

*Suppliment tal-Gazzetta tal-Gvern ta' Malta, Nru. 20,054, 11 ta' Settembru, 2018*  
*Taqsim C*

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## **Nru. 51**

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11. 09. 2018

### **MALTA**

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**KAMRA TAD-DEPUTATI**

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**HOUSE OF REPRESENTATIVES**

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ABBOZZ ta' Liġi mressaq mill-Onorevoli Michael Farrugia, M.P., Ministru għall-Intern u s-Sigurtà Nazzjonali, u moqri għall-Ewwel darba fis-Seduta tal-4 ta' Lulju, 2018.

A BILL introduced by the Honourable Michael Farrugia, M.P., Minister for Home Affairs and National Security, and read the First time at the Sitting of the 4th July, 2018.

**ATT biex jemenda l-Att dwar l-Armi, Kap. 480.**

**AN ACT to amend the Arms Act, Cap. 480.**

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RAYMOND SCICLUNA  
*Skrivan tal-Kamra tad-Deputati*

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RAYMOND SCICLUNA  
*Clerk of the House of Representatives*



**ABBOZZ TA' LIĠI**  
**msejjah**

*ATT biex jemenda l-Att dwar l-Armi, Kap. 480.*

IL-PRESIDENT bil-parir u l-kunsens tal-Kamra tad-Deputati, imlaqqgħa f'dan il-Parlament, u bl-awtorità tal-istess, harget b'liġi dan li ġej:-

1. (1) It-titolu fil-qosor ta' dan l-Att huwa l-Att tal-2018 li jemenda l-Att dwar l-Armi, u dan l-Att għandu jinqara u jinftiehem ħaga waħda mal-Att dwar l-Armi, hawnhekk iżjed 'il quddiem imsejjaħ "l-Att prinċipali".

Titolu u bidu  
fis-seħħ.

Kap. 480.

(2) Dan l-Att għandu jidhol fis-seħħ f'dik id-data li l-Ministru responsabbli għall-Pulizija jista' b'avviż fil-Gazzetta jistabbilixxi, u dati differenti jistgħu jiġu hekk stabbiliti għal dispożizzjonijiet differenti jew għal għanijiet differenti ta' dan l-Att.

2. L-artikolu 2 tal-Att prinċipali għandu jiġi emendat kif ġej:

Emenda tal-  
artikolu 2 tal-  
Att prinċipali.

(a) it-tifsira "arma tan-nar" għandha tiġi sostitwita b'dan li ġej:

" "arma tan-nar" tfisser kwalunkwe arma bil-kanna li tista' tingarr, li tispara, li hija mfašla biex tispara jew li tista' tiġi konvertita biex tispara tir, balla jew projettili permezz tal-azzjoni ta' propellant kombustibbli, sakemm ma tkunx taqa' taħt l-Iskeda III, partiti 1, 3 jew 4.

Ogġett għandu jitqies bħala kapaċi li jiġi konvertit biex jispara tir, balla jew projettili bl-azzjoni ta' propellant kombustibbli jekk:

(a) ikollu l-apparenza ta' arma tan-nar; u

(b) ikun maħdum b'tali mod jew ikun magħmul minn tip ta' materjal li permezz tiegħu jkun jista' jiġi

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konvertit f'arma;"

(b) it-tifsira "arma tan-nar qasira" għandha tiġi sostitwita b'dan li ġej:

" "arma tan-nar qasira" tfisser arma tan-nar b'kanna li ma tkunx aktar minn tletin ċentimetru twila jew li jkollha tul li b'kollox ma jgibx aktar minn sittin ċentimetru bl-istock milwi jew imneħhi jekk hekk provdut;"

(ċ) minnufih wara t-tifsira "arma tan-nar twila" għandha tiżdied it-tifsira ġdida li ġejja:

" "armi akustiċi u tas-salut" tfisser l-armi tan-nar ikkonvertiti speċifikament biex jintużaw biss għall-isparar fil-vojt, l-attivitajiet bħal spetakli teatrali, sessjonijiet fotografiki, reġistrazzjonijiet ċinematografiki u televiżivi, reċtar ta' avvenimenti storiċi, parati, avvenimenti sportivi u taħriġ;"

