

BERR | Department for Business
Enterprise & Regulatory Reform

**EXPORT CONTROL
ORGANISATION**

Guidance on the Export of
Firearms

MAY 2009

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1. Introduction

The UK, like many other countries, controls the movement of strategic goods from the UK to other countries. This includes arms, ammunition and related equipment. This applies even if the export is temporary (e.g. for an exhibition, competition or hunt). In many situations, the legislation will permit an export without the need for an export licence, provided certain requirements are met. However, in other cases, you will need to apply for an export licence. A breach of export controls is a criminal offence punishable with fines and/or imprisonment.

2. What items are covered?

Firearms are described by control entries ML1 and ML2 of Schedule 2, Part 1 of the Export Control Order 2008 - see [Annex A](#).

Schedule 2, Part 1 is entitled 'Military, security and para-military goods, software and technology and arms, ammunition and related materiel', but is commonly known as the 'UK Military list' (available on the [ECO website](#)).

Even though ML1 and ML2 appear on the 'military list', firearms and related goods are controlled even when they are designed for use in sport rather than for military use. For example, most shotguns and rifles will be specified by ML1.

If you wish to export items in these control entries, even temporarily, from the UK, you will need to consider whether the personal effects exemption (explained below) applies or if you need to apply for an export licence.

3. 'Personal Effects'

Export licences are not usually required where a holder of a valid firearm or shotgun certificate or visitors' firearm or shotgun permit takes firearms, shotguns, related ammunition and sights using non-electronic image enhancement for use therewith, abroad with them, or has them sent for their personal use, as part of their personal effects, provided these items are entered on the certificate, and if the certificates are presented by the holder, or their duly appointed agent, with the firearms and ammunition to the officer of HM Revenue & Customs at the place of exportation.

- This exception does not apply to exports to Iran or to a country or destination specified in Parts 1, 2 and 3 of Schedule 4 of the Export Control Order 2008. See [Annex C](#).
- For full details, please see Articles 15 and 16 of the Export Control Order 2008. Both articles are reproduced in [Annex B](#).

Where the intention is to take the firearm as personal effects to another **EU destination**, then the above waiver can only be used where the exporter/owner possesses a European Firearms Pass, which is obtainable from the local Police Force. (See below for further information on the European Firearms Pass).

4. Individuals temporarily exporting firearms to EU Member States

For temporary exports – for example, hunting and sporting trips – the ‘personal effects’ waiver can normally be used, backed up by the possession of a European Firearms Pass.

5. Individuals permanently exporting firearms to EU Member States

The decision on whether to issue a European Firearms Pass for a permanent export – for example where a UK resident is moving to live in another EU Member State and wishes to take their firearms with them - is one that is made by the local Police Force in the UK. If the local Police Force agrees to issue one, then the ‘personal effects’ waiver can be used and no export licence is needed to export the firearm from the UK.

European Firearms Passes are issued free of charge by the Police authorities. **Where the local Police Force in the UK is not able to issue a European Firearms Pass, you will need to apply for a Standard Individual Export Licence (SIEL) as per [section 9](#) below.**

It is also important to remember that obtaining a European Firearms Pass or Export Licence issued by the ECO does not absolve the exporter of the responsibility to ensure that the import of the firearm is acceptable to the authorities of the destination country (by obtaining an Import Permit or Prior Import Consent or PIC) and this must be done before the ‘personal effects’ export takes place.

BERR cannot be held responsible for any actions that authorities in the destination country might take if they take the view that relevant import regulations have not been satisfied.

This is particularly relevant for exports to France, where firearms import regulations oblige a person importing a firearm on a permanent basis to establish their credentials first with the Police Force in the locality of France where they intend to live. This process can take several months, so we advise all exporters to go through it before

they attempt to export any firearms, either as ‘personal effects’, or under cover of an export licence.

6. Individuals temporarily or permanently exporting firearms beyond the EU

The ‘personal effects’ waiver can normally be used, see [section 3](#). However, if your final destination (even if you are flying indirectly) is a country to which the ‘personal effects’ waiver does not apply, you will need to apply for a Standard Individual Export Licence (SIEL) – see [section 9](#).

7. Businesses exporting firearms, within or beyond the EU

Any businesses that are exporting firearms within or beyond the EU whether temporarily or permanently will need to apply for a Standard Individual Export Licence (SIEL) – see [section 9](#). See also [section 8](#) on ‘Registered firearms dealers and similar businesses’.

8. Registered firearms dealers and similar businesses

Registered firearms dealers who apply for a Standard Individual Export Licence (SIEL) should follow the guidance in [section 9](#). However, to avoid having to apply for a new licence for every export, there are some more flexible arrangements available, provided that the registered firearms dealer can demonstrate a business need to utilise these arrangements and can satisfy the documentation needs.

