



GOVERNMENT OF MALTA

Government response to the consultation on Possession and Acquisition of Weapons

Insert date

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Malta*

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Published by the Ministry for Home Affairs and National Security

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Executive Summary

Introduction and overview

1. 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.

2. On 9th February 2018, the Government published a consultation paper setting proposals in relation to Malta's transposition of EU Directive 2017/853 on control of the acquisition and possession of weapons, which requires amendments to the Arms Act (Cap. 480 of the Laws of Malta) and relevant subsidiary legislation. This consultation was undertaken to obtain the stakeholders' views in relation to government's proposal to transpose the new Firearms Directive.

3. This consultation sought views on all the provisions whereby government would be transposing the Directive.

4. This document is the Government Response to this consultation and sets out the Government's decisions on these matters. (Standard)

Responses to the consultation and process used to seek stakeholder views

5. The consultation closed on 16th March 2018. The consultation document and the reply form were available online and responses were accepted electronically and on paper. In total, there were 4 responses. These were received from across the sector, namely: MATSAC, AACTS (Association of Arms Collectors and Shooters), AMACS (Association of Maltese Arms Collectors & Shooters), DASA (Direct Action Shooting Academy), Executive Gun Club, MC (Malta Command Living History Group), SAFE (Shooting and Firearms Enthusiasts) and WASP (Weapons Awareness Shooting Practice). A number of individuals also sent feedback or endorsed club feedback.

6. One meeting was held with two representatives of FACTS (Federation of Arms Collectors and Target Shooters).

7. The following is a summary of the consultation responses received. We would like to thank all those who took the time to respond to the consultation and participate in stakeholder meetings around the consultation exercise. (Standard)

Summary of responses and decisions

8. A majority of respondents, mostly from the firearms sector, were generally favourable to government's approach to transposition. However, they also submitted suggestions as to how the transposing text could be improved. In particular, suggestions were made vis-a-vis the target shooter and collector licences.

9. Government is presently in the process of assessing the feedback received.

Implementation

13. Subject to Parliamentary approval, we intend to implement our decision by 14 September 2018.

Contact Details

If you have any questions regarding this response, please contact:
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