



Report of France for the FESAC Congress

Jersey - June 2, 2018

The past year has been rich in events and twists and turns. We can say that the regulation of arms in France has taken a new pace.

Transposition of the Directive

All European states are on the same level: They must transpose the Directive into their national laws. There are transpositions that are inevitable and that we will find everywhere in Europe. The French Parliament has therefore passed the law on February 26, 2018. But it is necessary to wait for the Application Decree, which will give all details for its application.

In this kind of event, “over-transpositions” are to be expected (by some zealous government clerks). It is always possible because the Directive is composed in such a way that its rules are defined "at minima": It is always possible to be more severe!

And of course there are also “sub-transpositions”, and in this case, playing with words and sentences development can minimize the devastating effects of the European texts.

Concerning France, we find a mix of these three situations.

- Magazines:

As everywhere, they are limited to 10 round (shoulder arms) and 20 shots (handguns), but an exception will be possible for IPSC shooters.

- Automatic weapons converted into semi-auto, go into category A:

It was the great craze of the Commission, and there were pages of reports spewed on this topic. At the time of writing, we already know that this is not a problem to convert the Category of the current authorizations of the shooters who already own them. However, we do not know yet if they will be able to renew them once expired, nor the condition of their session.

Note that it will be very difficult to determine if a semi-auto weapon may or may not be (re) transformed for burst shooting. This promises quarrels from experts!

- Shoulder arms whose length can be reduced to less than 60 cm, after the stock has been folded or removed without the aid of tools, go into Category A.

- Neutralized weapons go into Category C:

They will therefore have to be declared and will solely be reserved to shooters-hunters (which is a nonsense for weapons that by definition can not shoot anymore!), and to holders of the soon-to-come Collector's Card; We will come back to it soon. This rule will only apply as of September 14, 2018 for purchases and sales. Those who already possess neutralized weapons have nothing to do to keep them. The problem will arise when they will sell them.

- Some Replicas go now into category C:

The European text is ambiguous in stating "*improvement of durability and accuracy*". On this occasion, France has been wise and will classify in C only three types of replicas:

- Said "replicas" of weapons that have never existed, such as the *Ruger Old Army*.
- Retro-conversions: These are replicas of weapons whose original model shoots metallic cartridge and to which the chambers are obstructed and a chimney set for "cap and ball" shooting.
- Modern weapons replicas made for the use of black powder and muzzle loading. These are weapons may have a "modern look" despite their ancient design.

In short, replicas of muzzleloaders or paper cartridges shooters remain free and are considered as weapons of collection.

- Direct sales between individuals must be made in front of an intermediary:

The intermediary will be in charge of controlling the quality of the seller and the buyer, and will carry out the registration procedures.

- The seller will have to send its weapon to a gunsmith who will deliver it to the buyer after the necessary checks, etc.
- The seller can go through an online sales site "approved as an intermediary", who will perform the necessary checks and process the transfer paperwork. In this case, delivery can be made directly between individuals.

At the time of writing, these provisions are still the subjects of difficult discussions.

- Suspicious transactions:

The professionals will have the obligation to deploy their flair and refuse to sell arms or ammunition when the situation seems abnormal to them. In practice this was already the case, but it gives the refusal by the professionals a legal basis. On the other hand, professionals will have the obligation to report "suspicious individuals"; It makes sense but will be difficult to implement.

Circumstances of the vote of the law

You can imagine that collectors were not going to miss such a good opportunity to make their voices heard. And we were satisfied well beyond our expectations!

By November 2017's end, as soon as we became aware of the bill, we reacted to the removal from the law of the criteria determining a weapon of collection belonging to the "Free"

Category D. Thus, the weapon of collection (model before 1900) remained defined by the law, but the government wanted to leave it to a decree the determination of which weapons of collection would be "Free"! From experience we know that will happen: Even if processed at the Parliament "in emergency", it took 4 months for that law to be voted; A decree can be changed overnight in the aftermath of an over-mediated event. We don't want that!

We were received by the Senate's Law Commission and communicated widely to all parliamentarians. In the meantime, the government was reassuring us in saying that "nothing would be changed for collectors". We were stubborn because we wanted to keep the safety of a law for the weapons of collection.

We have so much agitated our circles that re-enactment groups have taken over the fight with direct actions on their deputies, which the media (newspapers, internet and television) have reported on the concerns of collectors and reenactors. It was so tense that we have been overwhelmed by this spontaneous mass of protests.

The street pressure and the amendments we've drafted had the effect of a tidal wave during the debate session in the National Assembly. If the word "reenactment" was pronounced 9 times, those of "collector" or "collection" were pronounced 166 times. So much so that the Minister was surprised that collectors invited themselves to the debate even though she expected they would not be concerned (in her opinion) by the law in the process of voting.

