No. 550

MINISTRY FOR HOME AFFAIRS, SECURITY AND EMPLOYMENT

Explanatory Notes: Firearms and Ammunition (Movement in Member States and other Matters) (Amendment) Regulations, 2025[1]

Introduction

This legislation amends the Firearms and Ammunition (Movement in Member States and other Matters) Regulations (S.L. 480.01) in order to better transpose certain provisions of the Directive (EU) 2021/555 of the European Parliament and of the Council of 24 March 2021 on control of the acquisition and possession of weapons (codification) (hereinafter referred to as the "Directive).

Responsible Entity: Weapons Office, Malta Police Force.

Summary and background

The amendments in question provide for:

i. the inclusion of information in the licence to transfer firearms to a Member State;
ii. the requirement for the Commissioner of Police (hereinafter referred to the "Commissioner) to provide a reasoned decision to revoke a dealer licence;
iii. a dealer to provide information relating to a firearms transfer not less than ten working days prior to the transfer;
iv. the exclusion from the marking requirement for firearms or components of particular historical importance; and
v. an obligation for the Commissioner to request inspections of all licences accompanying firearms or ammunition. A specific requirement to verify that the Member States of destination have issued their prior consent for firearms being transferred from Malta is also being introduced;

While amendments i and ii do not introduce any significant changes for dealers or licence holders, point iii now requires the dealer to provide information about a firearms transfer in not less than ten days prior to the transfer.

Moreover, amendment iv restricts exclusion from the marking requirement only to firearms of "particular historical importance" in line with the provisions of the Directive. It should be noted, that the Directive does not define "particular historical importance."

Point v does not introduce any specific obligations for licence holders.

Overview of the structure of the instrument

Regulation 1: Citation and scope of the instrument.
Regulation 2: The amendment to regulation 5 specifies which information shall be included in a licence to transfer firearms.

Regulation 3: The amendment to regulation 6 provides that a licence to dealers may be suspended or revoked by means of a reasoned decision. Moreover, a timeframe of not less than 10 working days is being introduced for dealers to provide information to the Commissioner prior to an arms transfer.

[1]These Explanatory Notes are for the purpose of and in accordance with article 3(2)(c) and Schedule III of the Small Business Act (Chapter 512 of the Laws of Malta).

Regulation 4: The wording of regulation 7A is being changed to better reflect the provisions of the Directive, which only exempts from marking firearms of particular historical importance. Moreover, an explicit provision to the marking required in relation to ammunition is being introduced in these regulations.

Regulation 5: The amendment to regulation 8 introduces an obligation on the Commissioner to inspect licences relating to firearms or ammunition to be transferred from or to Malta.

Commentary and scope

Regulation 1: Title and scope of the instrument.

Regulation 2: The amendment to regulation 5 specifies which information shall be included in a licence to transfer firearms.

Regulation 3: The amendment to regulation 6 provides that a licence to dealers may be suspended or revoked by means of a reasoned decision. Moreover, a timeframe of not less than 10 working days is being introduced for dealers to provide information to the Commissioner prior to an arms transfer.

The European Commission considers the introduction of such a timeframe necessary in order for the authorities to have the time to take a decision on the matter. The introduction of the timeframe has an impact on dealers.

Regulation 4: The wording of regulation 7A is being changed to better reflect the provisions of the Directive, which only exempts from marking firearms of particular historical importance.

The Directive does not define what is meant by particular historical importance and a decision on whether to exempt an item from marking would have to be taken on a case-by-case basis.

Moreover, an explicit provision to the marking required in relation to ammunition is being introduced in these regulations.

Regulation 5: The amendment to regulation 8 introduces an obligation on the Commissioner to inspect licences relating to firearms or ammunition to be transferred from or to Malta.

Concluding section

These provisions shall enter into force upon publication.

The Weapons Office, located at Police General Headquarters, may be contacted on tel. no. 22942110/1 and on email address: weapons.police@gov.mt

N.B. These Explanatory Notes are not intended to be an exhaustive description of the instrument nor a substitute thereof or a legislative supplement to it. These Explanatory Notes do not purport to be an authoritative ruling on the interpretation of the legislation.

These Explanatory Notes refer to Legal Notiice No. 76 published in Government Gazette No. 21,612 of 27th March, 2026.

