



## HFSS Courtesy Info on Weapons Law Changes 2020



### References:

German Weapons Law, last change implementation Sep 2020

AER 190-6, Registration and Control of Privately Owned Firearms and Other Weapons in Germany, 5 June 2020

This document contains courtesy information from MWR HFSS on changes that all US Forces weapons owners should be aware of. The proponent for regulatory guidance on weapon ownership is the USAREUR Registrar, Vehicle Registration/Weapons Section. The German Government recently passed some changes to the weapons law in which will become applicable over time. The first step was the very welcomed ability for hunters to buy noise suppressors/silencers. Additional changes were passed and will come into effect on 01 September 2020. The following is a summary of all the changes.

### Prohibited items:

High-capacity magazines. Effective 1 September 2020, replacement magazines for hand-guns using center-fire cartridges, and fixed magazines in semi-automatic hand guns using center-fire cartridges, with a capacity of more than 20 rounds of the smallest usable caliber, will be prohibited. Replacement magazines for long guns using center-fire cartridges, and fixed magazines in semi-automatic long guns using center-fire cartridges, with a capacity of more than 10 rounds of the smallest usable caliber will also be prohibited. High-capacity magazines that can be used for both long- and hand guns are treated as hand gun magazines, unless the owner also possesses a permit for long gun for which the magazine can be used. Not impacted are repeaters with fixed magazines of more than 10 rounds.

Grandfathering rules: High-capacity magazines, as described above, do not become a prohibited item on 01 September 2021 if legally possessed on or before 13 July 2017 AND if possession, including proof of lawful ownership on or before 13 July 2017 is reported to the appropriate German authorities no later than 01 September 2021. For high-capacity magazines lawfully purchased after 13 July 2020 but before 01 September 2020, a permit application pursuant to Sec. 44 para 4 WaffG needs to be filed or the High-capacity magazines need to be handed over to an individual authorized to possess such items, the German weapons authorities or to the police before 01 September 2021. In case of a demonstrated need, individuals can apply for a special permit for such magazines. See AER 190-6 for specifics.

### Essential or Significant Parts of Weapons:

The definition of what significant parts are has changed. Some previously non-essential parts are now considered essential parts. Such parts **are treated the same as actual weapons** – the same ownership qualification and registration and storage requirements apply. Significant parts are for example (non-conclusive list - parts in bold are now significant parts): barrels, barrel inserts, **trigger assemblies**, upper/**lower receivers**, **bolts**, chambers, **chamber lock**, **cylinders**, **long gun frames**, hand-gun frames, **some slides**, silencers/noise suppressors. Even though you cannot shoot with just a cylinder or a barrel insert, do not own or obtain such a part without meeting the proper registration requirements and qualifications. Failure to do so will result in illegal possession of a firearm as significant parts are treated just like a complete firearm itself. All significant parts of firearms must now be registered NLT 1 September 2020 with the German weapons authorities. If you own essential parts that have not been, or were not required to be, registered in the past, make sure you do so by 1 September 2020. See AER 190-6 for specifics.

### German Government National Firearms Register (NWR/Nationales Waffen-Register) ID Numbers:

Based on EU legislation, with the latest revision of the weapons law in 2020, Germany implemented a variation of ID numbers firearms owner must become familiar with. The government established a central database and all weapons related data from local authorities was fed into this database. The ID numbers used in this database are (combination of 21 digits/numbers):

- NWR ID number for a person (P-number)
- NWR ID number for a permit (WBK – E-number)
- NWR Weapon ID number (W-number)
- NWR Significant Weapon Part ID number (T-number)

The numbers for a person (P-number) and number for a permit (E-number) are now printed on WBKs (newer WBKs). Weapon and weapon part ID numbers (W- or T- numbers) are in addition to serial numbers the weapon or part may

have. These numbers **are only reflected in the NWR database** but will be necessary when you want to buy or sell a weapon or part. These numbers are not stamped or engraved on the weapon or part. As a hunter or sport shooter, you are required to know the above numbers for yourself and all your weapons and significant parts and to provide them when bringing your weapons or significant part to a gun smith for maintenance/repair, or when buying/selling a weapon or significant part. In order to find out these numbers, a weapon owner will have to send a request for information (requesting your data sheet) to the Vehicle Registration Office/Weapons Section, who will forward your request to the appropriate German authorities.

**Sample WBK with NWR ID numbers for the permit (E-number) and a person (P-number)**

The image shows a sample of a German Weapon Possession Card (Waffenbesitzkarte). The card is white with black text. At the top, it says "Waffenbesitzkarte" in a large, bold font. Below that, in a smaller font, is the permit number "E2012-12-12-1234567-M". In the center, there is a field labeled "Nr." followed by a horizontal line. Below that, there is a field labeled "Herr/Frau" followed by a horizontal line. To the left of this field is the person's permit number "P2012-11-05-0046044-O". At the bottom, there is a field labeled "geboren am" followed by a horizontal line.