A Dealer to Dealer OIEL (Open Individual Export Licence) authorises **UK registered firearms dealers only** to export certain categories of firearms and ammunition **solely to other gun dealers in the European Union**. Dealer OIELs are valid for 3 years. Copies of valid documentation (i.e., EC5 form¹ and Prior Import Consents) must be forwarded to the Home Office at least 2 working days before each shipment.

If you wish to export firearms and ammunition to any other consignee in the EU, you must apply for Standard Individual Export Licences (SIELs) – see [section 9](#).

You should also note that if you wish to exhibit, demonstrate or export (permanently or temporarily) any of the items listed under “Category B” of the EC Directive on the Control of the Acquisition and Possession of Weapons (91/474/EEC)², you must hold a certificate issued under section 5 of the Firearms Act 1968.

¹ Copies of the EC5 form are available on the [ECO Website](#).

² The EC Directive on the Control of the Acquisition and Possession of Weapons (91/474/EEC) outlines procedures EU Member States should take when transferring firearms to another Member State.

For non-EU destinations, an Open Individual Export Licence (OIEL) may be applied for to allow multiple exports over a period of usually 3 years, to cover sales to other registered firearms dealers, provided a business need can be demonstrated.

All OIELs, including those for temporary exports need supporting documentation. It can vary between applications and you should look at the separate guidance notes on “Technical Information required from exporters when asking for advice or applying for a licence” (available on the [ECO website](#)).

Applications for OIELs, including Dealer to Dealer OIELs, should be made via the SPIRE system.

To register and apply for a licence please see: <https://www.spire.berr.gov.uk/>

9. Applying for a Standard Individual Export Licence (SIEL)

SIEL applications are made via the SPIRE system: <https://www.spire.berr.gov.uk/>

An application will need to comprise the following elements:

- The completed application form, accompanied by supporting documentation (which should include technical specifications describing the goods to be exported, and an end user undertaking if required)
- A copy of your Firearms Certificate or Section 5 Certificate – these demonstrate to BERR that you legally hold the firearms that you intend to export;
- A copy of the Prior Import Consent (PIC) – to demonstrate that the destination country agrees to the firearm/s being imported there before submitting an export licence application. However many countries do not class some weapons to be firearms and hence an import consent is not issued. In this instance an End User Undertaking³ will be required together with a letter or e-mail from the relevant licensing authorities stating that a PIC or equivalent cannot be issued. Remember to research the import regulations of the destination country and get PICs or End User Undertakings in place, before you apply for a Standard Individual Export Licence (SIEL). *Note: We cannot keep applications ‘on hold’ indefinitely and we will withdraw applications if supporting documentation is not forthcoming in a timely fashion.*
- In addition, for exports to EU countries, an EC3 form⁴. This summarises the details of the export and is passed between EU Member States to flag up the movement of firearms

The Government aims to provide a substantive response to SIEL applications within 20 working days of receipt of the application, provided that it has all the information required to process the application.

10. Other licensing considerations

All arms embargoes cover the export of firearms. For details of current embargoes see the ECO website at: <http://www.berr.gov.uk/whatwedo/europeandtrade/strategic-export-control/sanctions-embargoes/by-country/index.html>

Please note that these details do change.

³ Information on End-User Undertakings are available on the ECO Website. See: <http://www.berr.gov.uk/whatwedo/europeandtrade/strategic-export-control/licensing-policy/undertakings/index.html>

⁴ Copies of the EC3 form are available on the [ECO Website](#).

Some exports may be made under an appropriate Open General Licence (which means that an exporter would not have to apply for a SIEL). See <http://www.berr.gov.uk/whatwedo/europeandtrade/strategic-export-control/licences/ogels/index.html> for full details.

- For example, exports of accompanied sporting firearms to Tanzania and Uganda may be exported under the following Open General Licences provided the goods return to the UK within 3 months of exportation and all other conditions can be met:
<http://www.berr.gov.uk/whatwedo/europeandtrade/strategic-export-control/licences/ogels/ogels-other/page9557.html>

The ECOWAS moratorium places restrictions on the import, export and manufacture of light weapons in Benin, Burkina Faso, Cape Verde, Gambia, Ghana, Guinea, Guinea Bissau, Cote D'Ivoire, Liberia, Mali, Mauritania, Niger, Nigeria, Senegal, Sierra Leone and Togo. Please see our website for further guidance: <http://www.berr.gov.uk/whatwedo/europeandtrade/strategic-export-control/sanctions-embargoes/by-country/westafricanstates/index.html>

For firearms over certain age and monetary limits an **additional** licence is required for export from the UK to both EU and non-EU destinations unless certain exceptions apply. For further information contact the:

Export Licensing Unit
Museums, Libraries and Archives Council (MLA)
Wellcome Wolfson Building
165 Queens Gate
London SW7 5HD
Tel 020 7273 8265
ax 020 7211 6170;
E-mail elu@mla.gov.uk
Website: http://www.mla.gov.uk/what/cultural/export/export_licensing

11. Frequently Asked Questions

1. **Q: I am taking my rifle or shotgun on a shooting trip – what do I need to do?**

A: You may be able to use the 'personal effects' waiver described in Section 3. If you are travelling to a destination where the 'personal effects' waiver cannot be used, you will need to apply for a Standard Individual Export Licence (SIEL) – see [section 9](#). If you need to apply for a SIEL, please do so as soon as possible, together with all supporting documentation. This will allow you to make alternative local arrangements should the export licence application be refused.

2. Q: I am emigrating and want to take my firearm with me. Do I need a licence?

A: You may be able to use the ‘personal effects’ waiver described in [Section 3](#), but you also need to read sections 5 and 6. If not, you will need to apply for a Standard Individual Export Licence (SIEL) – see [section 9](#).

3. Q: A firearm has been gifted to me and I now need to take it home with me, but I live outside the UK. What do I do?

A: As per Q2 above.

12. Further Details

Under BERR export licensing legislation, the age of the weapon is not a criterion for deciding whether or not a licence is required.

For further details of strategic export controls and EC3 and EC5 forms please contact:

ECO Helpline
Export Control Organisation,
Department for Business, Enterprise and Regulatory Reform
1 Victoria Street
London SW1H 0ET
Tel: 020 7215 4594
Fax: 020 7215 2635
Email: eco.help@berr.gsi.gov.uk
Website: <http://www.berr.gov.uk/exportcontrol>

This guidance is for information only and has no force in law. Please note that where legal advice is required exporters should make their own arrangements.

NOTE: These annexes are for reference only and are likely to change as a result of any legislative updates. To keep updated with all Export Control issues please sign up to receive the ECO's Notices to Exporters. See details about [Joining the ECO Mailing List](#).

Annex A: ML1 & ML2

Export Control Order 2008 (SI 2008/3231) -
http://www.opsi.gov.uk/si/si2008/uksi_20083231_en_1

Schedule 2, Part 1 - Military, security and para-military goods, software and technology and arms, ammunition and related materiel

ML1 Smooth-bore weapons with a calibre of less than 20 mm, other firearms and automatic weapons with a calibre of 12.7 mm (calibre 0.50 inches) or less and accessories, as follows, and specially designed components therefor:

- a. Rifles, carbines, revolvers, pistols, machine pistols and machine guns;
- b. Smooth-bore weapons;
- c. Weapons using caseless ammunition;
- d. Silencers, "special gun-mountings", weapon sights, clips and flash suppressors for firearms specified in ML1.a., ML1.b. or ML1.c.

Note: ML1 does not control:

- a. *Air weapons (other than those declared by the Firearms (Dangerous Air Weapons) Rules 1969(34) to be specially dangerous);*
- b. *Firearms specially designed for dummy ammunition and which are incapable of firing any ammunition in this Part of this Schedule;*
- c. *Firearms certified by a registered UK Proof House as having been rendered incapable of firing any ammunition in this Part of this Schedule;*
- d. *Bayonets;*
- e. *Air (pneumatic) or cartridge (explosive) powered guns or pistols designed as:*
 1. *Industrial tools; or*
 2. *Humane stunning devices employed specifically for animal slaughter;*
- f. *Signal pistols*
- g. *Optical weapon sights without electronic image processing (ie, using only lenses to view the target) , with a magnification of 4 times or less, provided they are not specifically designed or modified for military use.*

ML2 Smooth-bore weapons with a calibre of 20 mm or more, other armament or weapons with a calibre greater than 12.7 mm (calibre 0.50 inches), projectors and accessories, as follows, and specially designed components therefor:

- a. Guns, howitzers, cannon, mortars, anti-tank weapons, projectile launchers,

military flame throwers, rifles, recoilless rifles, smooth-bore weapons and signature reduction devices therefor;

b. Military smoke, gas and “pyrotechnic” projectors or generators;

c. Weapons sights for firearms specified in ML2.a. or ML2.b.

Note ML2 does not control signal pistols.

1:

Note ML2.a. does not apply to hand-held projectile launchers specially

2: designed to launch tethered projectiles, having no high explosive charge or communications link, to a range of 500m or less.

Annex B: Extract of Articles 15 and 16 of the Export Control Order 2008

Exception for firearms – European firearms pass

15.—(1) Nothing in article 3 shall be taken to prohibit the exportation of any firearm falling within category B, C or D of Annex I to the firearms Directive, related ammunition and sight using non-electronic image enhancement for use with such a firearm to any destination in a member State if paragraphs (2) and (3) apply.

