has also suggested acknowledging the equivalency of Member State's Deactivation standards as long as they result in the 'same outcome of irreversible inoperability' (which ours do).

We aren't there yet, but things are moving in the right direction.

The DWA is working for everyone who has an interest in deactivated firearms. Please support us by joining the association for just £20.00 per year.

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