10th April, 2026

N.B. Dawn in-Noti ta' Spjegazzjoni mhumiex maħsuba biex ikunu deskrizzjoni eżawrjenti tal-istrument legali u lanqas sostitut tiegħu jew suppliment leġiżlattiv għall-istess. Dawn in-Noti ta' Spjegazzjoni mhumiex intiżi bħala deċiżjoni awtorevoli fuq l-interpretazzjoni tal-leġiżlazzjoni.

Dawn in-Noti ta' Spjegazzjoni jirreferu għall-Avviż Legali Nru. 77 ippubblikat fil-Gazzetta tal-Gvern Nru. 21,612 tas-27 ta' Marzu, 2026.

L-10 ta' April, 2026

No. 551

MINISTRY FOR HOME AFFAIRS, SECURITY AND EMPLOYMENT

Explanatory Notes: Arms Licensing (Amendment) Regulations, 2025[1]

Introduction

This legislation amends the Arms Licensing Regulations (S.L. 480.02) in order to better transpose certain provisions of the Directive (EU) 2021/555 of the European Parliament and of the Council of 24 March 2021 on control of the acquisition and possession of weapons (codification) (hereinafter referred to as the "Directive").

Entity Responsible: Weapons Office, Police.

Summary and background

The amendments in question provide for:

i. the correction of a reference to the legislative provision setting out the marking required in relation to firearms;
ii. a more accurate reflection of personal data provisions in the Directive, including exemptions from the requirement to delete data;
iii. the introduction of a requirement for dealers to report suspicious transactions to the Commissioner of Police (hereinafter referred to as the "Commissioner"), even where these transactions have not been completed due to their nature and scale;
iv. a clarification as to the reference to the Schedules to the Act; and,
v. the introduction in legislation of obligations previously emanating from licence conditions, including separate storage of ammunition and firearms. A clear reference to the possibility of police inspections has also been introduced, which also applies to hunters. The new provisions also require police escort in the event of simultaneous transfers of at least 100 firearms or 50,000 rounds of ammunition, or where at least 20 firearms listed in Schedule I to the Arms Act (Cap 480) (hereinafter referred to as the "Act") are being transported.

Overview of the structure of the instrument

Regulation 1: Citation and scope of the instrument.

Regulation 2: The provision relating to the information and marking of firearms in the amendment to regulation 93(2) has been amended to refer to regulation 7A (1) of the Firearms and Ammunition (Movement in Member States and other Matters) Regulations (S.L. 480.01).

The amendment to regulation 93(3) is intended to better reflect the wording of the Directive as regards the processing of personal data.

The amendment to regulation 93(4) requires dealers to report suspicious transactions even where such transactions are not completed.

[1]These Explanatory Notes are for the purpose of and in accordance with article 3(2)(c) and Schedule III of the Small Business Act (Chapter 512 of the Laws of Malta).

Regulation 3: The amendment to regulation 96 clarifies that the Schedules hereby referred to are those found in the Act.

Regulation 4: A new regulation 98 specifies that licence holders shall store firearms safely and separately from ammunition. It also provides that periodic inspections may be carried out by Police officers. As regards owners of items listed in Schedule I to the Act, the legislation now makes specific references to unannounced on-site inspections to ensure compliance with legislation.

Storage requirements are also being introduced in relation to transportation, and they follow the same principles as storage at home, i.e. separation of firearms and ammunition. The locations to and from which firearms may be transported are also being specified.

Finally, a new requirement for a Police escort is being introduced where at least 100 firearms or 50,000 rounds of ammunition are transported simultaneously. Such a requirement is also being introduced where at least 20 firearms listed in Schedule I to the Act or essential components thereof are being transported.

Commentary

Regulation 1: Citation and scope of the Instrument.

Regulation 2: The provision relating to the information and marking of firearms in the amendment to regulation 93(2) has been amended to refer to regulation 7A (1) of the Firearms and Ammunition (Movement in member States and Other Matters) Regulations (S.L. 480.01). This amendment does not affect stakeholders, as it corrects cross-referencing.

The amendment to regulation 93(3) is intended to better reflect the wording of the Directive as regards the processing of personal data. This amendment does not directly affect stakeholders, but the operations of the Police in relation to persons who have committed criminal offences.

The amendment to regulation 93(4) requires dealers to report suspicious transactions even where such transactions are not completed. This amendment is not expected to have a significant impact.

Regulation 3: The amendment to regulation 96 clarifies that the schedules hereby referred to are those in the Act. This provision does not impact stakeholders.