It must be said that we had 43 MPs who tabled a total of 60 amendments to modify the text at our convenience.

Victory and disappointment

In the end we obtained what we wanted: The criteria for the determination of a "weapon of collection" is maintain in the law.

But following all the confusion that we provoked at the National Assembly, we obtained the promise of the government that the Collector's Card would be in place for September 14, 2018. We've constantly battled for it for 6 years. It's happening now. At last!

On the other hand, we were disappointed that, at the request of the government, Category A will not be opened to collectors even for "*historical, cultural, scientific, technical, educational or heritage preservation purposes*". The refusal was firm: the government claimed that the transposition of the Directive was intended to limit the "*proliferation of weapons*". So there is no question of granting new rights to those who did not have it in first place. Here is another fight that will take us at least a decade.

So, what about the Collector's Card?

It has been exactly 18 years since the president of the UFA started a battle to obtain it. And now, moment of emotion, it arrives. Phew!

But ultimately its reach will be relatively limited. **It will allow to:**

- Buy Category C weapons but no ammunition.
- Buy neutralized weapons that will now be classified in Category C.
- Declare Category C weapons already in possession, provided one obtain the Collector's Card by March 14, 2019.

In practice the card:

- The weapons declared under the Collector's Card remain associated with the holding of that card. In the event of revocation or non-renewal of the card, the right of detention will be lost. In the case of non-renewal of the card, the solution to keep ones weapons will be to apply for a sports shooting or a hunting license.
- Will have a validity of 15 years.
- Will be incompatible with the holding of a sports shooting or hunting license.
- It will be issued by the Préfectures on the condition of producing a certificate that will be delivered by a recognized association that guarantees that the collector *“is dedicated to the collection and preservation of materials, weapons, weapons and ammunition, for historical purposes cultural, scientific, technical, educational or heritage preservation, either by exhibition in a museum, or by the realization of collections”*. It is about eliminating the “fake collectors” who would apply for a Collector's Card whereas they have no interest for the collection.
- As for the sports shooting and hunting licenses, the Collector's Card can be revoked, especially in case of problems with the law.

As you understand, we will have a great responsibility in issuing these certificates and we will put in place a system that will ensure no “fake collectors” sneak in. It is essential to avoid incidents with weapons acquired thanks to this card.

Although of lesser interest, the Card will allow many holders who are neither hunters nor shooters to declare their weapons.

Of our other actions

As if we had not had enough work, we opened several “dossiers” with the Ministry of the Interior:

Weapons of proven dangerousness:

You know that old weapons are defined by law as that of a model prior to 1900, regardless of the date of manufacture. But as the legislator was afraid of his own shadow, he allowed the government to make a list of weapons deemed dangerous to be excluded from the collector's list.

The list includes the French 1892 revolver, various Winchester carbines, the Colt SAA with a serial number above 192000 and the Nagant model 1895 revolvers. But it has two major drawbacks:

- It prohibits harmless, or non-existent weapons (misidentification of some weapon causing some pieces to have two entries in the national firearms database);
- It is so poorly drafted that it totally misses its goal: Weapons that the government wanted to ban are allowed due to the improper definition.

We have therefore proposed a new list and a new version of the text where we propose to maintain the prohibition of low cost weapons, available in large quantities (the 1895 Nagant revolver), and to release the French 1892 revolver and the Winchester pieces manufactured before 1946. Case to be followed.

A list of weapons to be defined into the Free Category:

As stipulated by the law, we have proposed a list of weapons that are so rare that, even if they are from a model after 1900, they are classified as a Weapon of Collection.

When we submitted our list, the question that immediately arose was, “*How many weapons are on your list?*” It seems that the government is more attached to an item count rather than to the list’s content. It must be noted that on this last point, we have the entire trust of government officials.

Definition of the term “model”:

The law says “*from a model prior to 1900*”. But this definition must be officially clarified. For us at the UFA, a Colt 1901 revolver is a “model of 1895”. Its name “1901” is only consecutive to its adoption by the US Army. That makes a big difference.

Just as the Remington’s Rolling Block rifle remains of a model of before 1900, even if some orders for rifles chambered in 8 mm Lebel or 7 mm Mauser made these rifles labeled as “post 1900”. The thing is clear in our mind; we just wait for the government approval.

Shoulder Arms with uncertain ranking:

In the spirit of the term “model”, we have submitted a list of shoulder arms where we sort their classification in the C or D (Collection) Category, in our honest belief. We just need now the government to validate our list.

We are done for this year. Sorry to have been so long, but you must have the habit that in France, everything is complicated. Aren’t we the country of the Encyclopedia?

Best regards.

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President of UFA and FPVA.

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Vice President of UFA.