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Weapons Act¹

Passed 13.06.2001
RT I 2001, 65, 377
Entry into force 31.03.2002

Amended by the following acts

Passed	Published	Entry into force
17.10.2001	RT I 2001, 88, 531	01.07.2002
18.12.2001	RT I 2001, 102, 673	01.01.2002
13.03.2002	RT I 2002, 29, 175	31.03.2002
05.06.2002	RT I 2002, 53, 336	01.07.2002
19.06.2002	RT I 2002, 61, 375	01.08.2002
19.06.2002	RT I 2002, 63, 387	01.09.2002
11.12.2002	RT I 2002, 110, 653	01.04.2003
24.09.2003	RT I 2003, 66, 449	03.11.2003
17.12.2003	RT I 2003, 88, 594	08.01.2004
17.12.2003	RT I 2004, 2, 7	05.02.2004
25.02.2004	RT III 2004, 7, 70	25.02.2004
24.03.2004	RT I 2004, 25, 170	01.05.2004
14.04.2004	RT I 2004, 30, 208	01.05.2004
28.06.2004	RT I 2004, 54, 388	25.06.2004
20.04.2006	RT I 2006, 21, 162	01.06.2006
17.05.2006	RT I 2006, 26, 191	01.08.2006
10.01.2007	RT I 2007, 7, 38	05.02.2007
10.01.2007	RT I 2007, 7, 38	01.01.2008
24.01.2007	RT I 2007, 12, 66	01.01.2008
10.01.2007	RT I 2007, 7, 38	27.04.2007
24.01.2007	RT I 2007, 13, 69	15.03.2007
14.02.2007	RT I 2007, 24, 126	01.07.2007
21.11.2007	RT I 2007, 67, 414	28.12.2007
13.12.2007	RT I 2008, 1, 6	14.01.2008
20.12.2007	RT I 2008, 3, 24	17.02.2008
17.12.2008	RT I 2009, 4, 25	26.01.2009
26.03.2009	RT III 2009, 15, 109	26.03.2009
26.11.2009	RT I 2009, 62, 405	01.01.2010; the words "police prefecture" replaced with the words "police authority".
10.12.2009	RT I 2009, 63, 408	28.12.2009
22.04.2010	RT I 2010, 22, 108	01.01.2011, enters into force on the date determined by the Decision of the Council of the European Union on abrogation of a derogation established in respect of the Republic of Estonia on the basis of Article 140(2) of the Treaty on the Functioning of the European Union, Council Decision No. 2010/416/

16.06.2010	RT I 2010, 37, 223	EU of 13 July 2010 (OJ L 196, 28.07.2010, pp. 24–26).
17.06.2010	RT I 2010, 43, 256	09.07.2010
14.12.2010	RT I, 27.12.2010, 7	28.07.2010
		14.12.2010 - the Constitutional Review Chamber of the Supreme Court declares § 43 (3) 2) of the Weapons Act in conjunction with § 36 (1) 6) of the Weapons Act unconstitutional and invalid to the extent it does not allow to consider the person who has been punished pursuant to criminal procedure and the act committed by him or her upon revoking his or her acquisition permit or weapons permit.
23.02.2011	RT I, 21.03.2011, 4	01.06.2011
17.02.2011	RT I, 21.03.2011, 2	01.01.2012 Repealed - [RT I, 29.06.2012, 2]
23.02.2011	RT I, 25.03.2011, 1	01.01.2014; date of entry into force amended 01.07.2014 [RT I, 22.12.2013, 1]
26.04.2011	RT I, 04.05.2011, 6	26.04.2011 - the Constitutional Review Chamber of the Supreme Court declares § 36 (1) 8) of the Weapons Act to be in conflict with § 19 (1) of the Constitution of the Republic of Estonia and invalid to the extent it does not allow to consider the person of a suspect or an accused or the facts which are the essence of the charges upon granting a weapons permit.
07.12.2011	RT I, 22.12.2011, 2	01.01.2012
08.12.2011	RT I, 22.12.2011, 3	23.12.2011 Repealed - [RT I, 29.06.2012, 2]
08.12.2011	RT I, 29.12.2011, 1	01.01.2012, partially 01.01.2014 and 01.11.2014; date of entry into force partially amended 01.07.2014 [RT I, 22.12.2013, 1]
06.06.2012	RT I, 29.06.2012, 2	09.07.2012, partially 01.01.2013
28.02.2013	RT I, 20.03.2013, 1	01.04.2013
25.04.2013	RT I, 16.05.2013, 2	01.06.2013
23.05.2013	RT I, 28.05.2013, 8	23.05.2013 - the Constitutional Review Chamber of the Supreme Court declares § 41 (9) of the Weapons Act in conjunction with § 36 (1) 6) of the same Act unconstitutional and invalid to the extent it does not allow to consider the person who has been punished pursuant to criminal procedure and the act committed by him or her upon replacing his or her weapons permit or permit to carry a weapon.
05.12.2013	RT I, 22.12.2013, 1	01.01.2014
11.12.2013	RT I, 23.12.2013, 1	01.01.2014, partially 01.01.2015 and 01.01.2020
19.02.2014	RT I, 13.03.2014, 4	01.07.2014
05.06.2014	RT I, 29.06.2014, 1	01.07.2014
19.06.2014	RT I, 12.07.2014, 1	01.01.2015
19.06.2014	RT I, 29.06.2014, 109	01.07.2014, titles of ministers replaced on the basis of § 107 ³ (4) of the Government of the Republic Act.
18.02.2015	RT I, 19.03.2015, 2	29.03.2015
11.02.2015	RT I, 04.03.2015, 5	01.04.2015
18.02.2015	RT I, 12.03.2015, 4	01.10.2015, partially 01.03.2016

18.02.2015
31.05.2017
14.02.2018

RT I, 19.03.2015, 2
RT I, 16.06.2017, 1
RT I, 09.03.2018, 1

29.03.2015
01.07.2017
01.07.2018, partially 19.03.2018 and
01.01.2019

Chapter 1

GENERAL PROVISIONS

§ 1. Scope of Act

(1) This Act establishes the legal bases and procedure for the handling of weapons and ammunition, the grant of permission for weapons and ammunition to be used for civilian purposes, the use of weapons and ammunition for civilian purposes and the removal of weapons and ammunition from civilian use, the requirements for firing ranges and field firing ranges, and the bases and procedure for the exercise of state supervision in such areas.

(1¹) The provisions of the Administrative Procedure Act apply to the administrative proceedings prescribed in this Act, taking into account the specifications provided for in this Act.
[RT I 2002, 61, 375 – entry into force 01.08.2002]

(2) [Repealed – RT I 2007, 7, 38 – entry into force 27.04.2007]

(3) [Repealed – RT I 2007, 7, 38 – entry into force 27.04.2007]

§ 1¹. Definitions

(1) For the purposes of this Act, weapons are the weapons specified in § 11 of this Act.

(2) For the purposes of this Act, the handling of weapons and ammunition is the manufacture, sale, acquisition, owning, possession, storage, maintenance, carrying, conveyance, transport, import, export, transfer, succession, finding and destruction of weapons and ammunition, and the repair, conversion, dismantling and rental of weapons and the rendering of weapons incapable of firing.
[RT I 2007, 7, 38 – entry into force 27.04.2007]

§ 2. Scope of application of Act

This Act is not applied to:

- 1) items which are not constructed as or adapted to be weapons but which can be used as such;
- 2) firearms which were manufactured before the year 1870 and replicas thereof, provided the ammunition specified in §§ 19 and 20 of this Act cannot be fired from them;
- 3) weapons which have been rendered incapable of firing according to the requirements established on the basis of this Act, the compliance of which with the technical requirements applicable to weapons declared incapable of firing (hereinafter requirements for incapability of firing) has been established and for which a certificate specified in § 78²(1) of this Act has been issued;
- 4) military weapons which have been demilitarised according to the Strategic Goods Act, except for the usable components thereof;
- 5) explosives and pyrotechnic articles in the extent regulated by the Explosives Act;
- 6) blade devices which have been manufactured for household or everyday use and which lack the special characteristics specified in § 20 (2) 2) of this Act;
- 7) weapons collections of national and municipal museums, except in the case provided for in § 25 (10) of this Act;
- 8) military and service weapons and ammunition therefor, and the transport of military weapons and provision of services, unless otherwise provided by this Act;
- 9) weapons allotted to the Defence League and ammunition therefor, unless otherwise provided by this Act or the Estonian Defence League Act;
- 10) service weapons, and ammunition therefor, carried by an armed cabin crew member or an official of a competent authority of another country who has been involved in the activities of the police or the customs on the basis of an international agreement or legislation of the European Union, except in the case provided for in § 3¹ of this Act;
- 11) weapons and ammunition owned by the state and used for the performance of expert analyses by the national forensic institution, except in the case provided for in § 10¹ of this Act.

(2) Chapters 8 and 8¹ of this Act are not applied to firearms rendered incapable of firing in another country, brought for the establishment of compliance with the requirements for incapability of firing provided for in this Act.

[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

§ 3. Military, service and civilian weapons and ammunition

(1) Weapons and ammunition are divided according to their main field of application and characteristics as follows:

1) military weapons are weapons which, in general, are intended for the Defence Forces and the Defence League for military action and for the Defence Forces, the Defence League and authorities within the area of government of the Ministry of Defence for the performance of their service duties. By their characteristics, only particularly dangerous firearms and ammunition, which meet the conditions established by this Act, are deemed to be military weapons and ammunition therefor;

[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

2) service weapons are weapons which are prescribed by law to government authorities exercising public authority, to local government bodies and authorities, and to courts in order to ensure the performance of their service duties, and to institutions of professional higher education for public defence for study purposes and for the performance of their service duties. By their characteristics, only weapons and ammunition prohibited for civilian purposes, except for particularly dangerous weapons and ammunition as well as firearms which do not bear the manufacturer's marking, are deemed to be service weapons and ammunition therefor;

3) civilian weapons are weapons which, in general, are intended for hunting, engagement in corresponding sports, or the ensuring of safety;

4) military weapons are weapons for the purposes of § 2 (3) of the Strategic Goods Act.

[RT I, 22.12.2011, 2 – entry into force 01.01.2012]

(2) The procedure for the handling of military weapons and for handing over military weapons shall be established by a regulation of the minister responsible for the field.

(3) Military weapons and weapons allotted to the Defence League shall be entered into the Estonian Defence Forces and Defence League Weapons Register which shall be established and the statutes of which shall be approved by a regulation of the Government of the Republic.

[RT I, 20.03.2013, 1 – entry into force 01.04.2013]

(4) The types of service weapons and the procedure for the handling of and for handing over service weapons, ammunition therefor and components of firearms shall be established by a regulation of the minister responsible for the field.

[RT I 2010, 43, 256 – entry into force 28.07.2010]

(4¹) The procedure established under § 3 (4) of this Act shall be applied to the service weapons of the prison service and to the handling and handing over of ammunition therefor and components thereof, unless otherwise provided by the Imprisonment Act.

[RT I, 09.03.2018, 1 - entry into force 19.03.2018]

(5) Service weapons shall be entered in the state register of service and civilian weapons which shall be established and the statutes of which shall be approved by the Government of the Republic on the proposal of the minister responsible for the field pursuant to the procedure established by the Public Information Act.

[RT I 2007, 12, 66 – entry into force 01.01.2008]

(6) The register entry regarding a military or a service weapon or a weapon allotted to the Defence League indicates according to which procedure the weapon shall be handled.

[RT I, 20.03.2013, 1 – entry into force 01.04.2013]

(7) Military weapons and service weapons and ammunition therefor as well as components of firearms may be handed over pursuant to the procedure established on the basis of subsections (2) and (4) of this section.

[RT I 2010, 43, 256 – entry into force 28.07.2010]

§ 3¹. Service weapons of armed cabin crew member and official of another country, and ammunition therefor

[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

(1) The following types of service weapons are allowed for an official of a competent authority of another country who has been involved in the activities of the police or the customs on the basis of an international agreement or legislation of the European Union:

[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

- 1) firearms;
- 2) gas weapons;
- 3) cut-and-thrust weapons;
- 4) pneumatic weapons.

(2) The types of service weapons specified in clauses (1) 1), 3) and 4) of this section are allowed for an armed cabin crew member.

(3) The ammunition for a service weapon is the ammunition used in the service weapons listed in subsections (1) and (2) of this section.

(3¹) The service weapons of an armed cabin crew member and an official of another country and the ammunition therefor may be imported to Estonia with the intention of taking the same goods back without altering them only on the basis of a notice issued by the relevant authority in Estonia.
[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

(4) An armed cabin crew member and an official of a competent authority of another country may only use his or her service weapon if the life of the official or another person is in danger. It is prohibited to use a weapon against a child, an elderly person or a woman who is clearly pregnant, except in order to counter or obstruct their armed or group attack or to disarm them.
[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

(5) The subtypes of service weapons of an armed cabin crew member and an official of a competent authority of another country and the procedure for the handling of the service weapons, and ammunition therefor, of an official of a competent authority of another country shall be established by a regulation of the minister responsible for the field.
[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

§ 4. Use of weapons during filming and in performances

(1) Firearms which are capable of firing may only be used during filming and in performances on the basis of a single permit granted by the Police and Border Guard Board. Only blank cartridges may be fired.
[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(2) Cut-and-thrust weapons may be used during filming, in performances and in preparation for performances, provided that safety is ensured.

§ 5. Weapons and ammunition which form part of estate

(1) Persons who come into possession of weapons and ammunition due to the death of the owner thereof are required to promptly hand over the weapons and ammunition to the police pursuant to the procedure established by § 44 (3) and (4) of this Act.
[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(2) Within three months as of the date of acceptance of a succession, a successor has the right to:

- 1) submit an application for a weapons permit for a bequeathed weapon;
- 2) submit an application for the bequeathed weapon to be rendered incapable of firing or for the establishment of the compliance with the requirements for incapability of firing established on the basis of this Act;
- 3) transfer the bequeathed weapon and ammunition pursuant to the procedure provided for in this Act.

[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

(3) If a successor is denied a weapons permit for a bequeathed weapon, the successor is required to transfer the weapon and ammunition within three months as of the date of communication of the decision to deny the weapons permit.

(4) Weapons and ammunition which form part of an estate and the use of which is prohibited for civilian purposes but the collection of which is permitted may be transferred, pursuant to the procedure established by this Act, to the state or a person holding a collection permit.

