



Explanatory memorandum; Government Decree amending Section 1b of the Firearms Decree

Background and powers to issue decrees

It is proposed that the technical requirements for the marking of firearms and firearm components would be specified in line with Implementing Directive (EU) 2024/325 of the European Commission of 19 January 2024 amending Implementing Directive (EU) 2019/68 as regards the minimum depth of marking of firearms and their essential components. The Directive requires Member States to bring into force the laws, regulations and administrative provisions necessary to comply with this directive by 22 July 2025. The Decree would also bring into effect the provisions of the original Implementing Directive (EU) 2019/68, which entered into force in 2020. The Directive is hereinafter referred to as the Implementing Directive.

The amendments would be based on Section 119, Subsection 1, Paragraph 7 of the Firearms Act (1/1998), according to which more detailed provisions may be issued by Government Decree on affixing markings to firearms, firearm components and cartridge packages and on submitting a firearm to an authority for marking.

Preparatory work

Preparatory work has been carried out as official work at the Ministry of the Interior.

Current situation and key proposals

The markings required on firearms are based on Sections 110a and 110b of the Firearms Act, which stipulate the types of markings that shall be affixed to, inter alia, a firearm and a firearm component. The technical requirements for markings, i.e. the size and depth of the markings as well as other technical means of affixing the markings, are not laid down in the Firearms Act or in the legislation adopted pursuant to it.

It is proposed that the technical requirements for markings be laid down in accordance with the Implementing Directive and the amendment thereto. Additionally, some amendments resulting from amendments to the Firearms Act as well as regulatory amendments are proposed.

Postal address
Postadress
Postal Address
Ministry of the Interior

P.O. Box 26
00023 Valtioneuvosto

Visitor address
Besöksadress
Office

Kirkkokatu 12
Helsinki

Puhelin
Telefon
Telephone

0295 480 171
+358 295 480 171

Faksi
Fax
Fax

09 160 44635
+358 9 160 44635

s-posti, internet
e-post, internet
email, internet

kirjaamo.sm@gov.fi
www.intermin.fi

Principal impacts

The proposed amendment would ensure the traceability of firearms and firearm components. A unique marking on a firearm or firearm component, which could not be easily removed, would ensure effective traceability. Traceability is a key element in preventing illicit trafficking of firearms and organised crime.

The bill would not have a significant impact on the weapons industry. It would also have no significant impact on the recreational use of firearms in Finland. Weapons manufacturers are already obliged under existing legislation to affix markings to firearms and firearm components. The minimum technical requirements for markings do not significantly differ from current marking practices. The proposals would not impose any new obligations to affix markings to firearms held under existing firearms licenses and would therefore not have an impact on the recreational use of firearms. Clear and permanent markings safeguard the position of a firearms licence holder by ensuring the reliable identification of the licensed object.

Provision-specific rationale:

Section 1b

Subsection 1 An amendment clarifying the content of Subsection 1 of the Section would be made without the intention of changing its substance. In the case of firearms, shotguns in particular, the marking might be affixed to a place that prevents reading without dismantling the firearm. If a marking can be read when the firearm is dismantled for the purposes of maintenance performed by the user, it can also be easily verified by the supervisory authority and any other person handling the firearm. Maintenance intended to be carried out by the user does not require knowledge of weapons technology or the use of special tools.

Subsection 2 The minimum marking depth requirement of 0.0762 millimetres would correspond to the minimum requirement set out in the Implementing Directive. This, in turn, corresponds to the minimum requirement of 0.003 inches used in the United States of America. The uniformity of the requirements will facilitate the operations of firearms manufacturers.

The minimum marking height requirement of 1.6 millimetres would also correspond to the minimum requirement set out in the Implementing Directive.

The Implementing Directive requires Member States to establish the type of letters and numbers to be used for the marking. In Finland's case, it is proposed that markings shall be affixed using the Latin characters and Arabic numerals in use in the country. Other alphabets are also used in the Member States of the European Union.

The marking requirements of the Firearms Act also apply to firearm components that may be small in size. Such components may include, for example, locking devices and their functionally equivalent parts. For this reason, it would be stipulated that markings could be affixed using letters and numbers less than 1.6 millimetres in height, if necessary due to the small size of the component.

Provisions on the placement and mutual positioning of markings on firearms would be removed from the Subsection, as these are laid down in Section 110b of the Firearms Act.

Subsection 3 In general, the receivers of firearms are also manufactured from materials other than metal. For example, pistol receivers have been manufactured out of polymers for decades. It is not possible to permanently mark such materials that replace metal. The markings are prone to wear and can be easily removed. According to the Implementing Directive, frames or receivers made from a non-metallic material of a type determined by the Member State are marked on a metal plate in such a way that the metal plate is permanently embedded in the material of the frame or receiver and in such a way that the plate cannot be easily or readily removed, with its removal destroying part of the frame or receiver. The plate could be easily removed if it were to come off by twisting with a knife or screwdriver. Since the production marking of a firearm is key information for tracing the firearm, and even broken firearms must be traceable, it would not be permissible to install the plate

in such a way that it could be easily removed even if a firearm component, within the meaning of the provision, were to be destroyed.

Subsection 4 Subsection 3 of the existing Decree would transferred unchanged to a new Subsection 4.