(2) This paragraph applies if the firearm, ammunition and sight using non-electronic image enhancement form part of the personal effects of a person (“the holder”) who is in possession of—

(a) a European firearms pass which has been issued to the holder under section 32A of the Firearms Act 1968([14](#)); or

(b) a document which has been issued to the holder under the provisions of the law of a member State corresponding to the provisions of that section,

which, in either case, relates to the firearm.

(3) This paragraph applies if either—

(a) the pass or document referred to in paragraph (2) contains authorisation for the possession of the firearm from the member State of destination and any other member State through which the holder intends that the firearm will pass on its way to that destination; or

(b) the holder on request satisfies the proper officer of Her Majesty’s Revenue and Customs at the place of exportation that—

(i) the exportation of the firearm is necessary to enable the holder to participate in one of the activities specified in Article 12(2) (hunters and marksmen) of the firearms Directive;

(ii) the firearm falls within the category appropriate to that activity in accordance with that Article; and

(iii) the exportation or passage of the firearm is not to or through a member State which prohibits or requires an authorisation for the acquisition or possession of the firearm.

Exception for firearms – firearm or shot gun certificate or permit

16.—(1) This article applies to firearms authorised to be possessed or, as the case may be, purchased or acquired by—

(a) a firearm certificate or shot gun certificate granted under the Firearms Act 1968;

(b) a visitor’s firearm or shot gun permit granted under section 17 of the Firearms (Amendment) Act 1988([15](#));

(c) a firearm certificate granted under the Firearms (Northern Ireland) Order 1981([16](#)); or

(d) a firearm certificate granted under the Firearms Act 1947 (an Act of Tynwald)([17](#)) as amended by the Firearms Act 1968 (an Act of Tynwald)([18](#)) and the Air Guns and Shot Guns, etc Act 1968 (an Act of Tynwald)([19](#)).

(2) Subject to paragraph (3), nothing in article 3 shall be taken to prohibit the exportation of any firearm to which this article applies, related ammunition and sight using non-electronic image enhancement for use with such a firearm to—

(a) any destination in a member State by—

(i) any person or body specified in Article 2(2) (Directive not to apply in relation to armed forces, police, public authorities, collectors, etc.) of the firearms Directive; or

(ii) the holder of a firearm certificate within paragraph (1)(d); or

(b) any other destination other than a country or destination specified in Part 1, 2 or 3 of Schedule 4.

(3) The exception in this article only applies if the firearm, related ammunition and sight using non-electronic image enhancement form part of the personal effects of the holder of the relevant certificate or permit and, in a case to which paragraph (2)(b) applies, the certificate or permit is produced by the holder, or the holder's duly authorised agent, with the firearm and, if carried, ammunition and sight to the proper officer of Her Majesty's Revenue and Customs at the place of exportation.

Annex C: Schedule 4 – Countries and Destinations subject to stricter Export or Trade Controls

PART 1 EMBARGOED AND NO EXCEPTION FOR TRANSIT

Democratic People's Republic of Korea

Iran

PART 2 EMBARGOED AND SUBJECT TO TRANSIT CONTROL FOR MILITARY GOODS

Armenia

Lebanon

Azerbaijan

Sudan

Burma (Myanmar)

Uzbekistan

Democratic Republic of the Congo

Zimbabwe

Ivory Coast (Côte d'Ivoire)

PART 3 SUBJECT TO TRANSIT CONTROL FOR MILITARY GOODS

Afghanistan

Macao Special Administrative Region

Argentina

Rwanda

Burundi

Sierra Leone

China (People's Republic other than the Special Administrative Regions)

Somalia

Iraq

Tanzania

Liberia

Uganda

PART 4 SUBJECT TO TRANSIT CONTROL FOR CATEGORY B GOODS

Albania

Colombia

Belarus

Congo (Brazzaville)

Benin

Dubai

Bosnia/Herzegovina

East Timor (Timor-Leste)

Burkina Faso

Eritrea

Cameroon

Ethiopia

Cape Verde

Gambia

Central African Republic

Georgia

Chad

Ghana

Guinea	Nigeria
Guinea Bissau	Oman
Haiti	Pakistan
Hong Kong Special Administrative Region	Russia
Jamaica	Senegal
Kenya	Serbia
Krygyzstan	Sri Lanka
Libya	Syria
Mali	Taiwan
Mauritania	Tajikistan
Moldova	Togo
Montenegro	Trinidad & Tobago
Morocco	Turkmenistan
Nepal	Ukraine
Niger	Venezuela
	Yemen