(d) minnufih wara t-tifsira "armi regolari" għandha tiżdied it-tifsira ġdida li ġejja:

" "armi tal-allarm u tas-sinjal" tfisser apparati b'holder tal-iskrataċ li jkunu ġew imfassla biex jisparaw biss fil-vojt, sustanzi irritanti, sustanzi attivi oħra jew tiri ta' sinjal pirotekniku, u li ma jkunux kapaċi li jiġu konvertiti biex jisparaw tir, balla jew proġettili bl-azzjoni ta' propellant kombustibbli;"

(e) it-tifsira "arma tan-nar li ma tiffunzjonax" għandha tiġi sostitwita b'dan li ġej:

" "armi tan-nar diżattivati" tfisser armi tan-nar li permezz ta' diżattivazzjoni jkunu saru inutilizzabbli b'mod permanenti skont ir-Regolament tal-Kummissjoni 2015/2403 u strumenti rilevanti oħra tal-Kummissjoni, u jkun ġie żgurat li l-komponenti essenzjali kollha tal-arma tan-nar inkwistjoni jkunu saru definittivament inoperabbli u impossibbli li jiġu maqluġha, sostitwiti jew modifikati b'mod li jippermetti li l-arma tan-nar tiġi riattivata bi kwalunkwe mod;"

(f) it-tifsira "kollettur" għandha tiġi sostitwita b'dan li ġej:

" "kollettur" tfisser kwalunkwe persuna fiżika jew ġuridika ddedikata għall-ġbir u l-konservazzjoni ta' armi tan-nar, komponenti essenzjali jew tal-munizzjon għal finijiet storiċi, kulturali, xjentifiċi, tekniċi, edukattivi jew ta' wirt kulturali, u li jkollha liċenza ta' kollettur skont l-artikolu 11;"

(g) minnufih wara t-tifsira "kollettur" għandha tiżdied it-tifsira ġdida li ġejja:

" "komponent essenzjali" tfisser il-kanna, il-qafas, ir-receiver, inklużi r-receiver ta' fuq kif ukoll ta' taħt, fejn applikabbli, is-*slide*, iċ-ċilindru, il-qafra jew l-imblokkatura tal-kulatta, li, billi huma oġġetti separati, huma inklużi fil-kategorija tal-armi tan-nar li jiġu mmuntati fuqhom jew huma maħsuba li jiġu mmuntati fuqhom;"

(h) minnufih wara t-tifsira "il-Ministru" għandha tiżdied it-tifsira ġdida li ġejja:

" "manifattura illegali" tfisser il-manifattura jew l-immuntar tal-armi tan-nar, il-komponenti essenzjali u l-munizzjon tagħhom:

(a) minn kwalunkwe parti essenzjali tat-tali armi tan-nar li jkunu ġew traffikati illegalment;

(b) mingħajr awtorizzazzjoni maħruġa skont ir-regolament 7A tar-Regolamenti dwar il-Moviment ta' Armi tan-Nar u Munizzjon fi Stati Membri u Provedimenti Oħra minn awtorità kompetenti tal-Istat Membru li fih isehhu l-manifattura jew l-immuntar; jew

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(ċ) mingħajr l-immarkar tal-armi tan-nar waqt il-manifattura skont ir-regolament 7A tar-Regolamenti dwar il-Moviment ta' Armi tan-Nar u Munizzjon fi Stati Membri u Provedimenti Oħra;"

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(i) minnufih wara t-tifsira "munizzjon bi proġetti li jinħarqu" għandha tiżdied it-tifsira ġdida li ġejja:

" "mużew" tfisser istituzzjoni permanenti fis-servizz tas-soċjetà u tal-iżvilupp tagħha, miftuħa għall-pubbliku, li tikseb, tikkonserva, tirriċerka u teżibixxi armi tan-nar, komponenti essenzjali jew munizzjon għal finijiet storiċi, kulturali, xjentifiċi, tekniċi, edukattivi, għal skopijiet ta' wirt kulturali jew ta' rikreazzjoni, u rikonoxxuti bħala tali mis-Supretendent tal-Wirt Kulturali. Mużew li jinfetaħ b'appuntament jew li l-aċċess tiegħu huwa sugġett għal identifikazzjoni minn qabel għandu jitqies bħala mużew miftuħ għall-pubbliku;"