Regulation 4: A new regulation 98 specifies that licence holders shall store firearms safely and separately from ammunition. It also provides that periodic inspections may be carried out by Police officers. As regards owners of items listed in Schedule I to the Act, the legislation now makes specific references to unannounced on-site inspections to ensure compliance with legislation.

Storage requirements are also being introduced in relation to transportation, and they follow the same principles as storage at home, i.e. separation of firearms and ammunition. The locations to and from which firearms may be transported are also being specified.

Finally, a new requirement for a Police escort is being introduced where at least 100 firearms or 50,000 rounds of ammunition are transported simultaneously. Such a requirement is also being introduced where at least 20 firearms listed in Schedule I to the Act or essential components thereof are being transported.

This provision is mainly expected to impact dealers, who would have to pay for the cost of such escort. The amendment has been introduced in response to the Commission's statement that existing legislative provisions do not specify what additional precautions are taken depending on the quantity or type of firearms being transported.

Concluding Section

These provisions shall enter into force upon their publication.

The Weapons Office, located at Police General Headquarters, may be contacted on tel. no. 22942110/1 and on email address: weapons.police@gov.mt

N.B. These Explanatory Notes are not intended to be an exhaustive description of the instrument nor a substitute thereof or a legislative supplement to it. These Explanatory Notes do not purport to be an authoritative ruling on the interpretation of the legislation.

These Explanatory Notes refer to Legal Notiice No. 77 published in Government Gazette No. 21,612 of 27th March, 2026.

10th April, 2026

Nru. 552

MINISTERU GĦALL-INTERN, IS-SIGURTÀ U X-XOGĦOL

Noti ta' Spjegazzjoni[1]

1. Introduzzjoni

Din il-leġiżlazzjoni temenda l-Att dwar l-Armi (Kap. 480, hawn iżjed 'il quddiem imsejjaħ l-"Att prinċipali") sabiex tittrasponi b'mod aħjar id-Direttiva (UE) 2021/555 tal-Parlament Ewropew u tal-Kunsill tal-24 ta' Marzu 2021 dwar il-kontroll tal-akkwist u l-pussess ta' armi (kodifikazzjoni), u li jittrasponi d-Direttiva ta' Implimentazzjoni tal-Kummissjoni (UE) 2019/69 tas-16 ta' Jannar 2019 li tistabbilixxi speċifikazzjonijiet tekniċi għall-armi tal-allarm u tas-sinjal skont id-Direttiva tal-Kunsill 91/477/KEE dwar il-kontroll tal-akkwist u l-pussess ta' armi.

2. Taqsira u l-isfond

L-emendi f'din il-leġiżlazzjoni jipprovdu għal:

i. emenda fit-tifsira ta' Kummissarju tal-Pulizija, bħala kjarifika;
ii. istanzi meta l-Kummissarju jista' jagħti awtorizzazzjoni sabiex wieħed jakkwista l-armi pprojbiti elenkati fl-Iskeda I sakemm dan ma jkunx kontra l-ordni pubbliku;
iii. regoli relatati mal-importazzjoni ta' armi tan-nar (soġġetti għal liċenzja) u mat-teħid tal-pussess ta' arma tan-nar (soġġett għall-awtorizzazzjoni tal-Kummissarju);
iv. regoli relatati mal-esportazzjoni ta' armi tan-nar u awtorizzazzjonijiet biex wieħed jivvjaġġa b'armi tan-nar barra minn Malta;
v. il-manifattura jew il-modifika ta' armi tan-nar u munizzjon li għandhom jeħtieġu liċenzja ta' fabrikant tal-armi kif preskritt fir-Regolamenti dwar il-Liċenzi għall-Armi (L.S. 480.02);
vi. l-għoti ta' dettalji personali kull meta arma tan-nar tiġi trasferita, dan sabiex tiġi żgurata l-identifikazzjoni mill-awtoritajiet;
vii. skwalifika aktar ħarxa miż-żamma ta' liċenzja fil-każ li persuna twettaq reat serju u tiġi kundannata għal mill-inqas ħames snin ħabs;
viii. ir-rifjut ta' liċenzja fl-interess tal-ordni pubbliku jew tas-sigurtà;
ix. kondizzjonijiet għall-mużewijiet biex jesebixxu armi tan-nar elenkati fl-Iskeda I;
x. l-identifikazzjoni espliċita fl-iskedi ta' armi tan-nar li ġew mibdula biex jisparaw fil-vojt, sustanzi oħra jew f'armi tas-salut jew akustiċi. Tali armi għandhom iżommu l-iskeda oriġinali anke wara li jkunu ġew mibdula;
xi. speċifikazzjonijiet tekniċi tal-Kummissjoni għall-armi li jindikaw allarm u sinjal.