(5) If the owner has not transferred a weapon or ammunition within the period of time established by subsection (2) or (3) of this section, the weapon or ammunition is subject to expropriation.

§ 6. Expropriation of weapons and ammunition

(1) Expropriation is defined in this Act as the taking into state ownership of weapons and ammunition in the cases prescribed by this Act.

(2) Weapons and ammunition shall be expropriated for fair and immediate compensation. Compensation shall be paid to the owner or possessor of or the successor to the weapon or ammunition subject to expropriation.

(3) Expropriation is decided by the Police and Border Guard Board. The expropriation decision shall indicate the basis for expropriation, the amount of compensation payable and the recipient of the compensation. The decision shall be communicated to the recipient of the compensation.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(4) The procedure for the calculation and payment of compensation payable for weapons and ammunition subject to expropriation shall be established by a regulation of the Government of the Republic.

[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

(5) The procedure for the sale of expropriated weapons and ammunition shall be established by a regulation of the minister responsible for the field.

[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

§ 7. Weapons and ammunition in joint ownership

(1) If, upon the division of the joint property of spouses, one of the spouses retains a weapon or ammunition which is registered in the name of the other spouse, he or she is required to promptly hand over the weapon or ammunition to the police pursuant to the procedure established by § 44 (3) and (4) of this Act.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(2) Within three months as of the creation of the right of ownership to the divided property, the owner has the right to:

- 1) submit an application for a weapons permit for an acquired weapon;
- 2) submit an application for the weapon to be rendered incapable of firing or for the establishment of the compliance with the requirements for incapability of firing established on the basis of this Act;
- 3) transfer the weapon and ammunition within three months pursuant to the procedure established by this Act.

[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

(3) If the issue of a weapons permit is denied, the weapon and ammunition shall be transferred within three months as of the date of communication of the decision on denial.

(4) If the owner has not transferred the weapon or ammunition within the period of time established by subsection (2) or (3) of this section, the weapon or ammunition is subject to expropriation.

(5) If a person specified in subsection (1) of this section holds a parallel weapons permit for the same weapon and he or she has conditions for the storage of the weapon which comply with this Act, he or she may keep the weapon and ammunition during the performance of the acts prescribed in subsections (2) and (3) of this section.

§ 8. Weapons and ammunition which form part of bankruptcy estate

(1) In the event of bankruptcy, the trustee in bankruptcy shall ensure that weapons and ammunition which form part of the bankruptcy estate are stored pursuant to the procedure and under the conditions established by this Act.

(2) Weapons and ammunition which form part of a bankruptcy estate may be transferred under the conditions and pursuant to the procedure established by this Act. A weapon transfer permit shall be issued on the basis of an application by the trustee in bankruptcy.

(3) If weapons or ammunition which form part of a bankruptcy estate cannot be transferred within six months after the declaration of bankruptcy, the weapons and ammunition shall be destroyed pursuant to the procedure provided for in § 83 of this Act.

§ 8¹. Weapons and ammunition which are object of enforcement proceedings

(1) In the course of enforcement proceedings, the bailiff shall ensure that the weapons and ammunition which is the object of the enforcement proceedings are stored pursuant to the procedure and under the conditions established by this Act.

(2) Weapons and ammunition which is the object of enforcement proceedings may be transferred under the conditions and pursuant to the procedure established by this Act. A weapon transfer permit shall be issued on the basis of an application by the bailiff.

[RT I 2007, 7, 38 – entry into force 27.04.2007]

§ 9. Finding of weapons and ammunition

(1) A person who has found lost, buried, hidden or discarded weapons or ammunition and who has taken possession thereof shall promptly inform the police of the finding and hand over the weapons or ammunition to the police pursuant to the procedure established by § 44 (3) and (4) of this Act.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(2) The police shall announce the finding of the weapon or ammunition in a national daily newspaper within seven days as of the date following the date on which the weapon or ammunition found is handed over to the police.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(3) If the owner of a found weapon or found ammunition has not been determined within six months after the publication of the announcement regarding the finding in a newspaper, the finder has the right to gain ownership of the found weapon or ammunition unless it is established that the weapon has previously been used in any illegal activities.

(4) Within three months as of the creation of the right of ownership to the found property, the owner has the right to:

- 1) submit an application for a weapons permit for an acquired weapon;
- 2) submit an application for the acquired weapon to be rendered incapable of firing or for the establishment of the compliance with the requirements for incapability of firing established on the basis of this Act;
- 3) transfer the weapon and ammunition pursuant to the procedure established by this Act.

[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

(5) If a person is denied a weapons permit for a found weapon, the weapon and ammunition shall be transferred within three months as of the date of communication of the decision on denial.

(6) Found weapons and ammunition the use of which is prohibited for civilian purposes but the collection of which is permitted may be transferred, pursuant to the procedure established by this Act, to the state or a person holding a collection permit.

(7) If the finder of a weapon or ammunition has not transferred the weapon or ammunition within the period of time established by subsection (4) or (5) of this section, the weapon or ammunition is subject to expropriation.

§ 10. Notification of repercussions of handling and use of weapons and of loss and destruction of weapons

(1) If the handling or use of a weapon results in the death of a person or if a bodily injury or proprietary damage is caused to a person, the possessor of the weapon is required to promptly inform the police of the handling or use of the weapon.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(2) For the purposes of this Act, the use of a weapon is a direct and purposeful activity for hitting or damaging an object with a weapon.

(3) The possessor of weapons is required to promptly notify the police of every loss or destruction of a weapon.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

§ 10¹. Handling of weapons and ammunition used for expert analyses in forensic institution

The procedure for the handling of weapons and ammunition in state ownership which the forensic institution uses for expert analyses shall be established by a regulation of the minister responsible for the field.

[RT I 2009, 4, 25 – entry into force 26.01.2009]

Chapter 2

CLASSIFICATION OF WEAPONS AND AMMUNITION AND USE OF WEAPONS AND AMMUNITION FOR CIVILIAN PURPOSES. COMPONENTS OF FIREARMS

[RT I 2010, 43, 256 - entry into force 28.07.2010]

§ 11. Classification of weapons

Weapons are classified as follows:

- 1) a firearm is a weapon intended to hit or damage objects by way of a projectile where propellant is used for the directed discharge thereof;
- [RT I 2010, 43, 256 – entry into force 28.07.2010]
- 2) a gas weapon is a weapon intended to cause short-term damage to living objects by means of irritant gases;
 - 3) a pneumatic weapon is a weapon where the projectile receives an impulse for directed movement from the energy provided by compressed air or other compressed gases;
 - 4) a cut-and-thrust weapon is a weapon intended to damage objects by means of muscular energy and in direct contact with the object to be damaged;
 - 5) a projectile weapon is a weapon where the projectile receives an impulse for directed movement from human bodily energy or by means of a mechanical device;
 - 6) an electric shock weapon is a weapon the effect of which is based on the use of electric energy.

§ 12. Classification of firearms

- (1) Firearms are classified on the basis of their length and the length of their barrels as follows:
- 1) a gun is a firearm with an overall length of over 600 mm and a barrel length of over 300 mm;
 - 2) a pistol is a firearm with an overall length of up to 600 mm (inclusive) and a barrel length of up to 300 mm (inclusive) and in which cartridges may be located in the magazine in one or more rows;
 - 3) a revolver is a firearm with a cylinder and with an overall length of up to 600 mm (inclusive) and a barrel length of up to 300 mm (inclusive), and in which the cylinder simultaneously serves as a magazine and a chamber.
- (2) Firearms are classified on the basis of the cartridges used as follows:
- 1) a firearm where centre-fire cartridges are used as ammunition;
 - 2) a firearm where rimfire cartridges are used as ammunition.
- [RT I 2007, 7, 38 – entry into force 27.04.2007]
- (3) Firearms are classified by the characteristics of their bore as follows:
- 1) a firearm with a smoothbore barrel is a firearm with a smooth bore without rifling;
 - 2) a firearm with a rifled barrel is a firearm with a bore with rifling;
 - 3) a combination rifle-shotgun is a firearm with a combination of smoothbore and rifled barrels.

§ 13. Classification of gas weapons

The types of gas weapons are:

- 1) gas spray;
- 2) gas pistols or gas revolvers, which are gas weapons intended to be fired only by means of a gas charge contained in a gas cartridge.

§ 14. Classification of pneumatic weapons

The types of pneumatic weapons are:

- 1) pneumatic guns;
- 2) pneumatic pistols or pneumatic revolvers.

§ 15. Classification of cut-and-thrust weapons

(1) The types of cut-and-thrust weapons are:

- 1) striking weapons (truncheons, telescopic truncheons, chain maces, steel whips, brass knuckles, etc.);
- [RT I 2009, 4, 25 – entry into force 26.01.2009]
- 2) thrusting weapons (daggers, bayonets, stilettos, etc.);
 - 3) thrusting-cutting weapons (hunting knives, diving knives, bayonet knives, etc.);
 - 4) thrusting-slashing weapons (swords, etc.).

(2) A truncheon is a striking weapon made of rubber or plastic and intended for self-defence and to prevent an attack by way of causing short-term damage to the attacker.

(3) [Repealed – RT I 2008, 1, 6 – entry into force 14.01.2008]

§ 16. Classification of projectile weapons

The types of projectile weapons are:

- 1) crossbows, which are weapons where the projectile receives an impulse for directed movement by means of a mechanical device;
 - 2) sporting bows;
 - 3) underwater weapons (spearguns and underwater pistols);
 - 4) projectile weapons (projectile darts, projectile spikes, projectile knives).
- [RT I 2009, 4, 25 – entry into force 26.01.2009]

§ 17. Classification of ammunition

(1) The classification of ammunition is based on the parameters of the weapon for which the ammunition is prescribed.

(2) The types of cartridges are:

- 1) [repealed – RT I 2007, 7, 38 – entry into force 27.04.2007]
 - 2) centre-fire cartridges, which are cartridges where the incendiary substance needed to ignite the propellant is contained in the primer cap which is located at the centre of the cartridge base;
 - 3) rimfire cartridges, which are cartridges where the incendiary substance needed to ignite the propellant is located in the rim of the cartridge base;
 - 4) gas weapon cartridges.
- [RT I 2007, 7, 38 – entry into force 27.04.2007]

(3) The components of a cartridge are:

- 1) propellant;
- 2) primer;
- 3) bullet;
- 4) shot;
- 5) cartridge case.

§ 18. Weapons and ammunition in unrestricted commerce

(1) The following are weapons and ammunition in unrestricted commerce:

- 1) gas spray;
 - 2) pneumatic weapons of a calibre of up to 4.5 mm (inclusive);
 - 3) hunting knives;
 - 3¹) bayonet knives;
- [RT I 2010, 37, 223 – entry into force 09.07.2010]
- 4) diving knives;
 - 5) fencing weapons for sport (épée, sabre, foil, etc.);
 - 6) cut-and-thrust weapons related to historical tradition in culture, martial arts or sports (sword, dagger, rapier, etc.), or replicas thereof;
 - 7) crossbows requiring a draw force of up to 75 kg (inclusive);
 - 8) sporting bows requiring a draw force of up to 45 kg (inclusive);
 - 9) underwater weapons.

(2) Bullets, shots and cartridge cases are cartridge components in unrestricted commerce.

(3) This Act only applies to weapons and ammunition therefor in unrestricted commerce to the extent of subsections (4) through (9) of this section and § 10 (1) and § 28 (2) of this Act.

[RT I 2008, 3, 24 – entry into force 17.02.2008]

(4) Weapons and ammunition therefor in unrestricted commerce shall not be acquired, owned, possessed, carried, stored or conveyed by persons under 18 years of age.

(5) Weapons specified in clauses (1) 2) and 4) through 9) of this section may be possessed, carried, stored or conveyed by persons who engage in corresponding sports and have attained at least ten years of age.

(5¹) Weapons specified in clause (1) 8) of this section may be used for hunting purposes by a person at least 18 years of age pursuant to the procedure and under the conditions provided by the Hunting Act.

[RT I, 16.05.2013, 2 – entry into force 01.06.2013]

(6) Only gas sprays filled with CS lacrimators CC or pepper gas (capsicin) are permitted. The concentration of the gas used in such sprays shall not exceed 5%.

(7) An activity licence provided for in § 66 of this Act is required for the manufacture and conversion of gas sprays and pneumatic weapons.

(8) Cut-and-thrust weapons specified in clause (1) 6) of this section may be carried and used with the aim of following historical tradition in culture, martial arts or sports, or to imitate combat which follows such tradition, provided that safety is ensured.

(9) Weapons in unrestricted commerce categorised as cultural objects shall be exported and conveyed in accordance with the Intra-Community Transport, Export and Import of Cultural Objects Act and legislation passed on the basis thereof.

[RT I 2008, 3, 24 – entry into force 17.02.2008]

§ 19. Weapons and ammunition in restricted commerce

(1) The following are weapons and ammunition in restricted commerce:

- 1) gas weapons, except for the gas sprays specified in § 18 (1) 1);
- 2) pneumatic weapons, except for the pneumatic weapons specified in § 18 (1) 2);
- 3) cut-and-thrust weapons, except for the cut-and-thrust weapons specified in § 18 (1) 3) through 6) and § 20 (2);
- 4) projectile weapons, except for the projectile weapons specified in § 18 (1) 7) through 9);
- 5) firearms, except for the firearms specified in § 20 (1).

(2) Weapons in restricted commerce may be acquired on the basis of an acquisition permit for weapons provided for in § 32 of this Act (hereinafter acquisition permit) followed by registration in the name of the owner or possessor of the weapon, except if the weapon is acquired in order to engage in the manufacture of

weapons, components of firearms or ammunition, the sale of weapons, components of firearms or ammunition, or the provision of services for the conversion and repair of weapons and components of firearms.
[RT I, 25.03.2011, 1 – entry into force 01.07.2014 (date of entry into force amended – RT I, 22.12.2013, 1)]

(3) Ammunition, propellants and primers intended for weapons in restricted commerce may be acquired on the basis of an acquisition permit or a weapons permit provided for in §§ 32 or 34 of this Act, except if the weapon is acquired in order to engage in the manufacture of weapons, components of firearms or ammunition, the sale of weapons, components of firearms or ammunition, or the provision of services for the conversion and repair of weapons and components of firearms.

