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## Arms Regulation in France

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Due to the new classification of arms in four categories, there was an upheaval of the French regulation, not known since 1939. The new regulation is aiming at being “*modern and simple*”. It is correct to recognize that globally, the fate of amateurs of weapons and especially of arm collectors has been considerably improved.

- Modern: access to ammunition has become easier for shooters and hunters but the transition to 4 categories is somewhat arbitrary, regarding a huge amount of sub-categories.
- Simple: increasing the number of 125 articles of the old regulation up to 188 is somewhat irritating; nevertheless we know by heart the old regulation, in place since 70 years and we will adapt to the new one.

In this report, we are considering only the so called easy items, neglecting details. Points still in discussion with the administration will only be mentioned orally in order not to interfere with current dialogs.

Classification, as used in all your countries, (*classification?*) is divided in 4 groups with similar duties regarding acquisition, stocking, wearing and transportation. It is important to know the different elements within each group or category such as to decline the respective rules for acquisition and retaining.

### **Category D2** (free acquisition and retaining):

As we are positively minded, we will start with the open arms. Only sub group D2 is fully open for purchase by adult persons with some limitations regarding transportation nevertheless.

**Cold steel:** limited to daggers, some knives and batons. As a consequence, sabres, bayonets or swords are not considered as cold steel and are not affected by transport limitations.

**Tear gas bombs:** with less than 100 ml, electrical arms at contact (no Taser), still waiting for a ministerial order.

**Neutralized arms:** neutralizations performed by other countries of the EU are recognized under three conditions: national punch, national certification and equivalence with the French neutralization. This is representing a tremendous progress for French citizens. But this “*equivalence with French neutralization*” is liable to the owner. So far a Belgian neutralization is equivalent if one lip of the charger has been grinded. Regarding a gun neutralized in Germany or in Austria, the extractor has to be grinded too. Regarding a gun from Spain, it must be impossible to remove the cannon. Guns originated from Russia cannot be neutralized, Russia not being a

member of the EU. Furthermore, French law is asking for neutralizations certified both by stamping and certification whereas many countries are providing only one condition (stamping or certification).

**Historical arms and those coming from collections:** this is the subject we are most proud of: arms manufactured before the year 1900 may be held with free detention, but with two exceptions:

- Those ones built before 1900 and considered as being dangerous are liable of being declared or authorized for purchase,
- A list must still be established in order to define rare models manufactured after the year 1900 to be classified in category D by derogation.

**Dangerous arms:** we made our own proposal to the Ministry of Interior, but they added the models Mauser 1896, Bodeo, Colt 1873 manufactured after 1900 as well as the Russian revolver Nagant; our proposal was to leave for authorization only the models Mauser 96 built after 1912 and the Soviet Nagants. Furthermore the list of arms to be declared has been enlarged with Winchesters, Mauser 98 and Berhiers. This looks like a minor problem we can live with.

Complementary list: we made a proposal and are waiting for the answer. You must be very cautious not to downgrade too many models in order to avoid their proliferation on the market at low prices. Keep in mind the Belgian regulation: the complementary list was abolished and the weapons outfits were reduced to 1895. The origin was the Soviet revolver Nagant model 1985. This revolver was sold at 200\$, ammunition included, and *caused some disorder*.

**Ammunition for collection arms and constitutive elements of the ammunition:**

Two conditions:

- The ammunition must be usable with the collection arms,
- The ammunition must contain exclusively black powder (no other powder).

Other ammunition may be kept for collection purposes if their calibre is less than 20mm, if the projectile is not explosive, nor inflammatory nor perforating; powder must be retrieved, the case has to be perforated and the ignition device has to be neutralized by a gunsmith.

**The model definition:** we are currently in discussion with the Ministry of Interior regarding the definition of "*model anterior to 1900*". The administration is proposing to consider the date of manufacturing, not the date of conceiving, of adopting or of patent registering. As a consequence, a Lebel R35 is not considered as a model 1886, but a model of the year 1935.

In our opinion, the date of patent registration should be taken into account; minor changes, the feeding device, the way of functioning and the production amount should not influence the model definition.

The way of defining a model has a tremendous influence on the number of arms classified as collection arms. But there may be a certain risk for handguns like the PA Browning 1900 patented 1898. The number of spread items could cause the same problems as those originated by the Nagant. For this reason we are considering not only technical characteristics but also production numbers (transition date from pre-series or prototype to mass production).

As a consequence we are waiting for a meeting with the Ministry in order to establish a definition protecting collectors as well as respecting public safety regulation, such as avoiding a later problem.

**Duplication of arms:** duplications of arms prior to 1900, provided they are exempt of metallic cases, are classified in category D (collection). This is representing no change but it is now specified that the reproduction must be an exact copy of a weapon that really existed before. As an example, a Ruger Old Army with black powder is no more considered as a reproduction, fact maybe difficult to admit for owners.

**Weapons with compressed air:** up to 20 Joules.

**Arms for blank shooting, signalization or using gas** (non convertible)

**War hardware** (vehicles for example): items prior to 1946 with neutralized arming. Material manufactured after 1946 has still to be listed and to be agreed upon.

### **Category D1** (recordable):

Hunting rifles (long weapons with one shot and smooth-bore) must be recorded. This is identical with a declaration except that people owning already these guns are freed of the formality if the arm was bought before December 1st 2011. In order to acquire such a weapon nowadays, you must have a hunting licence of the current or the previous year or a shooting license.

### **Category C** (liable to declaration):

In the future, classification will be based no more on calibre but on the dangerousness of the weapon: number of shots, length, mode of repletion etc. As a consequence, military rifles with manual repetition are at last classified as hunting guns. What a pleasure!

This category is including:

- Repetition arms, semi-automatic, with a maximum of three shots,
- Scratched carbines with less than 11 shots max.,
- Combined weapons (drilling) etc,
- Arms using compressed air with more than 20 Joules,
- Ammunition for shoulder arms, except those using black powder with collection arms and “*sensitive*” calibers: 7,62 x 39; 5,56 x 45; 5,45,x 39 Russian; 12,7 x 99; 14,5 x 114; these ones are liable to authorization. A smaller list of ammunition is available on presenting the receipt of the declaration of the weapon using it. Nevertheless the big majority remains free (it is possible to stock 1000 cartridges per weapon and to renew this stock several times per year, considering the number of cartridges used and not overpassing 1000 units per arm).

### **Category B** (liable to authorization):

These are mainly handguns (after 1900), semi-automatic shoulder weapons with more than 3 shots or repetition ones with more than 11 shots.

Too short shoulder weapons of less than 80cm length, scratched cannons of less than 45cm and unruffled ones of less than 60cm.

But there are also electrical weapons (Taser), arms appearing to be war guns, bald pump actions as well as weapons with a damned calibre (7,62 × 39 ; 5,56 × 45 ; 5,45 × 39 Russe ; 12,7 × 99 ; 14,5 × 114).

## **Category A** (prohibited arms):

Without going to details, this category is representing all weapons of war. But the law is considering that collectors may get authorizations for some specific hardware: cannons or tanks etc. This is completing their possibility of detaining without authorization material prior to 1946 or included in a list.

Globally this new regulation is sympathetic. There are nevertheless many problems we want to solve such as:

- The definition of the model,
- The possibility to declare arms already possessed before,
- Guarantees regarding the transportation of weapons,
- A severe increase of the punishments (cash and prison) in case of violation, surely justified for criminals, but considered as being excessive in the case of imprudent or neglecting collectors,
- Etc.

Open questions will be subject of our next year information.

Globally yours,  
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