**Folding Knives:**

No change in the law but good to know - Many US Forces members have a habit of carrying a Leatherman or similar tools or folding knives. Folding knives that can be opened with one hand (e.g. by way of a thumb stud or notch) may only be carried for socially acceptable situations (e.g. camping, hunting, gardening, etc, NOT while shopping or strolling downtown) AND when the blade length does not exceed 12cm. to See AER 190-6 for specifics.

**Silencers/Noise Suppressors:**

Noise Suppressors are not considered significant parts of firearms but are treated equally as such and require a permit. In the Fall of 2019, the Weapons law was changed to permit hunters to buy/possess/use noise suppressors/silencers for center-fire ammo long guns. Hunters can buy them at will but are required to properly register them within 2 weeks (just like long guns). Hunters wanting these devices for rimfire ammo must submit special justification. These devices must be stored just like the firearms they are used for. However, each State's hunting law must be consulted to ensure hunting law does not prohibit use of such devices while hunting.

**Decorative Weapons:**

As of 1 September 2020, decorative weapons must be reported to the German weapons authorities. That includes decorative weapons one might already possess. Such weapons must be disabled in very specific ways. Do not assume that a non-functional firearm from the US meets German requirements for a disabled firearm.

Salute firearms are firearms that were modified to only be able to shoot blanks/ammunition without projectiles. Salute firearms will now remain in the firearms category that they were in before being modified and with that a permit will continue to be required (even though this salute weapon can no longer shoot real bullets). In other words, if you had a bolt-action .308 that is now modified to only shoot blanks, it will now still be considered a "real" bolt-action rifle and you will be required to have a permit (WBK entry). If you own such devices you are required to report and apply for the WBK entry NLT 21. Sep 2021.

**Yellow WBK:**

Our weapons authority (BVA in Cologne) does not issue yellow WBKs to US Forces sport shooters. Local weapons authorities do or can issue yellow WBKs to sport shooters. A change the law is requiring as of September is that sport shooters can normally not register more than 10 firearms (even if they have multiple yellow cards, the total cannot exceed 10 firearms) Any firearm beyond 10 must be registered on a green WBK and requires special justifications. This change is not applicable for US Forces sport shooters since all our weapons are always on green WBKs

**Reoccurring Assessment for the need to own firearms for sport shooters:**

Weapons authorities are now required to check on the sport shooter's need to own firearms every 5 years for the first 10 years. After 10 years continued membership is sufficient justification (no longer required to shoot 12 times in a year, keep shooting log etc).

**New Certificate of Need requirements for sport shooters:**

There is no change for the very first sport shooter application for a WBK entry.

After the initial check and after the initial issuance of a WBK (entry), Sport shooters will only be required to shoot 6 times per year or one time per quarter to maintain their eligibility/justification for firearm ownership (need). Up until 31 Dec 2025, Certificates of need for sport shooters can be signed/stamped by local sport shooting clubs. After 31 Dec 2025 all certificates of need must be signed/stamped by the association level (the US Forces are already doing this since HFSS always stamps and is considered the association level).

**Mandatory inquiry (“Regelabfrage”) with the “Verfassungsschutz”:**

Weapons authorities are now required to not just do criminal background checks but also to check a person's background with the German “Verfassungsschutz” (Office for the protection of the Constitution). This office tracks extremists. Anyone falling into left/right wing or any other extremist type category is no longer considered to be reliable from a weapon's law perspective. In other words an extremist type person no longer meets the reliability requirements for weapon ownership (results in denial of WBK).

**New/amended notification requirements (new §§37a-i):**

- a) If a firearm that requires a permit is disabled or destroyed, the owner is required to notify the weapons authorities within 2 weeks. The weapons authority can require that such a firearm is presented to them for inspection.
- b) WBK holders have always been required to inform weapons authorities and hunting license offices of a new address when moving. The changes in the law now also require the WBK or hunting license holder to provide their new address when moving away from Germany.
- c) when someone takes possession of firearms that require a permit (e.g. death of a weapons owner/inheritance, debt or court collection agents, etc), the weapons authorities must be notified immediately.

**Attention Special Areas:**

Germany gave the individual States and cities the ability to declare specific areas to be weapon-free zones. This means, that in these areas no weapons (even legal weapons such as pocket knives) whatsoever be carried. Such areas are usually within the city's downtown areas. Many US Forces members have a habit of carrying a Leatherman or similar tools or folding knives. These items are not permitted within these weapon-free zones. See AER 190-6 for specifics.

**Night-Vision/Thermal Imaging Devices:**

Such stand-alone devices may be purchased, owned, and used. Devices that attach to firearms/scopes may be owned by hunters and be used from a weapons law perspective. However, each State's hunting law must be consulted to ensure hunting law does not prohibit use of such devices while hunting. It is prohibited in Germany to attach lasers or flashlights to firearms. In some cases even ownership of such devices is prohibited. See AER 190-6 for specifics.

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