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PROPOSAL

From: Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director

date of receipt: 27 October 2022

To: Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union

No. Cion doc.: COM(2022) 480 final

Subject: ANNEXES to the Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on import, export and transit measures for firearms, their essential components and ammunition, implementing article 10 of the United Nations' Protocol against the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, supplementing the United Nations Convention against Transnational Organised Crime (UN Firearms Protocol) (recast)

Delegations will find attached document COM(2022) 480 final.

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ANNEXES 1 to 5

ANNEXES

to the Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on import, export and transit measures for firearms, their essential components and ammunition, implementing article 10 of the United Nations' Protocol against the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, supplementing the United Nations Convention against Transnational Organised Crime (UN Firearms Protocol) (recast)

{SEC(2022) 330 final} - {SWD(2022) 298 final} - {SWD(2022) 299 final}

ANNEX I

I: List of firearms and ammunitions, according to Directive (EU) 2021/555.

DESCRIPTION	NC CODE
Category A – prohibited firearms	
(1) Explosive military missiles and launchers.	9301 10 00 9301 20 00 9306 90 10
(2) Automatic firearms.	9301 90 00
(3) Firearms disguised as other objects.	ex 9302 00 00 ex 9303 10 00 ex 9303 90 00 9301 90 00 ex 9303 20 10 ex 9303 20 95
(4) Ammunition with penetrating, explosive or incendiary projectiles, and the projectiles for such ammunition.	9306 30 30 9306 90 10 ex 9306 21 00
(5) Pistol and revolver ammunition with expanding projectiles and the projectiles for such ammunition, except in the case of weapons for hunting or for target shooting, for persons entitled to use them.	ex 9306 30 10 9306 30 30
(6) Automatic firearms which have been converted into semi-automatic firearms.	9301 90 00 ex 9302 00 00
(7) Any of the following centre-fire semi-automatic firearms:	
(a) short firearms which allow the firing of more than 21 rounds without reloading, if: <ul style="list-style-type: none"> – a loading device with a capacity exceeding 20 rounds is part of that firearm; or 	ex 9302 00 00

	– a detachable loading device with a capacity exceeding 20 rounds is inserted into it;	
	(b) long firearms which allow the firing of more than 11 rounds without reloading, if: <ul style="list-style-type: none"> – a loading device with a capacity exceeding 10 rounds is part of that firearm; or – a detachable loading device with a capacity exceeding 10 rounds is inserted into it. 	ex 9303 30 00 9301 90 00 ex 9303 90 00 ex 9303 20 10 ex 9303 20 95
(8)	Semi-automatic long firearms, that is to say firearms that are originally intended to be fired from the shoulder, that can be reduced to a length of less than 60 cm without losing functionality by means of a folding or telescoping stock or by a stock that can be removed without using tools.	9301 90 00 ex 9303 20 10 ex 9303 20 95 ex 9303 30 00 ex 9303 90 00
(9)	Any firearm in this category that has been converted to firing blanks, irritants, other active substances or pyrotechnic rounds, or into a salute or acoustic weapon.	9301 90 00 ex 9302 00 00 ex 9303 20 10 ex 9303 20 95 ex 9303 30 00 ex 9303 90 00
Category B – Firearms subject to authorisation		
(1)	Repeating short firearms	ex 9302 00 00
(2)	Single-shot short firearms with centre-fire percussion.	ex 9302 00 00
(3)	Single-shot short firearms with rimfire percussion whose overall length is less than 28 cm.	ex 9302 00 00
(4)	Semi-automatic long firearms the loading device and chamber of which can together hold more than three rounds in the case of rimfire firearms, and more than three but fewer than twelve rounds in the case of centre-fire firearms.	ex 9303 20 10 ex 9303 20 95 ex 9303 30 00 ex 9303 90 00

