

## ANTIQUE WEAPONS AND THEIR REPRODUCTIONS

With reference to antique weapons and their reproductions, directive (EU) 2017/853 of the European Parliament and the Council of 17 May 2017 amending Council Directive 91/477/EEC on control of the acquisition and possession of weapons states that:

"For the purposes of this Annex, objects which correspond to the definition of a 'firearm' shall not be included in that definition if they:

(b) are regarded as antique weapons where these have not been included in the categories set out in Part II and are subject to National laws. Pending coordination throughout the Union, Member States may apply their national laws to firearms listed in this Part"

thus deleting the term "or reproduction of such". The reasons behind this change are that reproductions:

**1. they do not have "the same historical importance or interest":** this is not true, as the interest in reproductions is in many cases like that of antique weapons given their finishing, engravings, etc. Reproductions are indeed culturally important, as they can replace the original antique weapons in museums and in private collections, being also more affordable than antique weapons.

**2. they may be manufactured using modern techniques, which can improve their durability and accuracy":** also this is not true, as recent studies conducted in France showed that reproductions of antique weapons cannot be more durable and more precise than the original guns and they do not have any impact on public security; additionally, in modern times, original and reproduction of muzzle loading guns have never been used in terrorism or criminal acts but only for sporting activities, historical re-enactment events, collection and cultural events.

Furthermore, according to the Directive, antique weapons are those produced before the 1890. Therefore, "reproductions" are all those produced copying the antique models manufactured before the 1890. However, models produced before the 1890 can be divided into:

- A. Muzzle loading guns (produced till 1870)
- B. Breechloading guns (produced after 1870)

A third category must be added, namely:

- C. Modern Muzzle loading guns, which do not match the features of the "true" original antique ones. They are loaded from the muzzle, but are built partially copying the modern guns and transformed with the muzzle loading feature. They work and perform more or less like modern guns except for the loading,

**3. All in all, the reproduction of antique muzzle loading guns (match lock, flint lock, circular percussion cap) do not find any place among the European categories set in Directive 2017/853.**

**4. Accordingly, they cannot be included in the more generic definition of rifled or smooth bore long gun (cat. C) being guns "loaded before each shot by the manual insertion of a round into the chamber or a loading recess**

at the breech of the barrel”, according to the consolidated text. On the contrary, the reproductions of antique guns produced before 1870 are out of this category, as they are loaded from the muzzle and do not use any round.

We therefore suggest the following:

1. Historical antique weapons reproductions of muzzle loading models produced before 1870 (match lock, wheel lock, percussion) should not be included in the Directive and be subject to the State National law as it is in several States of the European Community (Italy, Germany, France, Hungary, Poland, Bulgaria, Czech Republic, Slovak Republic, Austria, etc.), where they can be sold only to 18 years old people and they are all marked with serial number and proof tested.
2. Historical antique weapons reproductions (replicas) of breech loading guns, made after the 1870, should be subject to the Directive, as they have a category where they can be placed.
3. Modern muzzle loading guns which are not copies of original antique guns should be subject to the Directive.