

Key Points of the Law on Arms and Weaponry

The Weapons Act (Waffengesetz, as amended on 17/7/2009) regulates the handling of weapons, especially firearms and ammunition. Besides conventional firearms (guns) compressed air weapons, spring-operated weapons and CO₂-weapons as well as crossbows as other objects come under the Weapons Act; the bow is not regulated.

Only persons **at least 18 years** of age are allowed to handle a weapon (among other things meaning: acquiring, possessing, handing over to others, carrying, transferring, shooting, working on) – if there are not explicitly specified exceptions.

Acquiring and possessing firearms and ammunition

Compressed-air and spring-operated weapons and weapons employing cold gases to propel projectiles (formerly: CO₂-weapons) and crossbows can be acquired without a licence from the age of 18 years on.

To acquire and possess weapons needing a licence it is required:

- to be at least 18 years of age for firearms up to a calibre of 5.6 mm lr. for ammunition with rimfire percussion when the muzzle velocity is up to 200 joules, for single-shot long weapons with smooth-bore barrels of a calibre 12 or less if those weapons are permitted by the approved sporting regulations.
- all else: at least 21 years of age.
Up until at least 25 years of age a certificate of mental aptitude from a public health officer, specialist or psychologist must be submitted. This does not apply for above mentioned weapons.
- Necessary reliability (Section 5) is deemed missing if e.g. a person has been sentenced for a crime or any other criminal offence resulting in a fine of at least 60 times the daily rate; has repeatedly and grossly violated provisions of the Weapons Act, the Explosives Act or the Federal Hunting Act; has been member of an association found to be unconstitutional.
- Personal aptitude (Section 6) is deemed missing if e.g. a person is dependent on alcohol or other intoxicating substances, is mentally ill or is unable to handle weapons or ammunition cautiously or properly.
- Specialized knowledge (Section 7) requires a demonstrated technical and legal knowledge of weapons. The German Shooting and Archery Federation has agreed on rules for the necessary examination (http://www.dsb.de/media/PDF/Recht/Waffenrecht/Richtlinien%20DSB/Richtlinien_Sachkunde.pdf), which include regulations for specialised knowledge training and examination.

The permission is granted by issuing a weapon owner's licence (Waffenbesitzkarte WBK); it is valid for one year for acquiring a weapon and without expiry for possessing a weapon, so-called Green Weapon Owner's Licence (**Grüne WBK**). The acquisition must be reported to the authorities within 2 weeks.

The permission to acquire and possess ammunition (Section 10) is granted by entering the ammunition on the Weapon Owner's Licence for the guns entered there. It can also be granted by issuing a licence to acquire ammunition and will then be valid for a period of 6 years for acquiring and valid without expiry for possessing ammunition.

Permissions issued before 1/4/2003 are still valid.

Needs of sport shooters/marksmen (Section 14)

- At least 12 months of membership in a shooting club, which is attached to a recognized shooting sport association and regularly practising shooting. In practice many authorities usually demand 18 different activities in sport shooting per year as "regularly".
- The weapon must be approved and necessary for the sport discipline according to the sporting regulations of the German Shooting and Archery Federation or the regional associations (list B). Both requirements must be confirmed by a certificate of the association. Within a six-month period no more than 2 guns may be acquired. This applies to up to 3 semi-automatic long firearms and up to 2 short firearms.
- Additional firearms can be acquired if they are necessary to practise other shooting sport disciplines or to compete in shooting competitions and the association presents a certificate stating that need. The applicants regular participation in shooting competitions is a prerequisite to exhaust this "normal quota".
- A permanent permission is issued to acquire single-shot long firearms, repeating long firearms with rifled barrels, single-barrel single-shot short firearms for fixed ammunition, multiple-shot short and long firearms with percussion cap ignition (percussion weapons), which will be registered on the so-called Yellow Weapon Owner's Licence (**Gelbe WBK**).

Within a six-month period no more than 2 guns may be acquired.

The authorities verify that the need still exists after 3 years, after this period the authorities **can** verify that the need still exists. Necessary reliability and personal aptitude will be verified at least every 3 years.

Generally, these verifications can be subject to charges.

Shooting/Age Limits (Section 27)

Shooting with firearms outside a shooting range is only allowed with a shooting licence.

On shooting ranges one is only allowed to shoot without shooting licence:

- **♦ from the age of 12 years:** with compressed-air and spring-operated weapons and CO2-weapons
- **♦ from the age of 14 years:** with other guns up to a calibre of 5.6 mm lr. for ammunition with rimfire percussion when the muzzle velocity is no more than 200 joules, for single-shot long firearms with smooth-barrels with a calibre of 12 or less.

A written consent of the guardian or his/her presence during the shooting is required.