(5)	Semi-automatic short firearms other than those listed under point 7(a) of category A.	ex 9302 00 00
(6)	Semi-automatic long firearms listed under point 7(b) of category A the loading device and chamber of which cannot together hold more than three rounds, where the loading device is detachable or where it is not certain that the weapon cannot be converted, with ordinary tools, into a weapon the loading device and chamber of which can together hold more than three rounds.	ex 9303 20 10 ex 9303 20 95 ex 9303 30 00 ex 9303 90 00
(7)	Repeating and semi-automatic long firearms with smooth-bore barrels not exceeding 60 cm in length	ex 9303 20 10 ex 9303 20 95
(8)	Any firearm in this category that has been converted to firing blanks, irritants, other active substances or pyrotechnic rounds, or into a salute or acoustic weapon.	ex 9302 00 00 ex 9303 20 10 ex 9303 20 95 ex 9303 30 00 ex 9303 90 00
(9)	Semi-automatic firearms for civilian use which resemble weapons with automatic mechanisms other than those listed under point 6, 7 or 8 of category A	ex 9302 00 00 ex 9303 20 10 ex 9303 20 95 ex 9303 30 00 ex 9303 90 00
Category C –Firearms and weapons subject to declaration		
(1)	Repeating long firearms other than those listed in point 7 of category B.	ex 9303 20 95 ex 9303 30 00 ex 9303 90 00
(2)	Long firearms with single-shot rifled barrels.	ex 9303 20 95 ex 9303 30 00 ex 9303 90 00
(3)	Semi-automatic long firearms other than those listed in category A or B	ex 9303 30 00 ex 9303 20 10 ex 9303 20 95

		ex 9303 90 00
(4)	Single-shot short firearms with rimfire percussion whose overall length is not less than 28 cm	ex 9302 00 00
(5)	Any firearm in this category that has been converted to firing blanks, irritants, other active substances or pyrotechnic rounds, or into a salute or acoustic weapon.	ex 9303 20 10 ex 9303 20 95 ex 9303 30 00 ex 9303 90 00
(6)	Firearms classified in category A or B or this category that have been deactivated in accordance with Implementing Regulation (EU) 2015/2403.	ex 9304 00 00
(7)	Single-shot long firearms with smooth-bore barrels placed on the market on or after 14 September 2018.	9303 10 00 ex 9303 20 10 ex 9303 20 95

II: Firearms and ammunitions others than listed in part I and essential components.

(1)	Collections and collectors' pieces of historical interest Antiques of an age exceeding 100 years	ex 9705 10 00 ex 9706 10 00 ex 9706 90 00
(2)	Ammunition: the complete round or the components thereof, including cartridge cases, primers, propellant powder, bullets or projectiles, that are used in a firearm, provided that those components are themselves subject to authorisation in the relevant Member State	ex 3601 00 00 9306 21 00 ex 9306 29 00 ex 9306 30 10 ex 9306 30 30 ex 9306 30 90 ex 9306 90 10 ex 9306 90 90
(3)	Any essential components of firearms, even semi-finished.	ex 9305 10 00 ex 9305 20 00 ex 9305 91 00

		ex 9305 99 00
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III: Non-convertible alarm and signal weapons

(1)	Non-convertible alarm and signal weapons referred to in Article 8 of this Regulation	ex 9303 90 00 ex 9304 00 00
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For the purposes of this Annex:

- (a) ‘short firearm’ means a firearm with a barrel not exceeding 30 centimetres or whose overall length does not exceed 60 centimetres;
 - (b) ‘long firearm’ means any firearm other than a short firearm;
 - (c) ‘automatic firearm’ means a firearm which reloads automatically each time a round is fired and can fire more than one round with one pull on the trigger;
 - (d) ‘semi-automatic firearm’ means a firearm which reloads automatically each time a round is fired and can fire only one round with one pull on the trigger;
 - (e) ‘repeating firearm’ means a firearm which, after a round has been fired, is designed to be reloaded from a magazine or cylinder by means of a manually-operated action;
 - (f) ‘single-shot firearm’ means a firearm with no magazine which is loaded before each shot by the manual insertion of a round into the chamber or a loading recess at the breech of the barrel.
- (1) Based on the Combined Nomenclature of goods as laid down in Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff.
- (2) When an ‘ex’ code is indicated, the scope is to be determined by application of the CN code and corresponding description taken together.

ANNEX II

Part I

(template for import authorisation forms)

(referred to in Article 9 of this Regulation)

When granting import authorisations, Member States will strive to ensure the visibility of the nature of the authorisation on the form issued.

This is an import authorisation valid in all Member States of the Union until its expiry date.

