

The Export Control (Amendment) (No.2) Order 2018

Transposition Note

This Transposition Note, in tabular form, explains how the Export Control (Amendment) (No. 2) Order 2018 (“the 2018 Order”) transposes (EU) Directive 2017/853 (“the 2017 Directive”) amending Directive 91/477/EEC (“the 1991 Directive”) on the control of the acquisition and possession of weapons. This table includes some changes made to the firearm control entries in Schedule 2 and 3 of the Export Control Order 2008 (“the 2008 Order”) that are made on a national basis (i.e. as a matter of discretion afforded to Member States under the relevant EU Directives) to help clarify the various firearm controls that are in operation.

Provision in the 2017 Directive	Objectives	Cross-reference in the 2008 Order	Implementation in the 2008 Order
<p>Article 6(19)(1) of the 2017 Directive which amends Annex 1, Part 2 of the 1991 Directive. The amendment introduces new controls in Category A of the Annex (see new point 9), in Category B of the Annex (see new point 8), and in Category C of the Annex (see new point 5).</p>	<p>New control entry</p>	<p>Article 2(4)(d)</p>	<p>Control text added to a new national control (PL9011 entries f and g) in Schedule 3</p>
<p>Article 6(19)(2) of the 2017 Directive which replaces Annex 1, Part 3 of the 1991 Directive.</p>	<p>Existing text amended</p>	<p>Article 2(4)(b)</p>	<p>Decontrol note added to the definition of firearm in Schedule 3</p>

Provision made on a national basis				
ML1 N.B. and Note	N.B. amended Note – new entry	Article 2(3)(a)(i) Article 2(3)(a)(ii)		N.B. amended in ML1 (Schedule 2) Note - new note e added
ML1a N.B. and Note	N.B. – new entry Note – new entry	Article 2(3)(a)(iii) Article 2(3)(a)(iv)		N.B. new N.B. added under ML1a (Schedule 2) Note – new note b added
ML1b N.B.1. and N.B.2. and Note ML1b2	N.B.1 and 2 new entry Note – new entry Control amended	Article 2(3)(a)(v) Article 2(3)(a)(vi)(vii)		N.B.1 and 2 – new N.B.1 and 2 added under ML1b (Schedule 2) Note – new Note a added Amended control text added at ML1b2
ML2 N.B.	Deletion	Article 2(3)(b)(i)		N.B. removed under ML2 (Schedule 2)
ML2a N.B.1 and 2 and Notes	N.B.1 and 2 new entry Notes – new entries	Article 2(3)(b)(ii) Article 2(3)(b)(iii)		N.B.1 and 2 added under ML2a (Schedule 2) Notes – new Note a and g added
ML3 N.B.	N.B. new entry	Article 2(3)(c)		N.B. added under ML3 (Schedule 2)
PL9010 (national control)	Existing text deleted	Article 2(4)(d)		New text – replaces existing PL9010 in Schedule 3
PL9011 (national control)	New entry	Article 2(4)(d)		New entry created in Schedule 3
Schedule 1, part 2 (paragraph 10A)	Existing text amended	Article 2(2)		New text added to Schedule 1, part 2 (paragraph 10A) to add PL9011 to scope of Trade Controls
ML7	Existing text amended	Article 2(3)(d)		New text to replace existing entry in ML7
ML10	Existing text amended	Article 2(3)(e)		New text to replace existing entries in ML10 sub-entries.
Schedule 3 (definitions)	New entries	Article 2(4)(a)(c)		New definition added to Schedule 3 for “Deactivation Regulation” and “Firearm Regulation”.