3. Ħarsa ġenerali tal-istruttura tal-istrument

Il-leġiżlazzjoni tikkonsisti minn ħmistax (15)-il artikolu kif ġej:

[1]Dawn in-Noti ta' Spjegazzjoni huma skont u għall-fini tal-artikolu 3(2)(ċ) tal-Att dwar l-Intrapiżi ż-Żgħar (Kapitolu 512 tal-Liġijiet ta' Malta).

Artikolu 12: Qiegħed iħassar id-dispożizzjoni tranżitorja l-qadima biex tkopri l-bidla mill-Ordinanza l-qadima dwar l-Armi għall-Att dwar l-Armi.

Artikolu 13: Il-kliem fil-partita 5 ta' Taqsima I tal-Iskeda II qed jiġi emendat biex jirrifletti aħjar il-kliem fid-Direttiva. Barra minn hekk, qed tiġi introdotta partita ġdida fejn huwa dikjarat espliċitament li armi tal-Iskeda II li ġew modifikati, eż. sabiex jisparaw fil-vojt, xorta għandhom jiġu klassifikati taħt l-Iskeda II.

Artikolu 14: Qed jintroduċi partita ġdida fejn armi li ġew modifikati, eż. sabiex jisparaw fil-vojt, xorta għandhom jiġu klassifikati taħt l-Iskeda III.

Artikolu 15: Iżid Skeda ġdida li telenka l-ispeċifikazzjonijiet tekniċi relatati mal-armi tal-allarm u tas-sinjal fid-Direttiva ta' Implimentazzjoni tal-Kummissjoni (UE) 2019/69 tas-16 ta' Jannar 2019 li tistabbilixxi speċifikazzjonijiet tekniċi għall-armi tal-allarm u tas-sinjal skont id-Direttiva tal-Kunsill 91/477/KEE dwar il-kontroll tal-akkwist u l-pussess ta' armi. L-ebda tali oġġett ma għandu jiġi reġistrat jekk ma jikkonformax ma' din l-iskeda.

5. Sezzjonijiet konklużivi

Din il-leġiżlazzjoni għandha tidħol fis-seħħ mal-pubblikazzjoni tagħha fil-Gazzetta tal-Gvern.

Għal aktar informazzjoni jekk jogħġbok ikkuntattja lil: l-Uffiċċju tal-Armi fil-Kwartieri Ġenerali tal-Pulizija fuq 22942110/1 jew fuq: weapons.police@gov.mt

Dawn in-Noti ta' Spjegazzjoni jirreferu għall-Abbozz ta' Liġi Nru. 171 ippubblikat fil-Gazzetta tal-Gvern Nru. 21,612 tas-27 ta' Marzu, 2026.

L-10 ta' April, 2026

No. 552

MINISTRY FOR HOME AFFAIRS, SECURITY AND EMPLOYMENT

Explanatory Notes[1]

1. Introduction

This legislation amends the Arms Act (Cap. 480, hereinafter referred to as the "principal Act") in order to further transpose Directive (EU) 2021/555 of the European Parliament and of the Council of 24 March 2021 on control of the acquisition and possession of weapons (codification), and to transpose Commission Implementing Directive (EU) 2019/69 of 16 January 2019 laying down technical specifications for alarm and signal weapons under Council Directive 91/477/EEC on control of the acquisition and possession of weapons.

2. Summary and Background

The amendments in this legislation provide for:

i. an amendment to the definition of Commissioner of Police, by way of clarification.