EUROPEAN UNION		IMPORT OF FIREARMS (Regulation (EU) No ...)		
Type of authorisation				
Single <input type="checkbox"/>		multiple <input type="checkbox"/>		
Intra-EU Transit before import applicable? Yes <input type="checkbox"/>		External-transit applicable? Yes <input type="checkbox"/>		
Non-convertible alarm and signal weapons <input type="checkbox"/>		Deactivated firearms <input type="checkbox"/>		
1	1. importer No	2. identification number of the authorisation ¹	3. expiry date	
Authorisation	(EORI number if applicable)	4. contact point details		
	5. consignee(s) (EORI number if applicable)	6. issuing authority		
	7. Agent(s)/Representative(s) No			
	(If different from importer) (EORI number if applicable)	8. country(ies) of import	Code ²	
		9. country(ies) of export and number(s) of export authorisation(s)	Code ²	
	10. Final recipient(s) (if known at the time of the shipment) (EORI number if applicable)	11. Third countries of transit (if applicable)	Code ²	
		12. Member State(s) of intended entry into the customs import procedure	Code ²	
	13. Description of the items	14. Harmonised System or Combined Nomenclature Code (if applicable – 8 digits)		
13a. Marking	15. currency and value	16. quantity of the items		

¹ For completion by the competent authority

² See Council Regulation (EC) No 1172/95 (OJ L 118. 25.5.1995, p.10)

	17. End use	18. contract date (if applicable)	19. customs import procedure applicable
	20. Additional information required by national legislation (to be specified on the form)		
	Available for pre-printed information		
	At discretion of Member States		
		For completion by issuing authority	
		Signature	Stamp
		Issuing authority	
		Place and date	

EUROPEAN UNION

Authorisation	1a. (a separate template shall be filled in for each consignee)	1. importer	2. identification number	9. country of import and number of import authorisation	
			5. consignee		
		13.1 description of the items	14. commodity code (if applicable with 8 digits)		
		13a. Marking	15. Currency and Value	16. Quantity of the items	
		13.2 description of the items	14. commodity code (if applicable with 8 digits)		
		13a. Marking	15. Currency and Value	16. Quantity of the items	
		13.3 description of the items	14. commodity code (if applicable with 8 digits)		
		13a. Marking	15. Currency and Value	16. Quantity of the items	
		13.4 description of the items	14. commodity code (if applicable with 8 digits)		
		13a. Marking	15. Currency and Value	16. Quantity of the items	
		13.5 description of the items	14. commodity code (if applicable with 8 digits)		

	13a. Marking	15. Currency and Value	16. Quantity of the items
	13.6 description of the items	14. commodity code (if applicable with 8 digits)	
	13a. Marking	15. Currency and Value	16. Quantity of the items
<p>Note: A separate template shall be filled in for each consignee, in line with the 1a template. In part A of column 22, indicate the quantity still available and in part 2 of column 22, indicate the quantity deducted at this occasion.</p>			

21. Net quantity/value (net mass/other unit with indication of unit)		23. In words for quantity/value deducted	24. Customs document (Type and number) or extract (Nr) and date of deduction	25. Member State, name and signature, stamp of deduction
22. In numbers				
1				
2				
1				
2				
1				
2				
1				
2				
1				
2				

1			
2			
1			
2			

Part II

(referred to in Article 10 of this Regulation)

The import declaration for temporary admission is to include the information related to the firearms concerned. Such information is notably to include:

- the particulars of the firearms, including the name of the manufacturer or brand, the country or place of manufacture, the serial number and the year of manufacture, if not already part of the serial number, and the model where feasible;
- the date and unique reference number of the authorisation to own or possess a firearm and of the export authorisation from the non-EU country.

ANNEX III

Part I

(template for export authorisation forms)

(referred to in Article 14 of this Regulation)

When granting export authorisations, Member States will strive to ensure the visibility of the nature of the authorisation on the form issued.

This is an export authorisation valid in all Member States of the Union until its expiry date.