(j) it-tifsira "negozjant" għandha tiġi sostitwita b'dan li ġej:

" "negozjant" tfisser kwalunkwe persuna fiżika jew ġuridika li l-kummerċ jew in-negozju tagħha jikkonsisti kollu

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kemm hu jew parzjalment minn waħda mis-segwenți:

(a) il-kummerç, l-iskambju, il-kiri, il-ħażna jew it-tiswija ta' armi tan-nar jew ta' komponenti essenzjali;

(b) il-kummerç jew l-iskambju ta' munizzjon;"

(k) it-tifsira "residenti" għandha tiġi sostitwita b'dan li ġej:

" "residenti" tfisser persuna residenti tal-pajjiż indikat fl-indirizz li jidher fuq dokument uffiċjali li juri l-post tar-residenza tagħha, bħalma hu passaport jew karta tal-identità nazzjonali, li meta jsir kontroll fuq l-akkwist jew il-pussess, jiġi pprezentat lill-Kummissarju jew lil negozjant. Jekk indirizz ta' persuna ma jidherx fuq il-passaport jew il-karta tal-identità nazzjonali tagħha, il-pajjiż ta' residenza tagħha għandu jiġi ddeterminat abbażi ta' kwalunkwe prova uffiċjali oħra ta' residenza rikonoxxuta mill-Kummissarju;"

(l) minnufih wara t-tifsira "sparar bil-mira" għandha tiżdied it-tifsira ġdida li ġejja:

" "traċċar" tfisser l-ittraċċar sistematiku tal-armi tan-nar u, fejn possibbli, il-komponenti essenzjali u l-munizzjon tagħhom mill-manifattur sax-xerrej bil-għan li tinghata għajnuna lill-awtoritajiet kompetenti tal-Istati Membri biex jiskopru, jinvestigaw u janalizzaw il-manifattura illeċita u t-traffikar illegali;" u

(m) minnufih wara t-tifsira "traċċar" għandha tiżdied it-tifsira ġdida li ġejja:

" "traffikar illegali" tfisser l-akkwist, il-bejgħ, il-kunsinna, il-moviment jew it-trasferiment tal-armi tan-nar, il-komponenti essenzjali tagħhom jew il-munizzjon minn jew b'passaġġ mit-territorju ta' Stat Membru wieħed lejn dak ta' Stat Membru ieħor, jekk wieħed miż-żewġ Stati Membri kkonċernati ma jawtorizzax li dan isir skont il-leġiżlazzjoni applikabbli tal-Unjoni Ewropea jew jekk l-armi tan-nar, il-komponenti essenzjali jew il-munizzjon ma jkunux immarkati skont ir-regolament 7A tar-Regolamenti dwar il-Moviment ta' Armi tan-Nar u Munizzjon fi Stati Membri u Provvedimenti Oħra."

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Emenda tal-  
artikolu 23 tal-  
Att prinċipali.

3. L-artikolu 23 tal-Att prinċipali għandu jiġi emendat kif ġej:

(a) fil-paragrafu (b) tiegħu, minnufih wara l-kliem "Att dwar l-Immigrazzjoni; jew" għandhom jiżdiedu l-kliem "resident tal-UE jew taż-ŻEE f'Malta; jew";

(b) il-paragrafu (e) tiegħu għandu jiġi enumerat mill-ġdid bħala l-paragrafu (f) u minnufih wara l-paragrafu (d) għandu jiżdied il-paragrafu ġdid li ġej:

"(e) ikun residenti f'Malta u jkun akkwista arma tan-nar fi Stat Membru ieħor, skont il-legiżlazzjoni ta' dak l-Istat Membru, sakemm it-tali arma tan-nar hija legalment permissibbli skont dan l-Att; jew";

(ċ) minnufih wara l-paragrafu (f) kif enumerat mill-ġdid għandu jiżdied il-proviso li ġej:

"Izda persuni li jingħataw awtorizzazzjoni skont il-paragrafu (e) għandhom jingħataw Liċenza ta' Kollettur B biss jekk dawn ma jikkwalifikawx għal liċenza skont il-paragrafi l-oħra.";

4. L-artikolu 24 tal-Att prinċipali għandu jiġi emendat kif ġej:

Emenda tal-artikolu 24 tal-Att prinċipali.