[RT I, 25.03.2011, 1 – entry into force 01.07.2014 (date of entry into force amended – RT I, 22.12.2013, 1)]

§ 20. Weapons and ammunition prohibited for civilian purposes

(1) The use of the following firearms is prohibited for civilian purposes:

- 1) firearms disguised as other objects;
- 2) smoothbore guns with an overall length of less than 840 mm or where the length of each barrel is less than 450 mm;
- 3) firearms which can be folded (collapsed) or shortened to a greater extent than generally permitted for such type of weapon;
- 4) firearms which can be fired when disassembled;
- 5) automatic firearms which can produce full automatic fire with a single pull on the trigger;
- 6) firearms which do not bear the manufacturer's marking;
- 7) particularly dangerous firearms.

[RT I 2007, 7, 38 – entry into force 27.04.2007]

(2) The use of the following cut-and thrust weapons is prohibited for civilian purposes:

- 1) brass knuckles, knuckle knives, bayonets, telescopic truncheons, chain maces, and also other objects specifically intended to cause bodily injuries;

[RT I 2010, 37, 223 – entry into force 09.07.2010]

- 2) cutting, thrusting and striking weapons which are disguised as other objects or hidden within other objects;
- 3) knives with a blade which is ejected by the force of a spring or gravity and which is then locked, and with a blade length of over 8.5 cm or a double-edged blade.

(3) The use of electric shock weapons for civilian purposes is prohibited.

(4) The use of the following ammunition is prohibited for civilian purposes:

- 1) gas pistol and gas revolver cartridges containing neuroparalytic substances or substances which induce skin damage, general intoxication or choking and which may cause damage to health to the extent where medical attention is required to eliminate the consequences of exposure;
- 2) armour-piercing ammunition, which means a firearm cartridge the bullet of which has an armour-piercing hard core;
- 3) ammunition with explosive projectiles, which means a firearm cartridge the bullet of which contains a charge which explodes upon impact with an obstruction;
- 4) ammunition with incendiary projectiles, which means a firearm cartridge the bullet of which contains a substance which ignites upon impact with an obstruction;
- 5) pistol or revolver cartridges with a hollow-pointed bullet;
- 6) ammunition for particularly dangerous weapons.

[RT I 2007, 7, 38 – entry into force 27.04.2007]

(5) The list of types of particularly dangerous weapons and ammunition shall be established by a regulation of the minister responsible for the field.

[RT I 2007, 7, 38 – entry into force 27.04.2007]

§ 20¹. Components of firearms

(1) The components of a firearm are the barrel, frame, receiver, slide, cylinder, breech block, chamber, safety catch, adapter, and other components or spare components of firearms specifically designed for a firearm and essential to its operation.

(2) Silencers, laser sights and night sights, which are firearm accessories, are also deemed components of firearms.

(3) A silencer is a device intended to silence sounds created by the discharge of a firearm. The right to acquire a silencer is granted by a weapons permit which includes a sporting firearm. It is permitted to own and possess a silencer for the purposes of using a sporting firearm in a firing range. It is only permitted to attach a silencer to a sporting firearm in a firing range.

(4) A laser sight is a device intended to be installed on firearms where a laser beam is used for sighting. A laser sight may only be acquired, owned and possessed for the purposes of engaging in the corresponding sport.

(5) A night sight is a device intended to be used for sighting in insufficient light and which has an image converter or electronic amplifier. The use of night sights for civilian purposes is prohibited.

[RT I, 22.12.2011, 2 – entry into force 01.01.2012]

§ 21. Essential components of firearms

(1) The essential components of a firearm are the barrel, breech block, chamber, cylinder and adapter.
[RT I 2010, 43, 256 – entry into force 28.07.2010]

(1¹) The essential components of a firearm are also unfinished blanks of the components specified in subsection (1) of this section and components which have been rendered incapable of firing in a non-conforming manner, and also other items which can, by taking advantage of their material or structure, be processed, converted or adapted into a component specified in subsection (1) of this section by using common technical means or tools.
[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

(2) The procedure for the handling of any given type of firearm as established by this Act also applies to the handling of the essential components of such firearms unless this Act provides directly otherwise.

(3) A breech block is an essential component of a firearm which seals off the chamber and keeps the striker mechanism in respect of the chamber in a position intended for firing.
[RT I 2007, 7, 38 – entry into force 27.04.2007]

(4) An adapter is a barrel or changeable mechanism installed within the barrel of a firearm, which enables smaller calibre ammunition to be used.
[RT I 2010, 43, 256 – entry into force 28.07.2010]

§ 22. [Repealed – RT I 2010, 43, 256 – entry into force 28.07.2010]

Chapter 3

TYPE APPROVAL OF WEAPONS AND AMMUNITION. REGISTRATION OF CIVILIAN WEAPONS

§ 23. Type approval of weapons and ammunition

(1) In the course of type approval of weapons and ammunition (hereinafter type approval) it is determined whether a particular model of weapon or cartridge or an essential component of a firearm is permitted to be used for civilian purposes, and the field of use is set on the basis of §§ 3 and 25 of this Act.
[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

(2) An essential component of a firearm is type approved with the model of weapon on which the component is intended to be installed. Modifications of weapons and cartridges, and truncheons and weapons in unrestricted commerce are not subject to type approval.

(3) A weapon is deemed to be a model of weapon if:

- 1) its design and shape as a whole are unique; or
- 2) it is the original prototype of other weapons of the same design and shape manufactured by the same manufacturer and in its name the manufacturer's name or brand name is directly followed by at least one character distinguishing the model of weapon from other weapons of the same manufacturer.

(4) Ammunition is deemed to be a model of ammunition according to the calibre designation of the cartridge which indicates the general design of both the charge of ammunition and the cartridge case or refers to a weapon for the ammunition of which the model of ammunition was originally designed. The synonyms of calibre designations are deemed to be designations of the same model of ammunition.

(5) A firearm, gas weapon or pneumatic weapon is deemed to be a modification of the relevant weapon if:

- 1) the model of the weapon has been type approved;
- 2) the shape of the model of weapon and the modification of the weapon as well as the design and location of the mechanisms thereof are the same, except for specific changes for right-handed or left-handed use and the remaining design is identical to the model and only the calibre designation is different;
- 3) other design thereof is identical to the model of weapon but the dimensions are proportionally smaller;
- 4) other design thereof complies with the model of weapon but the barrel is longer or shorter; or
- 5) the differences between the model of weapon and the modification of the weapon are expressed in the finish and in the material of the gunstock or the grip or another supporting component.

(6) Cartridges are divided into modifications of cartridges on the basis of different charges of ammunition if:

- 1) the model of the cartridge (according to the calibre designation) has been type approved;
- 2) the design of its bullet is different;

- 3) the diameter of its shots or case-shots is different; or
- 4) it has other charge of ammunition.

(7) In the case of a lack of differences specified in clauses (6) 2) through 4) of this section, smoothbore cartridges with a cartridge case of a different length or material are deemed to be the same model and modification of cartridge.

(8) At the request of an interested party, type approval is performed upon the import of a weapon or ammunition into Estonia, upon the manufacture of a weapon or ammunition in Estonia, upon the transfer of a weapon or ammunition from another field of use, and also after the conversion of a weapon.

[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

(9) At the request of an authority authorised to exercise supervision over the legality of the handling of weapons or to conduct criminal offence proceedings, type approval is performed if:

- 1) the issue, suspension, extension or replacement of permits issued on the basis of this Act is being decided;
- 2) the type of a weapon or ammunition must be determined or verified on the basis of Chapter 2 and §§ 3 and 25 of this Act.

(10) The type approval of a model of weapon and cartridge is performed on the basis of relevant technical documents and technical literature. The authority performing type approval has the right to demand that the person who initiated the type approval submit a specimen of the specific weapon or additional materials.

(11) The data concerning a model of weapon declared to be a civilian weapon as a result of type approval is entered in the list of type approvals in the register of service and civilian weapons as a model of civilian weapon the use of which is permitted for civilian purposes. The data concerning a modification of weapon is entered in the register of service and civilian weapons without type approval. On the basis of a registry entry, cartridges concerning which information on the manufacturer and charge of ammunition has been entered in the register of service and civilian weapons are deemed to be ammunition for a civilian weapon. Models of weapons and ammunition the use of which was permitted for civilian purposes before 31 March 2002 and their modifications are deemed to be type approved unless otherwise determined by a registry entry.

(12) Models of weapons and cartridges the use of which is prohibited for civilian purposes and their modifications are only entered in the state register of service and civilian weapons for registering the collection of the corresponding weapon or cartridge.

(13) The procedure for the performance of type approval shall be established by a regulation of the minister responsible for the field.

(14) Type approval shall be performed by an authority authorised by a regulation of the Government of the Republic.

[RT I 2007, 7, 38 – entry into force 27.04.2007]

§ 24. Registration of civilian weapons

(1) All weapons the use of which is permitted for civilian purposes and all weapons in collections of weapons and cartridges shall be entered in the register of service and civilian weapons.

(2) The following shall not be entered in the register of service and civilian weapons:

- 1) weapons in unrestricted commerce;
- 2) truncheons;
- 3) weapons manufactured for export;
- 4) weapons in transit consignments.

(3) A weapon shall be entered in the register of service and civilian weapons upon its import into Estonia or its delivery from its Estonian producer to the person in Estonia who ordered the weapon and upon each registration of the weapon in the name of the owner or possessor thereof.

(4) A firearm acquired by an active member of the Defence League on the basis of the Estonian Defence League Act may be entered in the Estonian Defence Forces and Defence League Weapons Register.

[RT I, 20.03.2013, 1 – entry into force 01.04.2013]

Chapter 4

COLLECTION OF WEAPONS

§ 25. Collections of weapons and cartridges

(1) A collection of weapons and cartridges (hereinafter collection) is an organised set of weapons and cartridges with historical or cultural value which is used or which it is possible to use as an exhibition or for research.

(2) A collection may be founded and maintained by an at least 18-year-old citizen of Estonia, alien who holds an Estonian residence permit, or a legal person registered in Estonia on the basis of a collection permit for weapons and cartridges (hereinafter collection permit) issued by the Police and Border Guard Board.
[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(3) All firearms, cut-and-thrust weapons, cartridges, essential components of firearms, silencers, and laser and night sights may be collected, including weapons classified as military weapons or weapons the use of which for civilian purposes is prohibited, with the exception of the following:

[RT I 2010, 43, 256 – entry into force 28.07.2010]

1) brass knuckles, knuckle knives, bayonets, and also other objects specifically intended to cause bodily injuries;

2) weapons the effect of which is based on the use of electric energy, radioactive emissions or biological factors;

3) ammunition with explosive projectiles, ammunition with incendiary projectiles, ammunition for particularly dangerous weapons, and ammunition containing neuromuscular substances or substances which induce skin damage, general intoxication or choking.

[RT I 2007, 7, 38 – entry into force 27.04.2007]

(4) Weapons which are part of a collection shall be registered in the prefecture of the residence or seat of the collector pursuant to the procedure established in § 33 of this Act. Information concerning registered weapons shall be entered on the collection permit.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(5) It is prohibited to carry a weapon which is part of a collection, except on the basis of a weapons permit for a weapon or a permit to carry a weapon which is part of a collection and the use of which is permitted for civilian purposes.

[RT I 2007, 7, 38 – entry into force 27.04.2007]

(6) Weapons and cartridges which are part of a collection shall be stored, conveyed, transferred and transported under the conditions and pursuant to the procedure established by this Act.

(7) Firearms which are part of a collection shall be stored in a weapons storage room under the conditions and pursuant to the procedure provided for in § 46 of this Act.

[RT I 2007, 7, 38 – entry into force 27.04.2007]

(8) Weapons and cartridges which are part of a collection may be exhibited in a weapons storage room. Outside a weapons storage room, weapons and cartridges which are part of a collection may be exhibited on the basis of a single permit issued by the Police and Border Guard Board, which also sets out the conditions for the exhibition of the weapons and cartridges.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(9) Exhibited weapons shall be located in locked showcases or showcases which are closed mechanically or they shall be securely attached to the floor, a wall or another structural member of the building. Exhibited cartridges shall be located in locked showcases or showcases which are closed mechanically.

(10) The procedure for the maintenance of weapons collections by state and municipal museums shall be established by a regulation of the minister responsible for the field.

§ 26. Collection permit

(1) A natural or legal person who wishes to found or maintain a collection shall submit a corresponding application to the Police and Border Guard Board. The application shall set out the aim of the collection, the type of the weapons and cartridges to be collected and the conditions in which they will be stored. A natural person shall annex the documents specified in § 35 (2) 2) through 5) of this Act to the application and a legal person shall annex the documents specified in § 37 (2) 2) through 5) of this Act to the application.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(2) Before a collection permit is issued to a natural person, the applicant shall pass an examination on his or her knowledge regarding weapons as prescribed in § 35 (5) of this Act.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(3) An application shall be reviewed no later than within two months as of the date of submission of all the required documents and payment of the state fee.

(4) An application by a natural person for a collection permit may be denied if any of the circumstances provided for in § 36 (1) of this Act exist, except for those provided for in clause 3) of the same subsection. An application by a legal person for a collection permit may be denied if any of the circumstances provided for in § 40 (1) of this Act exist.

(5) A collection permit shall set out the types of weapons and cartridges permitted to be collected and also the weapons which are part of the collection and which have been registered at the Police and Border Guard Board.
[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(6) A collection permit shall be issued for a term of ten years after which it may be extended for a further similar term.

(7) The Police and Border Guard Board may revoke a collection permit if:
[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

- 1) so requested by the owner of the weapons collection;
- 2) the owner of the weapons collection no longer complies with the requirements provided for in this Act;
- 3) the owner of the weapons collection is deceased, declared to be dead or missing, or declared a fugitive by a court or a pre-trial investigation authority;
- 4) the legal person is dissolved;
- 5) the collection permit has been lost;
- 6) the owner of the weapons collection has, on at least two occasions within the last three years, violated the requirements of this Act or legislation issued on the basis thereof with which the owner is required to comply, or has failed to comply with the requirements of a precept issued to the owner.

