

**Notice to Importers 2682, issued on 22April 2004 by Import Licensing Branch (ILB),
Queensway House, West Precinct, Billingham TS23 2NF**

IMPORT LICENSING ARRANGEMENTS FOR WEAPONS TRANSFERRED FROM THE EUROPEAN COMMUNITY (EC) TO THE UNITED KINGDOM

On EC Directive on Control of the Acquisition and Possession of Weapons (Council Directive 91/477/EEC, Official Journal of the European Communities L256.13.9.91) and Article 10 of Council Directive 93/15/EEC O.J. L121, 15.5.93 will apply to the acceding Member States for the transfer of weapons and ammunition to the UK. A list of the current and acceding Member States of the EC is given at paragraph 9 of this Notice.

If the transfer does not fall within the arrangements as set out below then the current import licensing arrangements will continue to apply.

MOVEMENT OF WEAPONS AFFECTED

2. The arrangements are applicable to movements of weapons and certain ammunition transferred from another Member State to the UK. The above mentioned EC Directives do not apply to the Isle of Man where UK national import licensing requirements continue to operate. The Channel Islands do not form part of the UK and therefore these arrangements do not apply to these islands.

IMPORTERS EXEMPT FROM THE WEAPONS DIRECTIVE

3. The following are exempt from the provisions of the EC Directive and import licensing arrangements are as before:

- a) the police;
- b) the armed forces;
- c) museum firearms licence holders;
- d) firearm and shot gun certification holders whose certificate contains a condition in relation to the firearm being imported that the firearm must be purchased, acquired or possessed only for the purpose of its being kept or exhibited as part of a collection;
- e) anyone recognised as a collector of firearms in another Member State or anyone acting on behalf of such a recognised collector;
- f) anyone acting on behalf of a body recognised by another Member State as being concerned with the cultural or historical aspects of weapons;
- g) importers transferring weapons of war, that is to say where they are imported for military purposes, and
- h) importers transferring weapons designed or adapted for the discharge of any noxious liquid, gas or other thing or any ammunition containing, or designed or adapted to contain, any such noxious thing.

Also not covered by the import licensing requirements are any items in excess of 100 years old, certain air weapons, not readily convertible replica firearms and firearms deactivated to UK standards. For further information about these exclusions please contact this Branch. Contact details at the end of this Notice.

PERMANENT TRANSFERS

4. a) These include commercial movements, mail order sales, and UK residents bringing into the UK for the first time weapons newly acquired in the EC. For firearms subject to control under Sections 1 & 2 of the Firearms Act 1968 (as amended) or Article 3 of the Firearms (Northern Ireland) Order 1981 (as amended) an import licence (either an open individual or individual) is no longer required from Import Licensing Branch. Instead the following conditions must be met:

- (i) a licence authorising the transfer of the firearms to the UK must be issued by the Member State from which the firearms are despatched; and

- (ii) the licence must accompany the firearms until they reach their destination in the UK. The licence must be produced to a police officer or officer of HM Customs & Excise if they ask to see it; and
 - (iii) you, as the recipient of the goods, must be authorised to possess or trade in the firearms, that is to say, you must be a registered firearms dealer, or firearm or shot gun certification holder unless you are exempt from the need to hold a certificate, for example because you are a carrier or auctioneer.
- Where importers have problems in obtaining transfer licences from the authorities in the new Member States they should contact this office for further advice.

b) The licence issued by the Member State from which the firearms are transferred may be either a specific licence relating to a particular consignment or it may be an open licence. Open licences may be issued for transfers between authorised dealers. They can be valid up to three years and where consignments are being transferred under an open licence a document referring to that licence and giving details of the firearms being transferred, must accompany each consignment.

c) For prohibited weapons and ammunition subject to control under Section 5, of the Firearms Act 1968 (as amended) or Article 6 of the Firearms (Northern Ireland) Order 1981 (as amended) the following provisions must be met:

(i) You must apply to Import Licensing Branch for an individual licence giving prior consent to the entry of the prohibited weapons and ammunition into the UK.

Such licences will only be granted to those authorised by the Secretary of State under Section 5 of the Firearms Act 1968 (as amended) or Article 6 of the Firearms (Northern Ireland) Order 1981 to possess or trade in prohibited weapons and only in accordance of the terms as such authority. Applicants should submit to Import Licensing Branch, at the above address, a completed application form ILB/W for consideration.

(ii) You must produce the licence issued by Import Licensing Branch to the authorities of the Member State from which the weapons are to be transferred before that Member State will issue a licence authorising the transfer of the weapons and ammunition to the UK. Both licences must accompany the weapons and ammunition until they reach their destination in the UK. The licences must be produced to a police officer or officer of HM Customs & Excise if they ask to see them. Where the consignment is being transferred under an open licence between two dealers, you may have to produce a copy of your DTI import licence (prior consent) to the dealer before the weapons can be transferred to the UK.

TEMPORARY TRANSFERS

5. a) UK Residents

UK residents returning with previously owned firearms and ammunition to the UK must have the appropriate domestic authority to hold the firearms and ammunition in the UK and an appropriately endorsed European Firearms Pass (EFP). You must have the appropriate documents with you on return to the UK with the firearms and ammunition.

b) EC but not UK Residents

All EC visitors, including huntsmen and marksmen, will require the appropriate visitor's firearm permit or visitor's shot gun permit and must also have a EFP issued by the authorities of their Member State of residence. You must have the relevant permits when you bring your firearms into the UK. **If any of the acceding Member States are unable to issue EFPs a visitor's firearm permit or visitor's shotgun permit only will be required for travelling to the UK with firearms or ammunition.** EFPs are obtained from the police constabulary at the place of residency in the UK.

c) Non EC Residents

Non EC residents travelling from another Member State will require the appropriate visitor's permit only which you must have with you when you bring your firearms to the UK advice on the issue of EFP, visitor's permits and domestic authorities can be obtained from the firearms licensing department of police constabulary at your place of residency in the UK.

SPECIAL PROVISIONS FOR NORTHERN IRELAND

6. Handguns, air weapons incorporating a self-contained gas cartridge system and expanding ammunition, other than expanding ammunition for pistols, are not prohibited in Northern Ireland but are in Great Britain. In these cases for imports directly into Northern Ireland only the provisions of paragraph 4(a) for the issue of transfer documents and domestic authority need to be complied with. However if any part of the journey is

through Great Britain this can only be conducted by a carrier authorised under Section 5 of the Firearms Act 1968.

7. Other provisions apply for imports into Northern Ireland and importers are advised to contact the Northern Ireland Office, Massey House, Stoney Road, Belfast BT4 3SX. Tel 02890 520 700 for further details.

TRANSHIPMENTS THROUGH THE UK

8. The control of transshipments through the UK from and to other Member States is dealt with by the Department's Export Control Organisation, telephone: 0207 215 4594, fax: 0207 215 0558, E-mail: eco.spire@berr.gsi.gov.uk.

MEMBER STATES OF THE EUROPEAN COMMUNITY

9. The current Member States are Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, the Republic of Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Portugal, Romania, Slovakia, Spain, Sweden and the United Kingdom.

10. Any enquiries regarding the Notice or on any aspect of import licensing for firearms should be addressed to Import Licensing Branch at the address given at the head of the Notice. This Notice replaces Notice to Importers 2364 (Lloyd's List, 26 November 1992).

Enquiries:

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