(a) fis-subartikolu (1) tiegħu, minnufih wara l-paragrafu (b) għandu jiżdied il-paragrafu ġdid li ġej:

"(ċ) Kull meta persuna tkun ikkundannata għal mill-inqas tliet snin priġunerija effettiva, m'għandhiex tkun intitolata li tapplika għal liċenza skont dan l-Att.";

(b) fis-subartikolu (2) tiegħu, minnufih wara l-proviso għandu jiżdied il-proviso ġdid li ġej:

"Izda għall-fini ta' dan l-artikolu, liċenza tal-kaċċa maħruġa skont ir-Regolamenti dwar il-Liċenzi tal-Kaċċa, għandha titqies bħala liċenza taħt dan l-Att.".

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5. Minnufih wara l-artikolu 31 tal-Att prinċipali għandu jiżdied l-artikolu ġdid li ġej:

Żjieda tal-artikolu 31A ġdid fl-Att prinċipali.

"Sistema ta' monitoraġġ.

31A. Il-Kummissarju għandu jkollu fis-seħh sistema ta' monitoraġġ li għandha tiżgura li l-kundizzjonijiet għall-għoti ta' liċenza jkunu sodisfatti għat-tul kollu kopert mil-liċenza u li, inter alia, tiġi evalwata informazzjoni medika u psikoloġika rilevanti.

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Il-liċenzji kollha maħruġa taħt dan l-Att għandhom jiġu riveduti f'intervalli li ma jaqbzux il-5 snin. Ir-reviżjoni għandha tikkonsisti f'evalwazzjoni mill-ġdid tal-imġieba tal-individwu kkonċernat, evalwazzjoni mill-ġdid tal-kondizzjoni medika u psikoloġika tiegħu u evalwazzjoni mill-ġdid dwar il-partecipazzjoni tiegħu fi klabb kull meta jkun meħtieġ."

Sostituzzjoni tal-artikolu 32 tal-Att prinċipali.

**6.** L-artikolu 32 tal-Att prinċipali għandu jiġi sostitwit b'dan li ġej:

"Sospensjoni jew revokazzjoni ta' liċenza.

32. Bla ħsara għad-dispożizzjonijiet ta' din il-liġi jew ta' xi liġi oħra, il-Kummissarju għandu jissospendi jew jirrevoka liċenza maħruġa taħt dan l-Att:

(a) meta d-detentur tal-liċenza jiġi kkundannat għal xi reat speċifikat fl-artikolu 24; jew

(b) meta d-detentur tal-liċenza ma jibqax jissodisfa l-kundizzjonijiet stabbiliti fit-Taqsima V ta' dan l-Att; -

(ċ) meta d-detentur tal-liċenza ma jibqax jissodisfa il-kundizzjonijiet għall-għoti ta' liċenza."

Żjieda tal-artikolu 32A ġdid fl-Att prinċipali.

**7.** Minnufih wara l-artikolu 32 tal-Att prinċipali, għandu jiżdied l-artikolu ġdid li ġej:

"Sospensjoni jew revokazzjoni ta' liċenza.

32A. Bla ħsara għad-dispożizzjonijiet ta' din il-liġi jew ta' xi liġi oħra, il-Kummissarju jista' jissospendi jew jirrevoka liċenza maħruġa taħt dan l-Att:

(a) bla ħsara għad-dispożizzjonijiet ta' l-artikolu 32, meta d-detentur tal-liċenza jikser id-dispożizzjonijiet ta' dan l-Att jew ta' xi regolament magħmul tahtu; jew

(b) għal raġunijiet ta' sigurtà pubblika jew individwali li għandhom jiġu rreġistrati speċifikament u debitament irrapportati lill-Ministru:

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Iżda għall-fini ta' dan l-artikolu, liċenza tal-kaċċa maħruġa ir-Regolamenti dwar il-Liċenzi tal-Kaċċa, għandha titqies bhala liċenza taħt dan l-Att."