(8) [Repealed – RT I 2002, 61, 375 – entry into force 01.08.2002]

(9) Upon the expiry or revocation of a collection permit, the requirements of § 44 of this Act apply, whereupon the weapons and cartridges to be handed over to the police may be deposited in a weapons storage room of the owner of the collection which shall be sealed by the police.
[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(10) The standard format for collection permits shall be established by a regulation of the minister responsible for the field.

§ 27. Acquisition of weapons for collection

(1) Weapons shall be acquired for collections on the basis of an acquisition permit provided for in § 32 of this Act. An acquisition permit is issued on the basis of a collection permit. Cartridges shall be acquired for a collection on the basis of a collection permit.

(2) An application for an acquisition permit shall be submitted to the Police and Border Guard Board. The application shall set out the type and mark of the weapon to be acquired and, in the case of a registered weapon, also its marking. The following shall be appended to the application:

- 1) a collection permit, which shall be returned to the holder of the permit.
- 2) [repealed – RT I 2002, 61, 375 – entry into force 01.08.2002]

(2¹) Before the submission of an application, the applicant shall pay a state fee.

(3) The procedure established by §§ 35 and 37 of this Act does not extend to the application for an acquisition permit for a weapon to be acquired for a collection.

(4) The import of weapons and ammunition for a weapons collection and the export of weapons and ammunition shall take place pursuant to the procedure established by § 60 (2) and (6) of this Act, and the conveyance of weapons and ammunition shall take place pursuant to the procedure established by § 62²(2) and § 62³(1) of this Act. The import, export and transit of military weapons and weapons the use of which for civilian purposes is prohibited and the provision of services shall take place pursuant to the procedure established by the Strategic Goods Act.

[RT I, 22.12.2011, 2 – entry into force 01.01.2012]

Chapter 5 ACQUISITION, OWNING AND POSSESSION OF WEAPONS AND AMMUNITION

§ 28. Purpose of weapons permitted for natural persons

(1) A natural person may acquire, own or possess a weapon for the following purposes:

- 1) hunting;
- 2) engaging in corresponding sports;
- 3) ensuring safety (protecting himself or herself and his or her property);
- 4) pursuing a profession;
- 5) collecting.

(2) The use of a weapon shall not violate the rights of other persons or public order.

§ 29. Types of weapons permitted for Estonian citizens

(1) An Estonian citizen may acquire, own and possess the following types of weapons:

1) a person who is at least 18 years of age may acquire, own and possess a sporting firearm, a pneumatic or projectile or cut-and-thrust weapon, except for a truncheon, for engaging in corresponding sports, a hunting firearm for hunting, and a gas weapon and a smoothbore weapon for ensuring safety (protecting himself or herself and his or her property);

[RT I 2009, 4, 25 – entry into force 26.01.2009]

2) a person of at least 21 years of age may acquire, own and possess all weapons specified in clause (1) 1) of this section for the same purposes, and a combination or rifled barrel gun, a pistol or a revolver for ensuring safety.

[RT I 2009, 4, 25 – entry into force 26.01.2009]

(2) A sporting firearm is a firearm intended to be used in internationally recognised sports involving shooting. A person may acquire, own and possess a sporting firearm, provided he or she is a member of a sports organisation engaged in corresponding sports.

(2¹) A person may acquire, own and possess a pneumatic, cut-and-thrust or projectile weapon for engaging in corresponding sports, provided he or she is a member of a sports club engaged in corresponding sports or a member of a non-profit association which, according to its articles of association, is also engaged in corresponding sports.

[RT I 2009, 4, 25 – entry into force 26.01.2009]

(3) A hunting firearm is a gun with a smoothbore barrel, a gun with a rifled barrel or a combination gun, pistol or revolver which is intended for hunting. A gun with a smoothbore or rifled barrel or a combination gun intended for hunting must be equipped with a safety catch which is easy to engage. A person may acquire, own and possess a hunting firearm, provided he or she holds a hunting certificate.

[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

(4) For the purposes of attending a sports event held in Estonia or hunting in Estonia, a person may give a weapon and ammunition registered pursuant to the procedure established by this Act to the disposal of another person for up to five 24-hour periods of time, provided the other person holds a weapons permit issued for such type of hunting firearm or sporting firearm. Upon verification, it must be possible to promptly prove that the weapon and ammunition were given to the disposal of the person by the owner of the weapon. If necessary, an instrument of delivery and receipt shall be prepared, setting out the following:

- 1) information on the weapon;
- 2) personal details of the owner of the weapon, information on the weapons permit, and contact details;
- 3) the time the weapon was handed over and received. The owner of the weapon and the user of the weapon shall prepare and sign the instrument in two original copies, one for the owner of the weapon and the other for the user of the weapon.

[RT I 2007, 7, 38 – entry into force 27.04.2007]

§ 30. Types of weapons permitted for aliens

(1) An alien who holds an Estonian residence permit or who resides in Estonia on the basis of a right of residence may acquire, own and possess weapons listed in § 29 (1) of this Act if he or she has been issued with a weapons permit for such type of weapon by a competent authority of another state and on the basis thereof he or she has been issued with a weapons permit in Estonia on the basis and pursuant to the procedure prescribed for natural persons.

(2) An alien who holds an Estonian residence permit or who resides in Estonia on the basis of a right of residence and who does not hold a weapons permit issued by a competent authority of another state may acquire, own and possess weapons listed in § 29 (1) of this Act if he or she has been issued with a weapons permit in Estonia on the basis and pursuant to the procedure prescribed in this Act for natural persons.

(3) An alien who is staying legally in Estonia, who is not specified in subsection (1) or (2) of this section and who is at least 18 years of age may, on the basis of an acquisition permit issued by the Police and Border Guard Board, acquire a weapon or ammunition for the purposes of taking the weapon or ammunition out of Estonia on the condition that he or she holds a permit issued by a competent authority of the state of his or her permanent residence for the acquisition of such type of weapon or ammunition and that he or she assumes the obligation to take the weapon or ammunition with him or her upon departure from Estonia.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(4) An alien who is staying in Estonia for a sports event, exercises or hunting may acquire ammunition on the basis of a written application made by the person who or agency which invited him or her and upon the submission of a temporary weapons import permit. The quantity of ammunition acquired on any single occasion shall not exceed the quantity indicated in § 46 (5) of this Act.

[RT I 2007, 7, 38 – entry into force 27.04.2007]

(5) An employee of a diplomatic or consular representation of a foreign state who is a foreign citizen may acquire, own and possess a weapon, except for a truncheon, pursuant to the procedure provided by this Act on the basis of a permit issued by the Police and Border Guard Board on the application of the Ministry of Foreign Affairs and on the condition that he or she holds a weapons permit issued by the state of his or her citizenship. [RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(6) While attending a sports event or exercises held in Estonia or while hunting in Estonia, an alien may use a weapon and ammunition registered in the name of another person pursuant to the procedure established by this Act, provided he or she holds a weapons permit issued for such type of hunting firearm or sporting firearm. [RT I 2007, 7, 38 – entry into force 27.04.2007]

§ 31. Purpose, types and quantity of weapons permitted for legal persons

(1) A legal person may acquire, own or possess weapons for the following purposes:

- 1) in-house guarding;
 - 2) engaging in corresponding sports or in hunting;
 - 3) studying subjects related to weapons;
 - 4) collecting;
 - 5) providing security services;
 - 6) sale, manufacture, storage, conversion or repair of weapons permitted by an activity licence.
- [RT I 2007, 7, 38 – entry into force 27.04.2007]

(2) The rights granted to and the obligations imposed on legal persons by this Act also apply to sole proprietors and state and local government authorities.

(3) The following weapons may be acquired and owned for the provision of security services or for in-house guarding:

[RT I 2007, 7, 38 – entry into force 27.04.2007]

- 1) guns with a smoothbore barrel;
- 2) guns with a rifled barrel;
- 3) pistols;
- 4) revolvers;
- 5) gas pistols;
- 6) gas revolvers;
- 7) truncheons.

(4) The quantities of weapons, by type of weapon, permitted for the provision of security services and for in-house guarding shall be determined by the Police and Border Guard Board on the basis of a written application, taking into account the nature of the guarded and protected objects, the degree of threat and the storage conditions for firearms. The total number of firearms and gas weapons and the number of truncheons intended for the provision of security services and for in-house guarding shall not be greater than 10 per cent of the number of employees directly engaged in the guarding or protection of objects.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(5) For the purposes of engaging in sports involving shooting, the number of sporting firearms, pneumatic weapons and crossbows owned or possessed shall not exceed 200.

(6) For the purposes of hunting, two hunting firearms may be owned or possessed per employee involved in hunting.

[RT I, 16.05.2013, 2 – entry into force 01.06.2013]

(7) For the purposes of studying subjects related to weapons, the number of guns, pistols and revolvers owned or possessed shall not exceed 50.

§ 32. Acquisition permit for weapons

(1) An acquisition permit is required to acquire weapons and ammunition in restricted commerce, except in the cases provided for in §§ 5 and 7 and § 9 (3) of this Act, and to engage in the manufacture of weapons, components of firearms or ammunition, the sale of weapons, components of firearms or ammunition, or the provision of services for the conversion and repair of weapons and components of firearms.

[RT I, 25.03.2011, 1 – entry into force 01.07.2014 (date of entry into force amended – RT I, 22.12.2013, 1)]

(2) An acquisition permit grants the holder thereof the right to acquire a weapon of the type set out on the permit, and subsequently to store and convey the weapon until it is registered, and also to acquire corresponding ammunition in the quantity specified in § 46 (5) of this Act.

[RT I 2007, 7, 38 – entry into force 27.04.2007]

(3) An acquisition permit shall be issued to a person who applies for permission to acquire a weapon by the Police and Border Guard Board.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(4) An acquisition permit is only granted for the acquisition of the type of weapon which corresponds to the purpose for which permission to acquire a weapon is applied for.

(5) An acquisition permit consists of Parts A, B, C and D, which have the following purposes:

- 1) Part A remains with the seller of the weapon;
- 2) Part B is the source document for the registration of the weapon and issue of a weapons permit and shall remain with the prefecture which registers the weapon;
- 3) Part C remains with the prefecture which issues the acquisition permit;
- 4) Part D remains with the owner of the weapon and gives the owner the right to convey the weapon from the place of its acquisition to a prefecture and the place of its storage and for the storage of the weapon until a weapons permit or special permission to take the weapon out of Estonia is obtained. Part D of an acquisition permit shall be returned to the prefecture when a weapons permit or special permission to take the weapon out of Estonia has been obtained.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(6) On each part of an acquisition permit, the issuer of the permit shall enter information concerning the acquirer of the weapon and the type of weapon and the number of weapons permitted to be acquired. On Parts A, B and D of the acquisition permit, the seller of the weapon shall enter information concerning the weapon being sold and the seller of the weapon.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(7) An acquisition permit is valid for three months as of its date of issue. A permit may be extended for three months if an application for extension is submitted before the expiry of the permit. Upon the expiry of an acquisition permit, a new acquisition permit shall be applied for.

(8) The holder of an acquisition permit is required to promptly notify a police authority if the permit is destroyed or lost.

(9) The standard format for acquisition permits shall be established by a regulation of the minister responsible for the field.

§ 33. Registration of weapons

(1) A person who has acquired a weapon is required to register the weapon at the prefecture of the residence or seat of the person within seven working days as of the date on which the weapon was acquired or, if the weapon was acquired in a foreign state, as of the date of the weapon entering Estonia.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(2) A weapon shall be presented for registration together with the acquisition permit on which the seller of the weapon has entered information concerning the weapon being sold.

[RT I 2007, 7, 38 – entry into force 27.04.2007]

(3) If a weapon is acquired in any other manner permitted by law, the acquisition permit and a document proving the legality of the acquisition shall be presented for registration of the weapon. An acquisition permit is not required for the registration of a weapon which is succeeded to, found, in joint ownership, or specified in § 34 (9) of this Act.

[RT I, 20.03.2013, 1 – entry into force 01.04.2013]

(4) Upon the registration of a weapon, it shall be verified that the information entered on the acquisition permit or other document proving the legality of its acquisition corresponds to the weapon.

(4¹) If a firearm acquired under the Estonian Defence League Act is applied to be entered in the register of service and civilian weapons, the Defence League shall confirm in writing the owner of the weapon as well as the fact that the weapon will be removed from the Estonian Defence Forces and Defence League Weapons Register after its entry in the register of service and civilian weapons.

[RT I, 20.03.2013, 1 – entry into force 01.04.2013]

(4²) The police authority shall inform the Defence League in writing of the entry of a weapon provided for in subsection (4¹) of this section in the register of service and civilian weapons.

[RT I, 20.03.2013, 1 – entry into force 01.04.2013]

(5) Upon the registration of a weapon, a register book shall be prepared concerning each owner or possessor of the weapon (hereinafter weapon register book).

(6) A weapon register book shall be maintained at the prefecture of the residence or seat of the owner or possessor of the weapon. If the weapons are located at the place of business of the owner or possessor of the

weapon and the place of business is located in the jurisdiction of another prefecture, a weapon register book shall also be maintained at the prefecture of the place of business of the owner or possessor.
[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(7) All documents concerning the application for, issue of, refusal to issue, extension, suspension and revocation of the acquisition permit and weapons permit shall be entered in the weapon register book, as well as documentation concerning the acquisition, conversion and transfer of the weapon, verification that the owner or possessor of the weapon meets the requirements provided for in this Act or legislation issued on the basis thereof and inspection of the storage conditions for the weapon.

(8) During the time a weapon is being registered, the owner or possessor of the weapon may deposit the weapon with the police or store the weapon at the residence or seat of the person pursuant to the procedure and under the conditions established by this Act.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(9) The provisions of this section do not extend to weapons acquired for the purposes specified in § 31 (1) 6) of this Act.

[RT I 2007, 7, 38 – entry into force 27.04.2007]

§ 34. Weapons permit

(1) The Police and Border Guard Board issues a weapons permit on the basis of a verbal decision made by an official to a person:

- 1) who has submitted to the Police and Border Guard Board the documents set out in § 35 (2) of this Act;
- 2) concerning whom no circumstances precluding the grant of a weapons permit provided for in § 36 (1) and (4) of this Act have been established;
- 3) who has passed the examination specified in § 35 (5) of this Act.