[1]These Explanatory Notes are in accordance with and for the purpose of article 3(2)(c) of the Small Business Act (Chapter 512 of the Laws of Malta).

ii. instances when the Commissioner may give authorisation to acquire the prohibited items listed Schedule I provided that this is not contrary to public order;

iii. rules relating to the importation of firearms (subject to a licence) and to taking possession of a firearm (subject to the Commissioner's authorisation);

iv. rules relating to export of firearms and authorisations to travel with firearms outside Malta;

v. the manufacture or modification of firearms and ammunition which shall require a gunsmith licence as prescribed in the Arms Licensing Regulations (S.L. 480.02);

vi. the provision of personal details whenever a firearm is transferred in order to ensure identification by the authorities;

vii. harsher disqualification from holding a licence in the event that a person commits a serious offence and is sentenced to at least five years of imprisonment;

viii. the refusal of a licence in the interest of public order or security;

ix. conditions for museums to exhibit firearms listed in Schedule I;

x. the explicit identification in the schedules of firearms that have been converted to fire blanks, other substances or into salute or acoustic weapons. Such weapons shall retain the original schedule even after having been so converted;

xi. technical specifications for alarm and signal weapons.

3. Overview of the structure of the instrument

The legislation consists of fifteen (15) articles as follows:

Article 1: Short title and scope.
Article 2: Amendment of article 2 of the principal Act.
Article 3: Substitution of article 4 of the principal Act.
Article 4: Amendment of article 5 of the principal Act.
Article 5: Amendment of article 14 of the principal Act.
Article 6: Amendment of article 15 of the principal Act.
Article 7: Amendment of article 20 of the principal Act.
Article 8: Amendment of article 24 of the principal Act.
Article 9: Addition of new article to the principal Act.
Article 10: Amendment of article 25 of the principal Act.
Article 11: Amendment of article 35 of the principal Act.
Article 12: Deletion of article 67 of the principal Act.
Article 13: Amendment of Schedule II to the principal Act.
Article 14: Amendment of Schedule III to the principal Act.
Article 15: Addition of new Schedule to the principal Act.

4. Commentary

Article 2: Substitutes the definition of Commissioner of Police in order to clarify that the Commissioner includes a person acting on his behalf.

Article 3: Provides for the circumstances when items classified under Schedule I may be authorised, provided that this is not contrary to public security or public order.

Article 4: Specifies that a licence or permit from the Commissioner is required to import into Malta or export from Malta items falling under the Act. Moreover, no person shall take possession of an item without prior approval to the Commissioner. This also applies to converted firearms and firearms that have been deactivated. This provision allows the Commissioner to grant authorisations for multiple journeys, which shall be entered in the European Firearms Pass.

Article 5: Provides that a gunsmith licence issued under the Arms Licensing Regulations (S.L. 480.02) is required to manufacture, modify, convert firearms, essential components or to manufacture, modify and convert ammunition.

Article 6: Adds the phrase "essential component" whereby such items are to be included in the register referred to in the principal Act.

Article 7: Provides that any person acquiring an arm proper shall provide his or her particulars.

Article 8: Specifies that the new disqualifications listed in article 24A shall apply when certain serious crimes have been committed.

Article 9: Adds a new article which provides for a period of disqualification of twenty years following the completion of a sentence whenever a person has committed a serious offence (from one of those listed in the same article) for which he or she was sentenced for at least five years.

This provision introduces stricter disqualification as it now caters for cases where a person is a danger to themselves or to others, including where serious/violent offences have been committed.

Article 10: Specifies that a licence shall be refused in the interest of public order or safety.

Article 11: Requires museums exhibiting Schedule I firearms or related items to comply with conditions applicable to Collector Licence A Special holders, as well as additional security conditions as required by the Commissioner.

Article 12: Deletes the old transitory provision to cover the switch from the old Arms Ordinance to the Arms Act.

Article 13: The wording in item 5 of Part I of Schedule II is being amended to better reflect the wording in the Directive. Moreover, a new item is being introduced whereby it is explicitly stated that Schedule II items that have been modified, e.g. to fire blanks, shall still be classified under Schedule II.

Article 14: Introduces a new item whereby items that have been modified, e.g. to fire blanks, shall still be classified under Schedule III.

Article 15: Adds a new Schedule to the principal Act which lists the technical specifications relating to alarm and signal weapons in the relative Commission Implementing Directive (EU) 2019/69 of 16 January 2019 laying down technical specifications for alarm and signal weapons under Council Directive 91/477/EEC on control of the acquisition and possession of weapons. No such item shall be registered if they do not comply with this schedule.

5. Concluding sections

This legislation shall come into force upon its publication in the Government Gazette.

For further information please contact: The Weapons Office at Police General Headquarters, on 22942110/1 or on weapons.police@gov.mt

These Explanatory Notes refer to Bill No. 171 published in Government Gazette No. 21,612 of 27th March, 2026.

10th April, 2026