Shooting with compressed-air weapons up to the age of 14 and other weapons up to the age of 16 must be supervised under the care of supervisors suited to shooting with children and young people (Jugendbasislizenz)

http://www.dsb.de/media/PDF/Recht/Waffenrecht/Richtlinien%20DSB/Ausbildungsrichtlinie_Jugend-Basis-Lizenz.pdf or under the care of guardians entitled to exercise supervision – beside the shooting range supervision.

- ♦ **from the age of 18:** without any restrictions

The authorities may grant an exemption from the minimum age requirements if the child's or young person's physical and mental aptitude have been certified by a physician and his/her shooting talent has been certified by the club.

For "shooting" with a crossbow the age requirement of 12 years is applied accordingly.

Shooting with weapons excluded from the area of shooting as a sport and conducting prohibited shooting practice is forbidden; detailed regulations can be found in sections 6 and 7 AWaffV.

Any other shooting practice, especially society shooting and traditional shooting, for which the shooting range is authorised, is permitted even if they are not regulated in the sporting regulations.

Carrying/Transport (Section 12)

It is only allowed to carry firearms if one is granted the permission via a licence. (Weapon Owner's Licence, Section 10).

A licence is not required if a person carries a weapon at a shooting range or if the weapon, which is neither ready to fire **nor** accessible, is transported for a purpose included or related to said person's need from one place to another.

"Not ready to fire" meaning the weapon must not be loaded; i.e. neither any propellant, projectile or cartridge must be contained in the breech or firing chamber of the firearm or in the cartridge magazine attached to or inserted into the firearm.

"Not accessible" is a weapon if it

- cannot be brought into firing position immediately (meaning with few [= 3 and less] quick movements)
- is transported in a secure locking device (meaning a device additionally secured against easy opening, e.g. with a lock or in a locked boot)

Carrying a crossbow does not require a permission. Transport of ammunition is not subject to restrictions regarding the device; however it must be transported in a way that no unauthorised person may have access.

Storage firearms

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| A-Container Standard: VDMA 24992 | up to 10 long firearms | no ammunition |
| A-Container with inner security container made from sheet steel Standard: VDMA 24992 | up to 10 long firearms | ammunition in inner security container |
| A-Container with inner security container security grade B Standard: VDMA 24992 | up to 10 long firearms | with inner security container: up to 5 short firearms ammunition for long and short firearms |
| B-Container Standard: VDMA 24992 | more than 10 long firearms + up to 5 short firearms - weight of container more than 200 kg: up to 10 short firearms | no ammunition |
| B-Container with inner security container made from sheet steel Standard: VDMA 24992 | more than 10 long firearms + up to 5 short firearms - weight of container more than 200 kg: up to 10 short firearms | ammunition in inner security container |
| Container with resistance grade 0 Standard: DIN/EN 1143-1 | more than 10 long firearms + up to 5 short firearms - weight of container more than 200 kg: up to 10 short firearms | ammunition |
| Container with resistance grade 1 Standard: DIN/EN 1143-1 | more than 10 long firearms more than 10 short firearms | ammunition |
| Sheet steel container with pivoting bolt lock or comparable container (no classification) | | only ammunition |

Firearms and ammunition must be stored separately. Exceptions see table. A so-called cross-storage of ammunition and firearms is permissible, i.e. ammunition for short firearms can be stored together with long firearms in an A-container or ammunition for long firearms together with short firearms in a B-container.

Any other weapons must be stored in a way to keep them from being lost or stolen by unauthorised third parties.

Rooms secured in a comparable manner are deemed equivalent. It is necessary to provide the authorities with proof of the secure storage.

Authorities are allowed to check compliance with the rules for secure storage by entering living areas, which needs to be in compliance with the inviolability of the home (Article 13 of the Basic Law for the Federal Republic of Germany).

Anyone who stores his weapons in violation of the regulations of the weapon's law must reckon with a fine up to 10,000 €; Anyone who does this intentionally, thereby causing a risk of unauthorised access must reckon with punishment of up to 3 years in prison.

European Firearms Pass

A European Firearms Pass, in which weapons needing permission by the authorities are entered, can be issued according to the EEC Directive on Acquisition and Possession of Weapons to sport shooters. It allows to travel with those weapons from one EU country into another, if a certain purpose (e.g. invitation to sport shooting) is proved. This is valid for sport shooters from other EU-countries for up to 6 weapons needing permission and the necessary ammunition.

Shooting association and shooting club (Section 15)

An association of shooting clubs is recognized as a shooting association by the Federal Office of Administration if it meets certain conditions. The shooting clubs must keep a record of their members' shooting activities during the first 3 years after the issuing of a Weapon Owner's Licence.

Sport shooters having a Weapon Owner's Licence and resigning from the club must be notified to the appropriate authorities.