[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

(2) A weapons permit held by a natural person grants the holder of the permit the right to handle a weapon entered on the weapons permit and its ammunition as well as a silencer and a laser sight under the conditions and pursuant to the procedure provided for in this Act and legislation issued on the basis thereof. A weapons permit only indicating the type of the weapon grants the holder thereof the right to acquire ammunition for a weapon taken into use on the basis of an instrument of delivery and receipt concerning the grant of use. The quantity of ammunition acquired on any single occasion shall not exceed the quantity indicated in § 46 (5) of this Act.

[RT I 2007, 7, 38 – entry into force 27.04.2007]

(2¹) The weapon registered in the name of a person and the type of weapon permitted for the person shall be entered on the weapons permit held by a natural person on the basis of § 11 (1) through (5) and § 12 (1) 1) through 3) of this Act.

[RT I 2007, 7, 38 – entry into force 27.04.2007]

(3) Several weapons permits may be issued for a weapon belonging to a natural person. A weapons permit issued to a natural person who is not the owner of the weapon is called a parallel weapons permit.

(4) A parallel weapons permit shall be granted to one or two natural persons if the owner of the weapon has granted written authorisation for the person or persons specified to use the weapon belonging to the owner.

(5) Upon the delivery of a weapon into the possession of a holder of a parallel weapons permit, an instrument of delivery and receipt shall be prepared concerning the weapon, setting out the place, date and time of receipt of the weapon. The instrument shall be prepared in two original copies of which one shall be retained by the deliverer and the other by the recipient of the weapon. An identical instrument shall be prepared upon the return of the weapon to the owner.

(6) A weapons permit held by a legal person grants the holder of the permit the right to acquire corresponding ammunition and silencer, to store and convey (transport) the weapon, silencer and ammunition, and to issue the weapon and ammunition to be carried by its employees or to issue the weapon, silencer and ammunition to be carried by a member of an Estonian shooting sports organisation (hereinafter shooting sports organisation) pursuant to the procedure and under the conditions provided for in this Act and legislation issued on the basis thereof.

[RT I 2007, 7, 38 – entry into force 27.04.2007]

(7) A weapons permit is valid for up to five years. The term of validity of a weapons permit may not exceed the term of validity of the medical certificate issued to the person. The validity of a parallel weapons permit is limited by the validity of the weapons permit held by the owner of the weapon, and a parallel weapons permit becomes invalid upon the revocation of the weapons permit held by the owner of the weapon or upon a corresponding application of the owner of the weapon. In such a case the person has the right to replace the parallel weapons permit with a weapons permit.

[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

(8) A weapons permit shall be issued for a shorter period of time:

- 1) if so requested by the applicant;
- 2) to a person who is staying in Estonia for less than five years;
- 3) to a legal person whose specified term of activity is less than five years.

(8¹) The validity of a weapons permit issued to an alien holding a temporary residence permit or a temporary right of residence shall not exceed the validity of his or her residence permit or right of residence. Upon the revocation of the residence permit or the termination of the right of residence, the weapons permit shall be revoked.

(9) A person who has been awarded a weapon registered in his or her own name pursuant to the procedure provided by law shall be granted a weapons permit for the weapon without a specified term of validity.
[RT I, 19.03.2015, 2 – entry into force 29.03.2015]

(10) The holder of a weapons permit is required to promptly notify the police in writing if the permit is destroyed or lost.
[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(11) The standard format for weapons permits, including the standard format for parallel weapons permits, shall be established by a regulation of the minister responsible for the field.

§ 35. Application by natural person for acquisition permit or weapons permit

(1) An application submitted by a natural person for an acquisition permit or a weapons permit shall be reviewed by the Police and Border Guard Board no later than within two months as of the date of submission of all the required documents and payment of the state fee.
[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

- (2) In order to obtain an acquisition permit or a weapons permit, an applicant is required to submit:
- 1) a written application which sets out the purpose and the mark or type of weapon or the specific weapon which the applicant wishes to acquire and, in the case of an application for a parallel weapons permit, also the owner;
 - 2) documents which prove that the applicant meets the requirements provided for in § 29 or § 30 of this Act;
 - 3) a medical certificate;
 - 4) two photographs measuring 3×4 cm.
 - 5) [repealed – RT I 2002, 61, 375 – entry into force 01.08.2002]

(2¹) Before the submission of an application for an acquisition permit or a weapons permit, the applicant shall pay a state fee.

(3) [Repealed – RT I 2007, 7, 38 – entry into force 27.04.2007]

(4) An applicant for a parallel weapons permit shall also submit the written consent of the owner of the weapon for the applicant to use the owner's weapon on the basis of a parallel weapons permit.

(5) An acquisition permit or a weapons permit may be issued to a person who has passed an examination on his or her knowledge of the requirements of legislation regulating the acquisition, registration, storage, carrying, transfer and legal use of weapons and of the provision of first aid to a victim with a shooting injury. If an application is made for a weapons permit or acquisition permit for firearms, the applicant shall, as part of the examination, pass a test on his or her knowledge of the firearm applied for and a practical test on handling firearms according to the type of the firearm applied for on the basis of § 12 (1) 1) through 3) of this Act. The examination results are valid for one year as of the date of the examination.
[RT I 2007, 7, 38 – entry into force 27.04.2007]

(5¹) A person specified in § 30 (2) may take the examination specified in subsection (5) of this section in his or her native tongue or in another language in which he or she is proficient. The examination shall be translated into Estonian and the costs of translation of the examination shall be borne by the person who wished to take the examination.

(5²) Before taking the examination specified in subsection (5) of this section the person is required to pay a state fee.
[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

(6) The procedure for the examination specified in subsection (5) of this section, and the procedure for the test on handling weapons and for the shooting skills test, and for the grant of an acquisition permit or a weapons permit shall be established by a regulation of the minister responsible for the field.
[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

(7) The requirements provided for in clause (2) 3) and in subsection (5) of this section do not apply to:
1) police officers, prison officers and active servicemen who have the right to carry a service or military weapon and who meet the health requirements set for entering police, prison or active service;
2) assistant police officers who have been granted the right to carry a firearm on the basis and pursuant to the procedure provided for in § 12 of the Assistant Police Officer Act and who meet the health requirements set for becoming an assistant police officer;
3) active members of the Defence League who hold a permit to carry a weapon allotted to the Defence League and who have a current medical certificate provided for in § 35¹ of this Act;
4) persons specified in § 30 (1), (3) and (5) of this Act.
[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

(7¹) When the persons specified in clauses (7) 1) through 3) of this section have submitted the documents set out in clauses (2) 1), 2) and 4) of this section, a document certifying the right to carry a weapon, and a medical certificate or a confirmation issued by an authority concerning compliance with health requirements, they are issued with a decision on the grant of an acquisition permit or a weapons permit on the basis of a verbal decision made by an official. A document confirming the compliance with health requirements must set out its term of validity.
[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

(8) If a holder of a weapons permit wishes to acquire a weapon of the same type during the validity of the weapons permit, the holder is not required to undergo a new medical examination or retake the test. Considering the length of the weapon and the length of the barrel upon acquiring a firearm of a different type, the holder of a weapons permit is required to pass a test on handling the weapon and a shooting skills test.
[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

(9) Before taking the test on handling a weapon and a shooting skills test specified in subsection (8) of this section the person is required to pay a state fee.
[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

§ 35¹. Medical examination of applicant for acquisition permit or weapons permit

(1) An applicant for an acquisition permit or a weapons permit shall undergo a medical examination the purpose of which is to verify that he or she does not have any health disorders specified in § 36 (1) 1) through 3) of this Act.

(1¹) A medical examination must not take place any earlier than three months before applying for an acquisition permit or before applying for a weapons permit if no acquisition permit must be applied for before.
[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

(2) Medical examinations shall be arranged and medical certificates shall be issued by family physicians with the involvement of medical specialists.

(2¹) A medical certificate is valid for up to five years.
[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

(3) A medical examination shall take place at the expense of the applicant for an acquisition permit or a weapons permit.

(4) The procedure for medical examinations of applicants for an acquisition permit or a weapons permit, the list of health disorders precluding the issue of a permit, and the requirements for the content and format of a medical certificate shall be established by a regulation of the Government of the Republic.
[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

§ 35². Collection of information through surveillance activities and making enquiry to communications undertaking

(1) If in order to acquire or own a firearm an acquisition permit or a weapons permit is applied for by an alien who holds an Estonian residence permit or who resides in Estonia on the basis of a residence permit, the police may, with the written consent of the applicant, collect personal data concerning the applicant through surveillance activities specified in § 126³(1) of the Code of Criminal Procedure and by an enquiry to an electronic communications undertaking for obtaining information provided for in § 111¹(2) and (3) of the Electronic Communications Act if it is necessary in order to decide on the grant of a permit.

(2) A person shall be notified of the activity prescribed in subsection (1) of this section conducted with respect to the person after making of a decision and he or she shall be introduced, at his or her request, information collected by the activity.
[RT I, 29.06.2012, 2 – entry into force 01.01.2013]

§ 36. Circumstances precluding grant of acquisition permit or weapons permit to natural person

- (1) An acquisition permit or a weapons permit shall not be granted to a natural person:
- 1) who suffers from a mental or behavioural disorder caused by the use of narcotic drugs or psychotropic substances;
 - 2) who suffers from a severe mental disorder;
 - 3) who suffers from a physical disability which prevents him or her from adequately handling the weapon applied for by him or her;
 - 4) who evades service in the Defence Forces;
 - 5) whose active legal capacity is restricted and to whom, therefore, a guardian has been appointed;
 - 6) who has been punished pursuant to criminal procedure;
[RT I, 27.12.2010, 7 – entry into force 14.12.2010—the Constitutional Review Chamber of the Supreme Court declares § 43 (3) 2) of the Weapons Act in conjunction with § 36 (1) 6) of the Weapons Act unconstitutional and invalid to the extent it does not allow to consider the person who has been punished pursuant to criminal procedure and the act committed by him or her upon revoking his or her acquisition permit or weapons permit.]
[RT I, 28.05.2013, 8 – entry into force 23.05.2013—the Constitutional Review Chamber of the Supreme Court declares § 41 (9) of the Weapons Act in conjunction with § 36 (1) 6) of the same Act unconstitutional and invalid to the extent it does not allow to consider the person who has been punished pursuant to criminal procedure and the act committed by him or her upon replacing his or her weapons permit or permit to carry a weapon.]
 - 7) who has been punished pursuant to misdemeanour procedure for violating requirements provided by legislation regulating the acquisition, storage, carrying, transport or use of weapons and ammunition, or for hunting without a hunting certificate;
[RT I 2007, 7, 38 – entry into force 27.04.2007]
 - 8) who is a suspect or an accused on grounds arising from criminal proceedings;
[RT I, 04.05.2011, 6 – entry into force 26.04.2011—the Constitutional Review Chamber of the Supreme Court declares § 36 (1) 8) of the Weapons Act to be in conflict with § 19 (1) of the Constitution of the Republic of Estonia and invalid to the extent it does not allow to consider the person of a suspect or an accused or the facts which are the essence of the charges upon granting a weapons permit.]
 - 9) who, upon applying for an acquisition permit or a weapons permit, has knowingly submitted false information which is of material importance to the decision on whether to issue a permit;
 - 10) who lacks the conditions prescribed by this Act for the storage of weapons and ammunition;
[RT I 2007, 7, 38 – entry into force 27.04.2007]
 - 11) who has been punished pursuant to misdemeanour procedure for driving a power-driven vehicle or a tram when exceeding maximum permitted level of alcohol in the bloodstream, or for driving an aircraft, a watercraft or a rail vehicle while being intoxicated by alcohol;
[RT I 2010, 43, 256 – entry into force 28.07.2010]
 - 11¹) who has been punished pursuant to misdemeanour procedure for the illegal use, possession or acquisition of a narcotic drug or a psychotropic substance;
[RT I 2010, 43, 256 – entry into force 28.07.2010]
 - 12) who was declared to be a suspect or an accused in criminal proceedings which were terminated on the basis of § 202 of the Code of Criminal Proceedings;
[RT I 2007, 7, 38 – entry into force 27.04.2007]
 - 13) who was declared to be a suspect or an accused in criminal proceedings which were terminated on the basis of § 205 of the Code of Criminal Proceedings;
[RT I 2007, 7, 38 – entry into force 27.04.2007]
 - 14) who has been punished pursuant to misdemeanour procedure for discarding his conscript service obligation or reservist training;
[RT I 2007, 7, 38 – entry into force 27.04.2007]
 - 15) who is not performing their obligation to provide maintenance to their child.
[RT I, 12.03.2015, 4 - entry into force 01.03.2016]

(1¹) Clause (1) 15) of this section shall apply if a court ruling made under clause 177²(1) 3) and subsection 177²(2) of the Code of Enforcement Procedure has entered into force in respect of the person.
[RT I, 12.03.2015, 4 - entry into force 01.03.2016]

(2) The prohibition provided for in clauses (1) 6), 7), 11), 11¹) and 14) of this section does not apply to a person if information concerning his or her punishment has been expunged from the criminal records database pursuant to the Criminal Records Database Act, and the prohibition provided for in clause (1) 15) of this section shall be terminated if a court ruling made under subsection 177⁵(1) of the Code of Enforcement Procedure has entered into force in respect of the person.
[RT I, 12.03.2015, 4 - entry into force 01.03.2016]

(2¹) The prohibition provided for in clauses (1) 12) and 13) of this section applies to a person until the performance of the obligation imposed on him or her under § 202 (2) of the Code of Criminal Procedure or until the expiry of the period of time provided for in § 205 (2) of the Code of Criminal Procedure.

[RT I 2007, 7, 38 – entry into force 27.04.2007]

(3) [Repealed – RT I 2007, 7, 38 – entry into force 27.04.2007]

(4) In addition to the bases for refusal indicated in subsection (1) of this section, an issuer of permits may refuse to grant an acquisition permit or a weapons permit:

- 1) to a person if less than five years have passed since the revocation of a weapons permit previously issued to the person and if the revocation of the permit was due to the loss of the weapon or a violation of the requirements provided for in legislation regulating the storage, carrying or use of weapons and ammunition;
- 2) to a person to whom the issue of an acquisition permit has previously been refused if less than two years have passed since the refusal and if the refusal was due to the circumstances specified in clauses (1) 8) through 10) of this section;
- 3) to a person who is not suitable to acquire or own a weapon due to his or her lifestyle or behaviour which jeopardises the security of himself or herself or other persons.