EUROPEAN UNION		EXPORT OF FIREARMS (Regulation (EU) No ...)		
Type of authorisation				
Single <input type="checkbox"/>		multiple <input type="checkbox"/>		
Intra-EU Transit after export applicable yes <input type="checkbox"/>				
Non-convertible alarm and signal weapons <input type="checkbox"/>		Deactivated firearms <input type="checkbox"/>		
Authorisation	1	1. exporter No	2. identification number of the authorisation ³	
		(EORI number if applicable)	3. expiry date	
		5. consignee(s) (EORI number if applicable)	4. contact point details	
		7. Agent(s)/Representative(s) No	6. issuing authority	
		(If different from exporter) (EORI number if applicable)	8. country(ies) of export	Code ⁴
		10. Final recipient(s) (if know at the time of the shipment) (EORI number if applicable)	9. country(ies) of import and number(s) of import authorisation(s)	Code ⁴
			11. Third countries of transit (if applicable)	Code ⁴
		13. Description of the items	12. Member State(s) of intended entry into the customs export procedure	Code ⁴
		14. Harmonised System or Combined Nomenclature Code (if applicable – 8 digits)		

³ For completion by the competent authority

⁴ 2 See Council Regulation (EC) No 1172/95 (OJ L 118. 25.5.1995, p.10)

	13.5 description of the items	14. commodity code (if applicable with 8 digits)	
	13a. Marking	15. Currency and Value	16. Quantity of the items
	13.6 description of the items	14. commodity code (if applicable with 8 digits)	
	13a. Marking	15. Currency and Value	16. Quantity of the items

Note: A separate template shall be filled in for each consignee, in line with the 1a template. In part A of column 22, indicate the quantity still available and in part 2 of column 22, indicate the quantity deducted at this occasion.

21. Net quantity/value (net mass/other unit with indication of unit)		23. In words for quantity/value deducted	24. Customs document (Type and number) or extract (Nr) and date of deduction	25. Member State, name and signature, stamp of deduction
22. In numbers				
1				
2				
1				
2				
1				
2				
1				
2				
1				

2			
1			
2			
1			
2			

Part II

(referred to in Article 17 of this Regulation)

The export declaration for temporary exports and for re-exports is to include the information related to the firearms concerned. Such information is notably to include:

the particulars of the firearms, including the name of the manufacturer or brand, the country or place of manufacture, the serial number and the year of manufacture, if not already part of the serial number, and the model where feasible;

the date and unique reference number of the authorisation to own or possess a firearm and of the export authorisation from the non-EU country.

ANNEX IV

End-user certificate

The end-user certificate is to include at least the following information:

- (a) details of the exporter (including name, address, business name and, if available, company registration number);
- (b) details of the end-user (including name, address, business name and, if available, company registration number). In the case of export to a private company that resells the goods on a local market, that company will be regarded as the end-user for the purposes of this Regulation. This shall not prevent Member States from evaluating licence applications that concern exports to resellers differently from licence applications concerning exports to end-users;
- (c) country of final destination;
- (d) description of the goods, including, if available, the contract number or order number;
- (e) if applicable, quantity or value of the goods intended for export;
- (f) signature, name and title of the end-user;
- (g) name of the competent national authority in the country of final destination;
- (h) certification by the relevant national authorities, according to national practice (including the date, name, title and original signature of the authorising official);
- (i) the date of issue of the end-user certificate;
- (j) if applicable, a unique identifying number or contract number relating to the end-user certificate;
- (k) a commitment that the products concerned will not be re-exported without the express agreement of the Member State issuing the export licence, and a commitment that the products will only be used for civilian purposes;
- (l) if appropriate, details of the relevant broker (including name, address, business name and, if available, company registration number).

ANNEX V

Correlation table

Regulation (EU) No 258/2012	This Regulation
Article 1	Article 1
Article 2, introductory wording	Article 2, introductory wording
Article 2, point 1	Article 2, point 1
Article 2, point 2	-
-	Article 2, point 2
Article 2, point 3	Article 2, point 3
-	Article 2, point 4
-	Article 2, point 5
Article 2, point 4	Article 2, point 6
Article 2, point 5	Article 2, point 7
-	Article 2, point 8
Article 2, point 7	Article 2, point 9
Article 2, point 9	Article 2, point 10
-	Article 2, point 11
-	Article 2, point 12
-	Article 2, point 13
-	Article 2, point 14
-	Article 2, point 15
-	Article 2, point 16
-	Article 2, point 17
-	Article 2, point 18
-	Article 2, point 19
Article 2, point 10	Article 2, point 20

