



Notification Number: 2016/231/UK

UK Additional Measures relating to 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.

Date received : 19/05/2016

End of Standstill : 07/06/2016

Invocation of the Emergency Procedure : Yes

Message

Message 001

Communication from the Commission - TRIS/(2016) 01492

Directive (EU) 2015/1535

Notificación - Oznámení - Notifikation - Notifizierung - Teavitamine - Γνωστοποίηση - Notification - Notification - Notifica - Pieteikums - Pranešimas - Bejelentés - Notifika - Kennisgeving - Zawiadomienie - Notificação - Hlásenie-Obvestilo - Ilmoitus - Anmälan - Нотификация : 2016/0231/UK - Notificare.

No abre el plazo - Nezahtuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - He ce предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201601492.EN)

1. Structured Information Line

MSG 001 IND 2016 0231 UK EN 19-05-2016 UK NOTIF

2. Member State

UK

3. Department Responsible

Department for Business, Innovation and Skills
European Reform Directorate
1 Victoria Street
London, SW1H 0ET



Email: technicalregulations@bis.gsi.gov.uk

3. Originating Department

Home Office
Drugs and Firearms Licensing Unit
2 Marsham Street
London, SW1P 4DF

Email: Samantha.Darby1@homeoffice.gsi.gov.uk

4. Notification Number

2016/0231/UK - X20M

5. Title

UK Additional Measures relating to 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.

6. Products Concerned

These measures will specifically relate to the deactivation of firearms to ensure they have been rendered irreversibly inoperable.

7. Notification Under Another Act

- Article 8 of Implementing Regulation (EU) 2015/2403 requires Member States to use the notification procedure under Directive 2015/1535 when introducing additional deactivation measures under Article 6(1) of the Implementing Regulation.

8. Main Content

Article 6 of Implementing Regulation (EU) 2015/2403 allows Member States to introduce additional measures to deactivate firearms in their territory going beyond the technical specifications set out in Annex I of that Regulation.

The UK wishes to go beyond the Implementing Regulation in relation to the deactivation of the following firearms:

Revolvers (including cylinder loading revolvers);
Repeating long firearms (smoothbore, rifled);
Semi-automatic long firearms (smoothbore, rifled);
(Full) automatic firearms e.g. selected assault rifles, (sub) machine-guns, (full) automatic pistols.

The additional measures required are in the attached [see separate] document.

9. Brief Statement of Grounds

The UK requires these additional measures to ensure that the standard of firearms deactivation remains at the safest level possible. Anything less could make the firearms easier to reactivate and be used by criminals and



terrorists.

These additional measures are the standards previously required by the UK for deactivation so the relevant organisations in Member States who deactivate and/or verify deactivated firearms will be familiar with them.

10. Reference Documents - Basic Texts

References of the Basic Texts: Annex I to 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

11. Invocation of the Emergency Procedure

Yes

12. Grounds for the Emergency

Implementing Regulation 2015/2403 was finalised on 15 December 2015 and brought into force on 8 April 2016. It harmonised the minimum standards for deactivation of firearms across the EU. Beforehand, deactivation was a matter for each Member State and it was recognised that the UK already had stringent standards. The Implementing Regulation was brought into force rapidly on account of the high priority accorded to more stringent rules on deactivation (see, for example, para. 38 of the Report from the Commission to the European Parliament and the Council (COM(2015/751))). Consequently, there was very limited time for the UK to assess whether it considered the new standards to be sufficiently robust and this only became apparent when the experts developed patterns for the deactivated firearms to stress test the new requirements.

Since the standards were adopted at the EU level, UK law enforcement experts have been assessing the quality of the new EU standards. The wording used created some confusion as to the precise nature of some of the measures required and it took several months to clarify these issues. It then became apparent that the standards were substantially weaker than the existing UK standards in relation to four types of firearms including semi-automatics and automatics.

Failure to invoke the additional measures immediately gives rise to a public safety risk. Firearms could be deactivated to the new standard and move across the Union on that basis. Some of those firearms could be reactivated, undermining the safety and security of our citizens. Furthermore, the new Regulations are not sufficient to prevent components from automatic and semi-automatic firearms being used in weapons which appear in crime. We need to be confident that deactivated firearms transferred to another Member State or imported to the UK are unable to be reactivated. We cannot wait for three months. The more stringent requirements which previously applied (prior to 8 April 2016) to these weapons and which have proved to be highly effective need to be applied with immediate effect.

We have raised our concerns with the Commission (DG GROW) and have highlighted that we will require additional measures and will be using the urgency procedure.

13. Confidentiality

No

14. Fiscal measures

No



15. Impact assessment

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16. TBT and SPS aspects

TBT aspect

Yes

SPS aspect

No - The draft is not a sanitary or phytosanitary measure

European Commission

Contact point Directive (EU) 2015/1535

Fax: +32 229 98043

email: grow-dir83-189-central@ec.europa.eu