(5) A decision to issue or deny an acquisition permit or a weapons permit shall be communicated to the applicant within ten days as of the date on which the decision is made.

§ 36¹. Application for weapons permit by alien

(1) An alien specified in § 30 (1) of this Act who wishes to obtain an Estonian weapons permit on the basis of a weapons permit issued by another state shall submit an application for a weapons permit to the Police and Border Guard Board. The Police and Border Guard Board shall review the application no later than within two months as of the date of receipt of all the required documents and payment of the state fee.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(2) The Police and Border Guard Board has the right to demand that an alien who submitted an application specified in subsection (1) of this section submit evidence and documents at his or her disposal which may be relevant to the matter as well as oral or written explanations.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(3) If processing an application requires additional clarification of circumstances relevant to the proceedings, the Police and Border Guard Board may extend the time-limit for proceedings by 30 days at a time. The Police and Border Guard Board may also extend the time-limit for proceedings on a reasoned request of the person specified in subsection (1) of this section.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(4) A weapons permit issued in a foreign state which is legalised or authenticated by a certificate replacing legalisation (apostille) shall be appended to the application specified in subsection (1) of this section, unless otherwise provided by an international agreement.

(4¹) An alien specified in § 30 (2) of this Act shall submit a statement issued by a competent authority of the state of his or her citizenship concerning the information provided for in § 36 (1) 6), 7) and 8) of this Act (statement concerning his or her criminal record).

[RT I 2007, 7, 38 – entry into force 27.04.2007]

(4²) The document specified in subsection (4¹) of this section shall be legalised or authenticated by a certificate replacing legalisation (apostille), unless otherwise provided by an international agreement.

[RT I 2007, 7, 38 – entry into force 27.04.2007]

(5) Documents in foreign languages which are appended to an application shall be submitted together with a translation into Estonian done by a sworn translator or authenticated by a notary.

[RT I, 23.12.2013, 1 – entry into force 01.01.2014]

§ 37. Application by legal person for acquisition permit or weapons permit

(1) An application submitted by a legal person for an acquisition permit or a weapons permit shall be reviewed by the Police and Border Guard Board within two months as of the date of submission of all the required documents and payment of the state fee.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(2) An applicant for an acquisition permit or a weapons permit is required to submit:

- 1) a written application which sets out the reasons as to why the weapons are needed and indicates the purpose, mark or type and number of weapons which the applicant wishes to acquire;
- 2) a copy of a decision made by the legal person concerning the appointment of a person responsible for weapons and ammunition and of his or her substitute;
- 3) a certificate setting out the given name, surname, personal identification code, residence, position and telephone number of the person responsible and of his or her substitute, and information regarding the examination having been passed by such persons;
- 4) the articles of association (statutes) of the legal person;
- 5) [repealed – RT I 2002, 61, 375 – entry into force 01.08.2002]

- 6) a list setting out the given name, surname, personal identification code and residence of the persons who are to carry the weapons and who comply with the requirement established by § 51 (1) of this Act;
- 7) a list of guarded objects which sets out the addresses, contact persons and telephone numbers of the objects if the weapon is applied for in order to provide security services or in-house guarding;
- 8) a description of the place of storage and the storage conditions of the weapons.
- 9) [repealed – RT I 2002, 61, 375 – entry into force 01.08.2002]

(2¹) If a weapons permit or an acquisition permit is applied for providing security services on a ship flying the flag of Estonia entered into the ship registry maintained by Estonian court, the applicant is required to present the name of the guarded ship, the official number of the ship, the name of the owner of the ship, the personal identification code or registry code of the owner of the ship, the name and phone number of the contact person and the name and phone number of the master of the ship instead of that set out in clause (2) 7) of this section. [RT I, 04.03.2015, 5 – entry into force 01.04.2015]

(3) Before applying for an acquisition permit or a weapons permit, the applicant shall pay a state fee. [RT I 2002, 61, 375 – entry into force 01.08.2002]

§ 38. Persons responsible for weapons and ammunition of legal person

(1) A person responsible for the weapons and ammunition of a legal person (hereinafter person responsible) shall ensure that the weapons and ammunition of the legal person are handled according to this Act and legislation issued on the basis thereof and that the handling complies with the conditions set out in the corresponding permit.

(2) Any citizen of a Contracting Party to the EEA Agreement who is at least 21 years of age and to whom the circumstances specified in § 36 (1) and (4) of this Act do not apply may be a person responsible or a substitute therefor. [RT I 2009, 63, 408 – entry into force 28.12.2009]

(3) A person who has passed the examination for a person responsible may be appointed as a person responsible or a substitute therefor.

(4) The requirements for the expertise of persons responsible and the procedure for their examination shall be established by a regulation of the minister responsible for the field.

§ 39. Appointment of person responsible and expiry of his or her authority

(1) A person responsible shall be appointed by a written decision of the legal person (resolution, order, or directive). If the legal person has a structural unit within another administrative unit, a person responsible shall also be appointed for weapons and ammunition in the structural unit and the requirements provided for in § 38 (2) and (3) of this Act apply to the person. A copy of the decision shall be sent to the Police and Border Guard Board within three working days. [RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(2) The authority of a person responsible expires upon his or her release from employment or shall be terminated if the person no longer meets the requirements provided for in § 38 (2) and (3) of this Act or has violated the requirements of this Act or legislation issued on the basis thereof. A notification of the expiry of authority shall be sent to the Police and Border Guard Board within three working days. [RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(3) Upon the expiry of the authority of a person responsible, his or her substitute shall be promptly appointed as an acting person responsible and an inventory of weapons and ammunition shall be conducted. A new person responsible shall be appointed no later than within two months as of the expiry of the authority of the former person responsible.

(4) The appointment of a person responsible does not release the management board or body substituting for the management board of a legal person from the responsibility of ensuring that weapons and ammunition related activities comply with this Act and other legislation.

§ 40. Circumstances precluding grant of acquisition permit or weapons permit to legal person

- (1) An acquisition permit or a weapons permit shall not be granted to a legal person which:
- 1) upon applying for a permit, has knowingly submitted false information which is of material importance to the decision on whether to issue a permit;
 - 2) lacks the conditions prescribed by this Act for the storage of weapons and ammunition;
 - 3) on at least two occasions during the last three years, has violated the procedure for the storage, transport or transfer of weapons or ammunition or the procedure for the registration of weapons or the issue of weapons for carrying;

4) has not complied with a precept issued by a supervisory body concerning compliance with the requirements of this Act and legislation issued on the basis thereof.

(2) A decision to issue or deny an acquisition permit or a weapons permit to a legal person shall be communicated to the applicant within ten days as of the date on which the decision is made.
[RT I 2002, 61, 375 – entry into force 01.08.2002]

§ 41. Replacement of weapons permit and permit to carry weapon

(1) A weapons permit shall be replaced on the basis of an application submitted by the holder of the permit and a permit to carry a weapon shall be replaced on the basis of an application submitted by the relevant legal person upon the expiry of the permit, or in the case the permit becomes unusable, or in the case the data concerning the owner of the weapon or the holder of the permit changes, or in the case the permit or weapon is lost or destroyed, or upon a change in the location of the weapons storage room.

(2) Upon the expiry of a parallel weapons permit on the grounds specified in § 34 (7) of this Act and upon the expiry of a permit to carry a weapon on the grounds specified in § 53 (6) of this Act, the holder of the permit has the right to replace the permit with a new weapons permit within three months as of the date of expiry of the permit.

(3) In order for a weapons permit or a permit to carry a weapon to be replaced, the following shall be submitted to the Police and Border Guard Board:

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

- 1) a written application which sets out the reasons for replacement;
- 2) the weapons permit or permit to carry a weapon to be replaced, except in the case the permit is lost or destroyed;
- 3) a photograph measuring 3×4 cm;
- 4) a medical certificate in connection with the expiry of the weapons permit or permit to carry a weapon.

(4) The holder of a weapons permit or a permit to carry a weapon shall pay a state fee before the replacement of the permit.

(5) The requirement provided for in clause (3) 4) of this section does not apply to the persons specified in § 35 (7) 1) and 2) of this Act if they present a document certifying their right to carry a weapon and a medical certificate or a confirmation issued by an authority concerning compliance with health requirements. A document confirming the compliance with health requirements must set out its term of validity.
[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

(6) The documents specified in subsection (3) of this section shall be submitted to the Police and Border Guard Board at the following times:

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

- 1) upon the expiry of the weapons permit or permit to carry a weapon—at least one month prior to the expiry;
- 2) in the case the weapons permit or permit to carry a weapon becomes unusable—immediately after the permit becomes unusable;
- 3) in the case the data concerning the owner of the weapon or the holder of the weapons permit or permit to carry a weapon changes or the location of the weapons storage room is changed—within seven working days as of the changing of the data or the location;
- 4) in the case the weapons permit or permit to carry a weapon or the weapon is lost or destroyed—within seven working days as of the receipt of a decision provided for in § 43 (5) of this Act;
- 5) in the case the parallel weapons permit or permit to carry a weapon is replaced with a weapons permit—within three months as of the date of expiry of the permit.

(7) Upon the replacement of a parallel weapons permit, the applicant shall also submit the written consent of the owner of the weapon for his or her weapon to be used on the basis of a parallel weapons permit.

(8) Before the replacement of a weapons permit, the holder of the weapons permit shall prove the existence of the weapons indicated on his or her weapons permit.

(9) A weapons permit or a permit to carry a weapon is issued if there are no circumstances precluding the issue of a permit provided for in § 36 or § 40 of this Act.

[RT I, 28.05.2013, 8 – entry into force 23.05.2013—the Constitutional Review Chamber of the Supreme Court declares § 41 (9) of the Weapons Act in conjunction with § 36 (1) 6) of the same Act unconstitutional and invalid to the extent it does not allow to consider the person who has been punished pursuant to criminal procedure and the act committed by him or her upon replacing his or her weapons permit or permit to carry a weapon.]

(10) In the case a weapons permit or a permit to carry a weapon becomes unusable or is lost or destroyed, or in the case data concerning the weapon or the holder of a weapons permit changes or in the case the location of the weapons storage room is changed, and also in the case a parallel weapons permit or a permit to carry a weapon is replaced with a weapons permit, the new permit shall be issued for the period of validity indicated on the permit to be replaced.

(11) The former weapons permit or permit to carry a weapon shall be preserved in the weapon register book, unless the permit is lost or destroyed.

[RT I 2007, 7, 38 – entry into force 27.04.2007]

§ 42. Formalisation of amendments and changes

(1) The following shall be formalised at the Police and Border Guard Board:

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

1) amendments to the data concerning a weapon (type, mark, calibre, marking) arising from the conversion of the weapon. Prior permission for the conversion of the weapon is required from the Police and Border Guard Board;

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

2) amendments relating to the change of name of the owner or possessor of the weapon, change of residence or seat due to resettlement to another administrative unit, or change of location of the weapons storage room;

3) amendments to other data subject to entry in the register of service and civilian weapons.

(2) For the purposes of formalising amendments and changes, the documents specified in § 41 (3) of this Act shall be submitted to the Police and Border Guard Board and a state fee shall be paid. The application shall set out the new data concerning the weapon, the new name and residence or seat of the owner or possessor of the weapon, the new address of the place of storage of the weapon and any other amended or changed data.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(3) The Police and Border Guard Board shall make corresponding entries in the weapon register book and the register of service and civilian weapons and shall issue a new weapons permit.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(4) If the owner or possessor of a weapon resettles to the jurisdiction of another prefecture, a corresponding notice shall be made in the weapon register book and the register book together with all materials included therein shall be forwarded to the prefecture of the new residence or seat of the owner or possessor of the weapon.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(5) The prefecture of the new residence or seat of the owner or possessor of the weapon shall make the necessary entries in the weapon register book and the register of service and civilian weapons and promptly notify the prefecture where the weapon was registered in writing of the entries made. The prefecture which receives such a notice shall delete the weapon and its owner or possessor from its records.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

§ 43. Suspension and revocation of acquisition permit or weapons permit

(1) The Police and Border Guard Board shall suspend an acquisition permit or a weapons permit if:

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

1) the holder of the permit has been punished pursuant to misdemeanour procedure for driving a power-driven vehicle or a tram when exceeding maximum permitted level of alcohol in the bloodstream, or for driving an aircraft, a watercraft or a rail vehicle while being intoxicated by alcohol;

[RT I 2010, 43, 256 – entry into force 28.07.2010]

1¹) the holder of the permit has been punished pursuant to misdemeanour procedure for the illegal use, possession or acquisition of a narcotic drug or a psychotropic substance;

[RT I 2010, 43, 256 – entry into force 28.07.2010]

2) on grounds arising from criminal proceedings, the holder of the permit is a suspect or an accused regarding driving a power-driven vehicle or a tram while being intoxicated, a crime against the person, a crime involving a firearm and ammunition, or a crime committed by using a weapon or any other object used as a weapon or by threatening to use a weapon or any other object used as a weapon;

[RT I 2010, 43, 256 – entry into force 28.07.2010]

2¹) there is reasonable doubt that the holder of the permit may jeopardise the security of himself or herself or other persons by his or her lifestyle or behaviour;

[RT I 2010, 43, 256 – entry into force 28.07.2010]

3) it is established in the course of an inspection that the holder of the permit lacks the conditions prescribed by this Act for the storage of weapons and ammunition;

4) the legal person has failed, without good reason, to comply with a precept issued by a supervisory body concerning compliance with the requirements of this Act and legislation issued on the basis thereof;

5) the handling or use of the weapon by the person has caused the death of a person or damage to the health of a person or proprietary damage to a person;

[RT I 2007, 7, 38 – entry into force 27.04.2007]

6) criminal proceedings involving the holder of the permit have been terminated on the basis of § 202 or § 205 of the Code of Criminal Procedure.

