

Public Consultation on Regulation 258

A

Introduction

The objective of this open public consultation is to give EU citizens and all concerned stakeholders an opportunity to express their views on the implementation of Regulation 258/2012 of 14 March 2012, implementing Article 10 of the United Nations' Protocol against the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, and establishing export authorisation, and import and transit measures for firearms, their parts and components and ammunition (hereafter Regulation 258).

Stakeholders interested in participating into this consultation are reminded that Regulation 258/2012 does not concern firearms for military purposes. Law Enforcement Agencies will be consulted separately.

B

About you

B1. Are you replying to this consultation:

- In a personal capacity
- In your professional capacity or on behalf of an organisation

(If you are answering as an individual)

B2. Name

B3. Surname

B4. Email address

B5. Country of residence (list of 28)

B6. If 'other' country, please specify

B7. Please select in which capacity you are participating to this consultation::

- Broker/dealer
- Hunter
- Sport shooter
- Collector
- Academic
- Other

BX.. If 'other', please specify

B8. Your contribution

Note that, whatever option chosen, your answers may be subject to a request for public access to documents under Regulation (EC) N°1049/2001

- Can be published with your personal information (I consent the publication of all information in my contribution in whole or in part including my name or my organisation's name, and I declare that nothing within my response is unlawful or would infringe the rights of any third party in a manner that would prevent publication)
- Can be published provided that you remain anonymous (I consent to the publication of any information in my contribution in whole or in part (which may include quotes or opinions I express) provided that it is done anonymously. I declare that nothing within my response is unlawful or would infringe the rights of any third party in a manner that would prevent the publication.

(If you are answering in your professional capacity or on behalf of an organisation)

B8. Respondent's First name

B9. Respondent's surname

B10. Respondent's professional email address

B11. Name of organisation

B12. Postal address of the organisation

B13. Type of organisation (list)

- Broker/dealer
- Manufacturer
- Think Tank /Academic
- Other

B14. If 'other', please specify

B15. Is your organisation included in the Transparency Register?

- Yes
- No
- Not applicable

B16. If so, please indicate your Registration ID number

B17. Country of organisation's headquarters (list of 28)

B18. If 'other', please specify

B19. Your contribution

- Can be published with your personal information (I consent the publication of all information in my contribution in whole or in part including my name or my organisation's name, and I declare that nothing within my response is unlawful or would infringe the rights of any third party in a manner that would prevent publication)
- Can be published provided that you remain anonymous (I consent to the publication of any information in my contribution in whole or in part (which may include quotes or opinions I express) provided that it is done anonymously. I declare that nothing within my response is unlawful or would infringe the rights of any third party in a manner that would prevent the publication.

B. 20 Which of the following areas of the policy area covered by Regulation 258 respond to your field of activity or interest? *List*

1. Do you consider that you have enough information regarding Regulation 258?

- Yes
- No
- Don't know

2. Overall do you think that Regulation 258 has improved the external EU trade of civilian firearms, parts and essential components and ammunitions?

- Yes, substantially
- Yes, to a limited extent
- No
- I do not know

3. :

Action	Not at all important	Moderately important	Very important	I do not know
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Action	Not at all important	Moderately important	Very important	I do not know
Ensuring an efficient functioning of the international civilian firearms trade	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ensuring a high level of security in the EU	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

4. Which competent authority is primary responsible for implementing Regulation 258 in your country?

- Customs
- Police
- Export control agency
- Other (please specify)
- I don't know

5. Which were the three most common destination countries where you / your organisation applied to export civilian firearms during 2016?

- Text box:
- I don't know

6. How many authorisations and rejections to applications for authorisation of export of civilian firearms did you / your organisation receive during 2016?

- Authorisations:
- Rejections:
- I don't know

7. How often did you / your organisation experience the following situations when EXPORTING firearms in the last 2 years? Using a scale of 1=never, 2= rarely, 3= sometimes, 4= often, 5= very often, please rate:

	1	2	3	4	5
We could not obtain authorisation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
We lost deals due to the length of time it took to obtain licenses.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
We experienced delays at customs when seeking to export firearms	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Requirements for authorisation was heavy and time-consuming	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The process for authorisation was predictable	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The custom clearance procedures were clear	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (please specify):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

8. When IMPORTING firearms, did you encounter issues not linked to the placing on the market (i.e. not subject to Directive 91/477 on the control of the acquisition and possession of weapons)? (Using the following scale: 1= disagree, 2=partially disagree, 3=neither agree nor disagree, 4= partially agree, 5= fully agree.

	1	2	3	4	5
The custom clearance procedures are clear	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (please specify):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

9. Have you ever experienced a situation in which procedures under Regulation 258 have been applied to transfers of:

	Yes, often	Yes, sometimes	No never	I don't know
fully automatic weapons				
semi automatic weapons				
state to state transfers				
weapons destined for the armed forces				
firearms to collectors or museums				
deactivated firearms				
firearms manufactured before 1899				

10. Are there any fees associated with applying for an export authorisation by an individual or company in your country?

- Yes
- No
- I don't know

11. If 'Yes', please specify the amount:

Box to fill in:

12. Do you think rules in different EU Member States are sufficiently harmonised with regard to import, export, transit and transshipment?

- Not at all
- To a small extent
- To a moderate extent

- To a large extent
- Entirely
- I do not know

Would you like to add some details? TEXT BOX

13. How effective do you believe authorities are in relation to:

Action	Not at all	To a small extent	To a moderate extent	To a large extent	Entirely	I do not know
Ensuring that exporters comply to all procedures set by the Regulation 258	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Identifying illegal firearms and components coming from third countries	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cooperating with other Member States to effectively control over the manufacturing, marking, import and export of firearms	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

14. To what extent do you believe Regulation 258 addresses the following risks?

Risk	Not addressed	Not properly addressed	Adequately addressed	I do not know
Diversion during export	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Diversion during import	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Approval in one MS of an application previously denied in another	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Regulatory competition between Member States	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (please specify)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

15. If you are aware of cases where a similar export was approved by one Member State after having been denied in another, please provide any details you are willing to share:

16. To what extent do you agree with the following statements related to Regulation 258?

Issue	I have not faced such issue	To a small extent	To a medium extent	To a large extent
It lacks clarity in the definitions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
It lacks clarity on the export or import	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Issue	I have not faced such issue	To a small extent	To a medium extent	To a large extent
procedures				
It lacks clarity on the economic operators' responsibilities all along the value chain	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
It lacks clarity on the interplay of the Regulation with other EU legislation relevant for firearms (e.g. Firearms Directive; Dual-use regulation; Common position on military exports)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (please specify):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

22. Have you / your organisation ever experienced a situation in which it was unclear if the firearms you were seeking to export were covered by the controls on civilian firearms exports in accordance with the Regulation 258 or controls on the export of military equipment covered by the Council Common Position 2008/944/CFSP [hyperlink <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:335:0099:0103:en:PDF>]?

- Yes

- No

- If Yes, please provide any details you are willing to share