8. Is-subartikoli (2) u (3) tal-artikolu 35 tal-Att prinċipali għandhom jiġu enumerati mill-ġdid bħala s-subartikoli (3) u (4) rispettivament u minnufih wara s-subartikolu (1), għandu jiżdied is-subartikolu ġdid li ġej:

Emenda tal-artikolu 35 tal-Att prinċipali.

"(2) Il-mużewijiet li jkunu ser jeżibixxu armi tan-nar taħt Skeda I mid-data tad-dhul fis-seħħ ta' dan il-provvediment, jistgħu jkunu meħtieġa li jikkonformaw mal-kundizzjonijiet li ġejjin imposti mill-Kummissarju. Dawn il-kundizzjonijiet jistgħu jinkludu l-istess kundizzjonijiet applikabbli għal Liċenza Speċjali ta' Kollettur A kif ukoll kwalunkwe kundizzjonijiet ta' sigurtà addizzjonali li jidhirlu meħtieġa, inkluż l-installazzjoni ta' allarmi u sistemi oħra ta' sorveljanza. Il-Kummissarju jista' wkoll jeħtieġ 24 siegħa ta' sorveljanza tal-bini."

9. L-artikolu 36 tal-Att prinċipali għandu jiġi sostitwit b'dan li ġej:

Sostituzzjoni tal-artikolu 36 tal-Att prinċipali.

"Meta arma tan-nar hija meqjusa bħala diżattivata.

36. L-armi tan-nar għandhom jiġu diżattivati skont ir-Regolament (UE) 2015/2403 u kwalunkwe *standards* oħra maħruġa mill-Kummissjoni Ewropea. Arma tan-nar għandha tiġi rreġistrata bħala diżattivata biss jekk ċertifikat minn awtorità jew entità rikonoxxuta skont l-Artikolu 3 (4) tar-Regolament (UE) 2015/2403, jew kwalunkwe strument legiżlattiv rilevanti ieħor, ikun inħareġ u ġie sottomess lill-Kummissarju."

10. Fis-subartikolu (a) tal-artikolu 39 tal-Att prinċipali, minnufih qabel il-kliem "ebda membru" għandhom jiżdiedu l-kliem "il-Forzi Armati ta' Malta, il-Korp tal-Pulizija ta' Malta u, jew is-Servizz tal-ħabs ta' Malta jistgħu jakkwistaw kwalunkwe arma tan-nar għall-użu fis-servizzi rispettivi."

Emenda tal-artikolu 39 tal-Att prinċipali.

### Għanijiet u Raġunijiet

L-għanijiet u r-raġunijiet ta' dan l-Abbozz huma sabiex tiġi trasposta d-Direttiva 2017/853 dwar il-kontroll tal-akkwist u l-pussess ta' armi.

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**A BILL**  
**entitled**

*AN ACT to amend the Arms Act, Cap. 480.*

BE IT ENACTED by the President, by and with the advice and consent of the House of Representatives, in this present Parliament assembled, and by the authority of the same, as follows:-

Citation and  
Commencement.  
Cap. 480.

**1.** (1) The short title of this Act is the Arms (Amendment) Act 2018, and this Act shall be read and construed as one with the Arms Act, hereinafter referred to as "the principal Act".

(2) This Act shall come into force on such a date as the Minister responsible for the Police may by notice in the Gazette establish, and different dates may be so established for different provisions or different purposes of this Act.

Amendment of  
article 2 of the  
principal Act.

**2.** Article 2 of the principal Act shall be amended as follows:

(a) immediately after the definition "airgun" there shall be added the following new definition:

" "alarm and signal weapons" means devices with a cartridge holder which are designed to fire only blanks, irritants, other active substances or pyrotechnic signalling rounds and which are not capable of being converted to expel a shot, bullet or projectile by the action of a combustible propellant;"

(b) the definition "collector" shall be substituted by the following:

" "collector" means any natural or legal person dedicated to the gathering and conservation of firearms, essential components or ammunition for historical, cultural, scientific, technical, educational or heritage purposes, and who is licensed as such in

terms of article 11;";

(c) the definition "deactivated firearm" shall be substituted by the following:

" "deactivated firearms" means firearms that have been rendered permanently unfit for use by deactivation in accordance with Commission Regulation 2015/2403 and any other relevant Commission instrument, ensuring that all essential components of the firearm in question have been rendered permanently inoperable and incapable of removal, replacement or modification in a manner that would permit the firearm to be reactivated in any way;";

(d) the definition "dealer" shall be substituted by the following:

" "dealer" means any natural or legal person whose trade or business consists wholly or partly of either of the following:

(a) the trade, exchange, hiring out, storage or repair of firearms or essential components;

(b) the trade or exchange of ammunition;";

(e) immediately after the definition "dealer" there shall be added the following new definition:

" essential component" means the barrel, the frame, the receiver, including both upper and lower receivers, where applicable, the slide, the cylinder, the bolt or the breech block, which, being separate objects, are included in the category of the firearms on which they are or are intended to be mounted;";

(f) the definition "firearm" shall be substituted by the following:

" "firearm" means any portable barrelled weapon that expels, is designed to expel or may be converted to expel a shot, bullet or projectile by the action of a combustible propellant, unless such item falls under Schedule III, items 1, 3 or 4.

An object shall be considered to be capable of being converted to expel a shot, bullet or projectile by the action of a combustible propellant if:

(a) it has the appearance of a firearm; and

(b) as a result of its construction or the material from which it is made, it can be so converted;";

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(g) immediately after the definition "historical weapon" there shall be added the following new definitions:

" "illicit manufacturing" means the manufacturing or assembly of firearms, their essential components and ammunition:

(a) from any essential component of such firearms illicitly trafficked;

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(b) without an authorisation issued in accordance with regulation 7A of the Firearms and Ammunition (Movement in Member States and Other Matters) Regulations by a competent authority of the Member State where the manufacture or assembly takes place; or

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(c) without marking firearms at the time of manufacture in accordance with regulation 7A of the Firearms and Ammunition (Movement in Member States and Other Matters) Regulations;

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"illicit trafficking" means the acquisition, sale, delivery, movement or transfer of firearms, their essential components or ammunition from or through the territory of one Member State to that of another Member State if any one of the Member States concerned does not authorise such transfer in accordance with applicable European Union legislation or if the firearms, essential components or ammunition are not marked in accordance with regulation 7A of the Firearms and Ammunition (Movement in Member States and Other Matters) Regulations;"

(h) immediately after the definition "Minister" there shall be added the following new definition:

" "museum" means a permanent institution in the service of society and its development, open to the public, which acquires, conserves, researches and exhibits firearms, essential components or ammunition for historical, cultural, scientific, technical, educational, heritage or recreational purposes, and recognised as such by the Superintendent of Cultural Heritage. A museum open by appointment or access to which is subject to prior identification shall be considered to be open to the public;"

(i) the definition "resident" shall be substituted by the following:

" "resident" means a resident of the country indicated by the address appearing on an official document showing his place of residence, such as a passport or a national identity card,

which, on a check on acquisition or on possession, is submitted to the Commissioner or to a dealer. If a person's address does not appear on his passport or national identity card, his country of residence shall be determined on the basis of any other official proof of residence recognised by the Commissioner;"

(j) immediately after the definition "resident" there shall be added the following new definition:

" "salute and acoustic weapons" means firearms specifically converted for the sole use of firing blanks, for use such as in theatre performances, photographic sessions, film and television recordings, historical re-enactments, parades, sporting events and training;"

(k) the definition "short firearm" shall be substituted by the following:

" "short firearm" means any firearm with a barrel which is not more than thirty centimetres long or with an overall length of not more than sixty centimetres with its stock folded or removed if so provided;" and

(l) immediately after the definition "target shooting" there shall be added the following new definition:

" "tracing" means the systematic tracking of firearms and, where possible, their essential components and ammunition from manufacturer to purchaser for the purpose of assisting the competent authorities of Member States in detecting, investigating and analysing illicit manufacturing and illicit trafficking."

**3.** Article 23 of the principal Act shall be amended as follows:

Amendment of  
article 23 of the  
principal Act.