[RT I 2007, 7, 38 – entry into force 27.04.2007]

(1¹) In the case specified in clause (1) 1) of this section, the acquisition permit or weapons permit shall be suspended for a period of six months to one year.
[RT I 2007, 7, 38 – entry into force 27.04.2007]

(1²) In the cases specified in clause (1) 5) of this section, the weapons permit shall be suspended until the person has passed a new medical examination and a medical certificate has been issued to him or her.
[RT I 2007, 7, 38 – entry into force 27.04.2007]

(1³) In the cases specified in clause (1) 6) of this section, the acquisition permit or weapons permit shall be suspended until the performance of the obligation imposed on the person under § 202 (2) of the Code of Criminal Procedure or until the expiry of the period of time provided for in § 205 (2) of the Code of Criminal Procedure.
[RT I 2007, 7, 38 – entry into force 27.04.2007]

(1⁴) A person's weapons permit shall be suspended if a court ruling made under clause 177²(1) 3) of the Code of Enforcement Procedure has entered into force in respect of the person.
[RT I, 12.03.2015, 4 - entry into force 01.03.2016]

(2) The suspension of an acquisition permit or a weapons permit is terminated after the circumstances which served as the basis for the suspension cease to exist or upon the revocation of the permit pursuant to the procedure provided for in subsection (3) of this section.

(2¹) The suspension of a weapons permit provided for in clause 177²(1) 3) of the Code of Enforcement Procedure shall be terminated if a court ruling made under subsection 177⁵(1) of the Code of Enforcement Procedure has entered into force in respect of the person.
[RT I, 12.03.2015, 4 - entry into force 01.03.2016]

(3) The Police and Border Guard Board shall revoke an acquisition permit or a weapons permit if:
[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

1) so requested by the holder of the permit or the owner of the weapon;
[RT I 2007, 7, 38 – entry into force 27.04.2007]

2) the holder of the permit no longer meets the requirements established by this Act, or a circumstance specified in § 36 (1) 1) through 7), 9) or 10) or § 40 (1) of this Act arises;
[RT I, 27.12.2010, 7 – entry into force 14.12.2010—the Constitutional Review Chamber of the Supreme Court declares § 43 (3) 2) of the Weapons Act in conjunction with § 36 (1) 6) of the Weapons Act unconstitutional and invalid to the extent it does not allow to consider the person who has been punished pursuant to criminal procedure and the act committed by him or her upon revoking his or her acquisition permit or weapons permit.]

3) the weapon is subject to seizure;

4) the holder of the permit dies or is declared missing;

5) the weapon is lost or destroyed;

6) the weapon has become unusable to an extent which does not enable it to be restored, or if the owner or possessor of the weapon does not wish for the weapon to be restored;

7) the acquisition permit or weapons permit is lost or destroyed;

8) the legal person is dissolved or the agency is liquidated;

9) the owner or possessor of the weapon has, on at least two occasions within the last three years, violated the requirements of this Act or legislation issued on the basis thereof or has failed to comply with the requirements of a precept issued to the owner or possessor.

10) [repealed – RT I, 04.03.2015, 5 – entry into force 01.04.2015]

(3¹) The Police and Border Guard Board may revoke an acquisition permit or a weapons permit if the holder of the permit is unsuitable for acquiring or owning a weapon of such type due to a lifestyle or behaviour jeopardising the security of himself or herself or other persons.
[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(4) A parallel weapons permit shall be revoked or suspended upon the revocation or suspension of the corresponding weapons permit. A parallel weapons permit may also be revoked on the basis of an application by the owner of the weapon.

(5) The suspension, termination of suspension or revocation of an acquisition permit or a weapons permit shall be formalised by a decision of the Police and Border Guard Board. The decision shall also set out the basis for the suspension, termination of suspension or revocation with a reference to a corresponding provision of law. A copy of the decision shall promptly be sent to the holder of the permit.
[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(6) Subsection (5) of this section shall not be applied to the suspension of a weapons permit and an acquisition permit under clause 177²(1) 3) of the Code of Enforcement Procedure or to the termination of suspension of a weapons permit and an acquisition permit under subsection 177⁵(1) of the Code of Enforcement Procedure.
[RT I, 12.03.2015, 4 - entry into force 01.03.2016]

§ 44. Consequences of expiry, suspension or revocation of acquisition permit or weapons permit

(1) After the expiry, suspension or revocation of an acquisition permit or a weapons permit, the holder of the permit, the owner or possessor of the corresponding weapon or another person who is in possession of the corresponding permit, a European Firearms Pass, the weapon or ammunition therefor is required to hand them over to the police no later than on the last working day on which the permit is valid or on the working day following the date of communication of the decision on revocation or suspension. A weapon and ammunition of a legal person may be deposited in the weapons storage room of the legal person which has been sealed by the police.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(2) Upon the expiry, suspension or revocation of a parallel weapons permit, the holder of the parallel weapons permit shall return the weapon and ammunition to the owner thereof and the parallel weapons permit to the police within the period of time provided for in subsection (1) of this section. If it is not possible to return the weapon and ammunition to the owner thereof, they shall be deposited with the police.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(3) A permit, weapon and ammunition may be handed over at its location or at the police. A weapon or ammunition shall be handed over at its location if it is handed over before the revocation of the acquisition permit or weapons permit by a person who, pursuant to this Act, is not the owner or possessor and who has informed the police of the weapon or ammunition which is in his or her possession.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(4) The handing over and receipt of a weapon and ammunition, and also of an expired or suspended permit, shall be formalised by an instrument of delivery and receipt which sets out the data concerning the weapon, ammunition or permit handed over. The standard format for such instruments shall be established by a regulation of the minister responsible for the field. The instrument shall be prepared in two original copies and signed by the person who hands over the weapon, ammunition or permit and by a representative of the police. One original copy of the instrument shall be retained by the police and the other by the person who hands over the weapon, ammunition or permit.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(5) The police are required to ensure that the received weapon and ammunition are kept in the same condition as recorded in the instrument of delivery and receipt.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(6) In the case an acquisition permit or a weapons permit expires or is revoked, the owner or possessor of the weapon or ammunition has the obligation to transfer the weapon and ammunition within three months as of the date of delivery to a person specified in § 63 (2) 1) and 3) of this Act or commence transfer on the basis of 63 (2) 2) of this Act pursuant to the procedure and under the conditions provided by this Act, except in the case of weapons and ammunition handed over on the basis of a decision of seizure.

[RT I 2007, 7, 38 – entry into force 27.04.2007]

(6¹) In the case an acquisition permit or a weapons permit is suspended, the owner or possessor of the weapon or ammunition has the right to transfer the weapon and ammunition throughout the suspension pursuant to the procedure and under the conditions provided by this Act. After the basis for the suspension ceases to exist, the police are required to promptly return the weapon and ammunition taken into storage to the owner or possessor thereof.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(7) If a complaint is filed with a court or a challenge is filed with the Police and Border Guard Board against a decision to revoke or suspend an acquisition permit or a weapons permit and the court or the Police and Border Guard Board declares the revocation or suspension of the permit to be in conflict with the law, the police shall promptly return the permit, weapon or ammunition to the owner or possessor thereof after the termination of the suspension of the permit or the entry into force of the court judgment. If the decision to revoke an acquisition permit or a weapons permit remains in force, the owner or possessor of the weapon or ammunition has the obligation to transfer the weapon or ammunition pursuant to the procedure established by subsection (6) of this section after the date on which the decision enters into force.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(8) If the owner or possessor of a weapon or ammunition which is subject to transfer has not transferred the weapon or ammunition under the conditions provided by subsection (6) of this section, the weapon or ammunition which have been deposited are subject to expropriation.

[RT I 2007, 7, 38 – entry into force 27.04.2007]

(9) A weapon or ammunition which is handed over in a condition incapable of firing shall be destroyed pursuant to the procedure provided for in § 83 of this Act.

Chapter 6

STORAGE OF WEAPONS AND AMMUNITION

§ 45. General requirements for storage of weapons and ammunition

(1) Weapons and ammunition may be stored by a person who holds a weapons permit or an activity licence for the manufacture, sale, repair, conversion or storage of weapons and ammunition as a service.

(2) Weapons and ammunition shall be stored in a place of storage in conditions which ensure their preservation and that they do not pose a danger to the surroundings and which preclude access by unauthorised persons.

(3) Firearms may only be stored in an unloaded state.

(4) Weapons and ammunition shall be stored in the conditions provided for in § 46 of this Act or deposited for temporary storage with a person who holds:

- 1) a weapons permit, or
- 2) an activity licence for the storage of weapons and ammunition as a service.

(5) The temporary deposit of weapons and ammunition with a person who holds a weapons permit shall be formalised by an instrument of delivery and receipt prepared in two original copies one of which shall be retained by the depositor and the other by the depositary. A weapon may be deposited on a temporary basis with a person who holds a weapons permit for up to one 24-hour period of time under the conditions provided for in § 46 (3), (4) and (7) of this Act.

(6) The temporary deposit of weapons and ammunition with a person who holds an activity licence shall be formalised by an instrument of delivery and receipt prepared in two original copies one of which shall be retained by the depositor and the other by the depositary.

(7) The instrument of delivery and receipt specified in subsections (5) and (6) of this Act shall include the following:

- 1) information concerning the deposited weapon and the weapons permit as well as the quantity of ammunition;
- 2) the personal details and contact information of the depositor and the depositary;
- 3) the date of the delivery and receipt.

(8) The requirement provided for in subsection (6) of this section is not applied to the issue, for a short period of time, of a weapon and ammunition taken for storage as a service or to the return thereof, and in the case a weapon and ammunition are taken into storage for a short period of time as a service. The issue, for a short period of time, of a weapon and ammunition deposited with another person as a service is deemed to be the issue of the weapon and ammunition by the person who took them into storage to the person who deposited them for up to five 24-hour periods of time.

(9) The procedure for taking weapons and ammunition into storage for a short period of time as a service, for the issue thereof for a short period of time and for the return thereof shall be established by a regulation of the minister responsible for the field.

[RT I 2007, 7, 38 – entry into force 27.04.2007]

§ 46. Storage of weapons and ammunition of natural and legal persons

(1) A natural person shall store a weapon in a place of storage at his or her place of residence or in a place of storage at an address specified by the person and approved by the Police and Border Guard Board.

[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

(2) A legal person shall store a weapon in a place of storage determined by the legal person.

(3) Firearms shall be stored in a place of storage which is a steel cabinet adapted for such a purpose and permanently attached to the floor, a wall or another structural member of the building (hereinafter weapons safe).

(4) For the storage of more than eight firearms there shall be a place of storage which is a specially adapted room (hereinafter weapons storage room), or a weapons safe for the storage of nine or more firearms.

(5) A natural person is permitted to store ammunition in the following quantities:

- 1) up to 100 pistol or revolver cartridges;
- 2) up to 100 gas weapon cartridges;
- 3) up to 300 cartridges per hunting firearm with a rifled barrel;

[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

- 4) up to 300 cartridges per hunting firearm with a smoothbore barrel;

[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

- 5) up to 1000 cartridges per sporting firearm;

- 6) up to 1 kilogram of propellant per firearm, but no more than 5 kilograms in total;
- 7) up to 1000 primers.

(6) Cartridges, propellant and primers shall be stored in a weapons safe in a separately lockable compartment or in a weapons storage room.

(7) Other weapons shall be stored in a place of storage located in a weapons safe or in a lockable drawer or chest.

(8) A weapons safe or a lockable drawer or chest is not required in the case of one weapon and ammunition therefor. In that case the weapon and ammunition shall be stored in a place of storage which is difficult for other parties to discover and access.

(9) The Police and Border Guard Board shall inspect the compliance with the requirements for the storage of weapons and ammunition of legal persons at least twice a year. The results of such an inspection shall be expressed in an instrument prepared in two original copies, one of which shall be issued to the person subject to inspection and the other shall be included in the weapons register book.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(10) The requirements for weapons storage rooms, weapons safes and the storage of propellant and primers as well as other requirements for storage shall be established by a regulation of the minister responsible for the field.

[RT I 2007, 7, 38 – entry into force 27.04.2007]

§ 47. [Repealed – RT I 2007, 7, 38 – entry into force 27.04.2007]

§ 48. Storage of weapons and ammunition during sports events and training

(1) Weapons and ammunition brought to a sports event or to training shall be stored in the weapons storage room of the firing range, if there is a weapons storage room. The owner or possessor of the firing range is responsible for weapons and ammunition stored in the weapons storage room of the firing range.

(2) During a sports event or training, the organiser of the event shall ensure that it is possible to use a storage room to store weapons and ammunition. If no weapons storage room exists, the possessor of a weapon shall ensure the storage and guarding of the weapon during the sports event or training.

[RT I 2007, 7, 38 – entry into force 27.04.2007]

(3) A person who goes shooting shall only take such weapons and such quantity of ammunition from a weapons storage room as he or she needs for this occasion.

(4) The existence of a weapons storage room is not mandatory at a field firing range. The possessor of a weapon is liable for the storage of the weapon and ammunition at a field firing range.

Chapter 7 CARRYING AND CONVEYANCE OF WEAPONS AND AMMUNITION

§ 49. Carrying of weapons

The carrying of a weapon is defined in this Act as the carrying of a weapon on one's person outside a place of storage.

§ 50. General procedure for carrying weapons

(1) Weapons and ammunition shall be carried together with a corresponding weapons permit or permit to carry a weapon.

(2) Weapons and ammunition shall be carried in a public place in a concealed manner which precludes them being lost, falling into the hands of other persons or causing accidental damage. The chamber of a carried firearm, except for the chamber of a revolver, shall be empty of cartridges.

[RT I 2007, 7, 38 – entry into force 27.04.2007]

(3) It is prohibited to carry weapons or ammunition:

- 1) while intoxicated by alcohol or under the influence of narcotic drugs or psychotropic substances;

[RT I 2007, 7, 38 – entry into force 27.04.2007]

2) at meetings, demonstrations, pickets, festivities and other public events, except for persons performing their functions or duties at such public events.

(4) A minister may, by a directive, restrict the carrying of weapons in the ministry, in government authorities within the area of government of the ministry, in state authorities administered by the ministry and at facilities in the possession of such government authorities or state authorities.