-	Article 2, point 20
-	Article 2, point 21
-	Article 2, point 22
-	Article 2, point 23
Article 2, point 6	Article 2, point 24
-	Article 2, point 25
Article 2, point 8	Article 2, point 26
-	Article 2, point 27
-	Article 2, point 28
-	Article 2, point 29
-	Article 2, point 30
-	Article 2, point 31
Article 2, point 14	Article 2, point 32
Article 2, point 11	Article 2, point 33
-	Article 2, point 34
-	Article 2, point 35
Article 2, point 12	Article 2, point 36
-	-
-	Article 2, point 37
-	Article 2, point 38
-	Article 2, point 39
Article 2, point 13	Article 2, point 40
Article 2, point 15	Article 2, point 41
Article 2, point 16	Article 2, point 42
-	Article 2, point 43
-	Article 2, point 44
-	Article 2, point 45

-	Article 2, point 46
-	Article 2, point 47
-	Article 2, point 48
-	Article 2, point 49
Article 3(1), points (a), (c) and (f)	Article 3(1), points (a), (b) and (c)
Article 3(1), points (b), (d) and (e)	-
Article 3(2)	-
-	Article 4
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-	Article 6
-	Article 7
-	Article 8
-	Article 9
-	Article 10
-	Article 11
-	Article 12
-	Article 13
-	Article 14(1) first sentence
Article 4(1), first and second sentence	Article 14(1) second and third sentence
-	Article 14(1) forth sentence
Article 4(2)	-
-	Article 14(2)
-	Article 14(3)
Article (4(3)	Article 14(4)
Article 5	Article 35(1), introductory wording and point (a)
-	Article 35(1), point (b) and (c)

Article 6	Article 36
Article 7(1)	Article 15(1)
Article 7(2)	-
Article 7(3)	Article 15(2)
-	Article 15(3)
Article 7(4)	Article 15(4)
Article 7(5), first sentence	Article 15(5), first sentence
-	Article 15(5), second sentence
Article 7(5), second sentence	Article 15(5), third sentence
Article 7(6)	Article 15(6), first sentence
-	Article 15(7)
-	Article 15(8)
Article 8	Article 16, point 1 and 2
-	Article 16(3)
Article 9	Article 17, point 1 and 2
-	Article 17, point 3
Article 10	Article 18
Article 11(1) point a	Article 19(1) point a, first part
-	Article 19(1) point a, second part
Article 11(1) point b	Article 19(1) point b
Article 11(1), last sentence	Article 19(1), last sentence
-	Article 19(2)
Article 11(2)	Article 19(3)
-	Article 19(4)
-	Article 19(5)
Article 11(3)	Article 19(6)
Article 11(4)	Article 19(7)

-	Article 19(8)
Article 12, first and second sentence	Article 26(1)
Article 12, third sentence	Article 26(2)
-	Article 20(1)
-	Article 20(2), first sentence
Article 13(1)	Article 20(2), last sentence
Article 13(2) and (3)	-
-	Article 21
Article 14	Article 30
Article 15	Article 31
Article 16	Article 32(1)
-	Article 32(2)
Article 17(1)	Article 24(1) first sentence
-	Article 24(1), second and third sentence
Article 17(2)	Article 24(2)
-	Article 24(3)
Article 17(3)	Article 24(4)
-	Article 24(4) last two sentences
Article 17(4)	Article 24(4)
-	Article 22(1)
Article 18(1)	Article 22(2)
Article 18(2)	Article 22(3)
-	Article 22(4)
-	Article 22(5)
-	Article 22(6)
Article 19(1)	-
-	Article 23 (1), (2), and (3)

Article 19(2)

-

-

-

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Article 20

Article 21(1)

Article 21(2) first part of the first sentence

-

-

Article 21(2) second sentence

Article 21(3)

-

-

-

-

Article 22, first sentence

Article 22, second and third sentence

Article 22, last sentence

Annex I

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Annex II

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Article 23(4)

Article 25

Article 27

Article 28

Article 29

Article 33

Article 34(1)

Article 34(2) introductory wording

Article 34(2) point a

Article 34(2) point b

Article 34(2) last sentence

Article 34(3)

Article 34(3) last sentence

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Article 39

Article 40 first sentence

-

Article 40, last sentence

Annex I

Annex II

Annex III, first part

Annex III, second part

Annex IV

Annex V