(a) in paragraph (b) thereof, immediately after the words "Immigration Act; or" there shall be added the words "an EU or EEA national resident in Malta; or";

(b) paragraph (e) thereof shall be renumbered as paragraph (f) and immediately after paragraph (d) there shall be added the following new paragraph:

"(e) is a resident in Malta and who has acquired a firearm in another Member State, in accordance with the legislation in that Member State, provided that such firearm is legally permissible in terms of this Act; or";

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(c) immediately after paragraph (f) as renumbered there shall be added the following proviso:

"Provided that persons granted an authorisation in terms of paragraph (e) shall only be granted a Collector Licence B so long as they do not qualify for a licence in terms of the other paragraphs."

Amendment of article 24 of the principal Act.

**4.** Article 24 of the principal Act shall be amended as follows:

(a) in sub-article (1) thereof, immediately after paragraph (b) there shall be added the following new paragraph:

"(c) Whenever a person is sentenced to at least 3 years of effective imprisonment, he shall not be entitled to apply for a licence in terms of this Act.";

(b) in sub-article (2) thereof, immediately after the proviso there shall be added the following new proviso:

L.S. 10.39.

"Provided further that for the purpose of this article, a hunting licence issued in terms the Hunting Licences Regulations, shall be considered as a licence under this Act."

Adds new article 31A to the principal Act.

**5.** Immediately after article 31 of the principal Act there shall be added the following new article:

"Monitoring system.

31A. The Commissioner shall have in place a monitoring system which shall ensure that the conditions for granting of a licence are met throughout the period covered by the licence and that, inter alia, relevant medical and psychological information is assessed.

All licences issued under this Act shall be reviewed at intervals not exceeding 5 years. The review shall consist of a re-assessment of the conduct of the individual concerned, a re-assessment of his medical and psychological condition and a re-assessment as to his participation in a club whenever necessary."

Substitution of article 32 of the principal Act.

**6.** Article 32 of the principal Act shall be substituted by the following:

"Suspension or revocation of a licence.

32. Notwithstanding the provisions of this or any other law, the Commissioner shall suspend or revoke a licence issued under this Act:

(a) where the licensee is convicted of any offence specified in article 24; or

(b) where the licensee ceases to satisfy the conditions laid down in Part V of this Act;

(c) where the licensee no longer fulfils the conditions for the granting of a licence."

7. Immediately after article 32 of the principal Act, there shall be added the following new article:

Adds new article 32A to the principal Act.

"Suspension or revocation of a licence.

32A. Notwithstanding the provisions of this or any other law, the Commissioner may suspend or revoke a licence issued under this Act:

(a) without prejudice to the provisions of article 32, where the licensee contravenes the provisions of this Act or any regulation made thereunder; or

(b) for reasons of public or individual safety to be specifically recorded and duly reported to the Minister:

S.L.10.39.

Provided that for the purpose of this article, a hunting licence issued in terms the Hunting Licences Regulations, shall be considered as a licence under this Act."

8. Sub-articles (2) and (3) of article 35 of the principal Act thereof shall be renumbered as sub-articles (3) and (4) respectively and immediately after sub-article (1), there shall be added the following new sub-article:

Amendment of article 35 of the principal Act.

"(2) Museums that are to exhibit Schedule I firearms as from the date of entry into force of this provision, may be required to comply with the following conditions imposed by the Commissioner. These conditions may include the same conditions applicable to a Collector Licence A Special as well as any additional security conditions as he deems necessary, including the installation of alarms and other surveillance systems. The Commissioner may also require 24 hours surveillance of the premises."

9. Article 36 of the principal Act shall be substituted by the following:

Substitutes article 36 of the principal Act.

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"When firearm is considered as deactivated.

36. Firearms shall be deactivated in accordance with Regulation (EU) 2015/2403 and any other standards issued by the European Commission. A firearm shall be registered as deactivated only if a certificate by a recognised authority or entity in accordance with article 3(4) of Regulation (EU) 2015/2403, or any other relevant legislative instruments, has been issued and submitted to the Commissioner."

Amendment of article 39 of the principal Act.

10. In sub-article (a) of article 39 of the principal Act, immediately before the words "no member" there shall be added the words "the Armed Forces of Malta, the Malta Police Force and, or the Malta Prison Service may acquire any firearm for use within the respective services."

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### Objects and Reasons

The objects and reasons of this Bill are to Act to transpose Directive 2017/853 on control of the acquisition and possession of weapons.

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