(5) [Repealed – RT I, 04.03.2015, 5 – entry into force 01.04.2015]

(6) The carrying of hunting firearms and sporting bows, used as hunting bows for the purposes of § 27 (1) of the Hunting Act, while hunting is regulated by the Hunting Act and legislation issued on the basis thereof.
[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

§ 51. Carrying of weapons registered in name of legal person

(1) A legal person may give a weapon registered in its name to an employee to carry if the employee holds a permit to carry a weapon. A shooting sports organisation may give a weapon registered in its name to its member to carry if the member holds a permit to carry a weapon.
[RT I 2007, 7, 38 – entry into force 27.04.2007]

(2) An employee is given a weapon to carry for the performance of his or her functions or duties, and a member of a shooting sports organisation is given a weapon to carry for engaging in the corresponding sports on the basis of a decision made by the corresponding legal person.
[RT I 2007, 7, 38 – entry into force 27.04.2007]

(3) Generally, an employee shall be issued with a weapon to perform his or her functions or duties for the duration of a working day or a shift, except in the cases where the need to carry a weapon for a longer period of time arises from the nature of the employee's occupational commitments. A list of positions in which the performance of such duties is required shall be established by a decision of the legal person which has been approved beforehand by the Police and Border Guard Board.
[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(4) A person with the right to carry a weapon is prohibited from:
1) carrying a weapon outside working time or when not engaging in sports unless such authorisation is formalised by a decision of the legal person;
2) giving a weapon or a permit to carry a weapon to an unauthorised person.
[RT I 2007, 7, 38 – entry into force 27.04.2007]

(5) If a weapon carried by an employee or a member of a shooting sports organisation is lost or destroyed or leaves the possession of the employee or member of a shooting sports organisation in any other manner, the employee or member of a shooting sports organisation is required to promptly inform the police and the person or authority who issued the weapon.
[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

§ 52. Issue of weapon registered in name of legal person to employee and return thereof

(1) Before issuing a weapon or ammunition, a person who issues weapons and ammunition is required to verify that the person to whom the weapon or ammunition is to be issued holds a permit to carry a weapon.

(1¹) A person who issues weapons and ammunition shall meet the requirements and conditions established for a person responsible specified in § 38 of this Act.
[RT I 2007, 7, 38 – entry into force 27.04.2007]

(2) The issue of a weapon or ammunition shall be documented, against a signature, in a ledger for the recording of weapons and ammunition which is bound with string and sealed with the seal of the Police and Border Guard Board (hereinafter weapons ledger).
[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(3) The date and time of the issue and return of a weapon, the type, mark, calibre and marking of the weapon, the number of cartridges, and the given name, surname and position of the employee to whom the weapon is given and of the employee who issues the weapon shall be entered in the weapons ledger.

(4) The employee is required to return the weapon and ammunition after the performance of his or her duties or functions. The person who receives the weapon or ammunition shall make a notation concerning the receipt of the weapon or ammunition in the weapons ledger and confirm the entry with his or her signature.

(5) If an employee carries a personal firearm, it shall be deposited in a weapons storage room or weapons safe of the legal person for the time that the employee carries the weapon of the legal person. The deposit and return of personal firearms shall be entered in the weapons ledger.

(6) Weapons ledgers shall be preserved for five years after the date on which the last entry is made in the ledger.

(7) The standard format for weapons ledgers shall be established by a regulation of the minister responsible for the field.

§ 52¹. Issue of weapon registered in name of shooting sports organisation and return thereof

(1) A shooting sports organisation shall issue a weapon registered in its name to a person for the purposes of engaging in shooting sports.

(2) The procedure and conditions provided for in § 52 (1) through (4) and (6) of this Act are applied to the issue and return of weapons registered in the name of a shooting sports organisation.

[RT I 2007, 7, 38 – entry into force 27.04.2007]

§ 53. Permit to carry weapon of legal person

(1) An employee, or a member of a shooting sports organisation, shall be issued with a permit to carry a weapon of the legal person (hereinafter permit to carry a weapon) by the Police and Border Guard Board on the application of the legal person after the employee or member of the shooting sports organisation has passed the examinations provided for in § 35 (5) of this Act and unless circumstances provided for in § 36 of this Act exist with respect to him or her which preclude the grant of a weapon to the natural person.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(2) An application for a permit to carry a weapon shall set out the given name, surname, position, personal identification code and residence of the person and the type and mark of the weapon for which the permit is applied.

(3) The documents specified in § 35 (2) 2) and 3) of this Act, two photographs measuring 3×4 cm and a document certifying that the examination specified in § 35 (5) has been passed shall be annexed to the application.

(4) The Police and Border Guard Board shall review an application no later than within two months as of the date of submission of all the required documents.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(5) If an application is satisfied, a permit to carry a weapon shall be issued and a weapon register book provided for in § 33 of this Act shall be opened regarding the holder of the permit.

(6) A permit to carry a weapon is valid for five years. A permit to carry a weapon becomes invalid if the employee leaves employment or the member of the shooting sports organisation leaves the shooting sports organisation and if the legal person is dissolved or submits a corresponding application. In such a case the person has the right to replace the permit to carry a weapon with a weapons permit.

[RT I 2007, 7, 38 – entry into force 27.04.2007]

(6¹) A permit to carry a weapon shall be suspended and revoked on the bases and pursuant to the procedure provided by § 43 of this Act.

[RT I 2007, 7, 38 – entry into force 27.04.2007]

(7) The standard format for permits to carry a weapon shall be established by a regulation of the minister responsible for the field.

(8) If a permit to carry a weapon expires or is suspended or revoked, the holder of the permit to carry a weapon is required to return the weapon and ammunition to the owner thereof and the permit to carry a weapon to the police on the last working day on which the permit is valid or on the working day following the date of communication of the decision on revocation or suspension of the permit. If it is not possible to return the weapon or ammunition to the owner thereof, they shall be deposited with the police.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

§ 54. Conveyance of weapons and ammunition

(1) For the purposes of this Act, the conveyance of weapons and ammunition means the carrying of weapons and ammunition on one's person if it is necessary to transport the weapons and ammunition from one location to another without the aim of using the weapon in the meantime, regardless of the fact of whether this involves the use of a vehicle or not.

(2) The conveyance of weapons and ammunition registered in the name of a legal person which are not issued for carrying to employees thereof and where conveyance involves the use of a means of transport is deemed to be internal transport of weapons.

(3) It is prohibited to send weapons or ammunition by post.

§ 55. Conveyance of weapons and ammunition by natural person

(1) A natural person who holds an acquisition permit or a weapons permit or a permit specified in § 80 of this Act has the right to convey weapons and ammunition.

(2) A weapon which is conveyed shall be unloaded and disassembled or packed in a manner which precludes the immediate use of the weapon.

(3) The requirements provided for in § 50 (1) through (3) of this Act shall be adhered to upon the conveyance of weapons and ammunition.

Chapter 8 TRANSPORT OF WEAPONS AND AMMUNITION AND CARRIAGE OF WEAPONS AND AMMUNITION FROM COUNTRIES OUTSIDE EUROPEAN UNION TO ESTONIA AND FROM ESTONIA TO COUNTRIES OUTSIDE EUROPEAN UNION

[RT I, 04.03.2015, 5 - entry into force 01.04.2015]

§ 56. Definition of transport of weapons

(1) Transport of weapons is defined in this Act as the internal and international carriage of weapons and ammunition by air, rail, water or road.

(2) Internal transport of weapons is defined as the transport of weapons and ammunition within Estonia.

(3) Internal transport of weapons shall be conducted pursuant to the Road Transport Act, the Aviation Act, the Merchant Shipping Code and the Railways Act and legislation issued on the basis thereof.

(4) International transport of weapons is defined as the transport of weapons and ammunition which involves the crossing of the state border.

(5) International transport of weapons shall be conducted pursuant to the international transport regulations which are in force concerning the corresponding mode of transport.

§ 57. Additional requirements upon internal transport of weapons

(1) Natural persons and legal persons who hold a weapons permit, an acquisition permit or an activity licence for the manufacture or sale of weapons may engage in internal transport of weapons.

(2) The owner or possessor of weapons and ammunition shall ensure the guarding and security of the weapons and ammunition upon transport.

(3) Weapons and ammunition shall be transported in the original packaging provided by the manufacturer or packaged in a manner which precludes their immediate use.

(4) It is permitted to transport up to 20 firearms or 10 000 cartridges in a concealed manner by passenger car, but a lorry with a closed cargo space shall be used to transport larger consignments of weapons and cartridges. The doors of the cargo space shall be securely closed and locked.

(5) At least one armed person shall escort a consignment of up to 20 firearms or 10 000 cartridges and at least two armed persons shall escort a consignment of more than 20 firearms or more than 10 000 cartridges. The armed escort may stay in the cabin of the lorry in which the weapons are being carried or in a car accompanying the car in which the weapons are being carried.

(6) The provisions of subsections (4) and (5) of this section do not apply to the transport of sporting firearms registered in the name of a legal person or to ammunition therefor to a firing range in connection with participation in training or a sports event. In this case, a person shall be appointed from among the persons who accompany the transported weapons to be responsible for the transport of the weapons and this person shall be armed.

§ 58. Taking of weapons and ammunition therefor on board aircraft

The procedure for taking weapons and ammunition therefor into passenger cabins of aircraft used for commercial purposes shall be established by a regulation of the minister responsible for the field.

[RT I 2003, 88, 594 – entry into force 08.01.2004]

§ 59. Definition of import, export and temporary export of weapons, essential components thereof and ammunition, and requirement for special permit

[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

(1) The carriage of weapons, essential components thereof and ammunition from a country outside the European Union to Estonia is defined in this Act as the import thereof, and the carriage of weapons, essential components thereof and ammunition from Estonia to a country outside the European Union is defined as the export thereof.

(2) The temporary export of weapons, essential components thereof and ammunition is defined in this Act as temporary export provided for in Article 2 (11) of Regulation (EU) no 258/2012 of the European Parliament and of the Council implementing Article 10 of the United Nations' Protocol against the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, supplementing the United Nations Convention against Transnational Organised Crime (UN Firearms Protocol), and establishing export authorisation, and import and transit measures for firearms, their parts and components and ammunition (OJ L 94, 30.03.2012, pp. 1–15), within a period not exceeding 24 months.

(3) The import, export and temporary export of weapons, essential components and parts thereof and ammunition shall take place pursuant to the procedure established by this Act, the Customs Act, the Strategic Goods Act and the Intra-Community Transport, Export and Import of Cultural Objects Act and legislation issued on the basis thereof.

(4) Pursuant to this Act, civilian weapons, essential components thereof and ammunition may be imported and temporarily exported only on the basis of a special permit. A special permit is issued to the applicant by the Police and Border Guard Board.

(5) The procedure for the issue and formalisation of a special permit, the list of weapons, essential components of firearms and ammunition imported to Estonia and temporarily exported from Estonia on the basis of a special permit, and the standard format for the permit shall be established by a regulation of the minister responsible for the field.

(6) The import of military weapons and the export and transit of civilian weapons, military weapons, and weapons, essential components and parts thereof as well as ammunition prohibited for civilian purposes, and the provision of services shall take place pursuant to the procedure established by the Strategic Goods Act, except in the cases provided for in § 60 (4) through (7) of this Act.

(7) The Police and Border Guard Board shall send a notification concerning the temporary export of a weapon to the competent authority of the destination country within three working days.

[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

§ 59¹. Quantities permitted for temporary export of weapons and ammunition

In the temporary export of weapons and ammunition, the quantities set out in Article 9 of Regulation (EU) no 258/2012 of the European Parliament and of the Council implementing Article 10 of the United Nations' Protocol against the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, supplementing the United Nations Convention against Transnational Organised Crime (UN Firearms Protocol), and establishing export authorisation, and import and transit measures for firearms, their parts and components and ammunition, must be taken into account.

[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

§ 60. Import and temporary export of weapons, essential components thereof and ammunition

[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

(1) Weapons, essential components thereof and ammunition may be imported on the basis of a special permit specified in § 59 (4) of this Act for the manufacture of weapons, components of firearms or ammunition, the sale of weapons, components of firearms or ammunition, or the provision of services for the conversion and repair of weapons and components of firearms.

(2) A natural or legal person may import a weapon, essential component thereof or ammunition to Estonia for the person's own purpose if the person holds an acquisition permit for the weapon or essential component thereof and a special permit specified in § 59 (4) of this Act.

(3) It is only permitted to import such weapons, essential components thereof and ammunition the type approved model of which, which has been declared a civilian weapon, or a modification of which has been entered in the register of service and civilian weapons.

(4) A natural person may export a weapon registered in the name of the person, essential components thereof and ammunition therefor in order to participate in a sports event, exercise, hunt or other similar event if he or she holds a special permit specified in § 59 (4) of this Act. The weapon and essential components thereof shall be imported to Estonia by the date specified on the permit.

(5) A foreign natural or legal person may import a weapon registered in the name of the person, essential components thereof and ammunition therefor to Estonia in order to participate in a sports event, exercise, hunt or other similar event if the person holds a special permit specified in § 59 (4) of this Act. The imported weapon and essential components thereof shall be exported from Estonia by the date specified on the permit.

(6) A natural or legal person may temporarily export from Estonia a weapon registered in the name of the person or a weapon acquired on the basis of an acquisition permit provided for in § 30 (3) of this Act which is not a military weapon for the purposes of the Strategic Goods Act as well as essential components thereof and ammunition therefor if the person holds a special permit specified in § 59 (4) of this Act. The Strategic Goods Commission may be consulted with upon the issue of the special permit.

(7) An employee of a diplomatic or consular representation who is a foreign citizen, and a foreign citizen belonging to a foreign official delegation or to a delegation having equal status therewith according to the diplomatic practice and a person accompanying such a person may import a weapon registered in the country of their nationality and essential components thereof and ammunition belonging to the weapon into Estonia and export them from Estonia on the basis of a special permit specified in § 59 (4) of this Act granted on the application of the Ministry of Foreign Affairs.

[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

§ 61. [Repealed – RT I 2007, 7, 38 – entry into force 27.04.2007]

§ 62. Conditions for import and temporary export of weapons, essential components thereof and ammunition

[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

(1) Weapons, essential components thereof and ammunition may be imported and temporarily exported through border checkpoints open to international travel where customs authorities are permanently present.

[RT I, 04.03.2015, 5 - entry into force 01.04.2015]

(2) The compliance of imported weapons, essential components thereof and ammunition with the requirements shall be verified at a border crossing point by the Tax and Customs Board which, if the requirements are complied with, shall make a notation to this effect on the special permit. If the weapons, essential components thereof or ammunition do not comply with the established requirements, a report shall be prepared which sets out the deficiencies due to which the import is prohibited.

[RT I, 16.06.2017, 1 - entry into force 01.07.2017]

(3) Weapons, essential components thereof and ammunition shall be accurately identifiable on the basis of accompanying documents and a permit. The list shall not differ from the list specified on the permit and the actual amount shall not exceed the amount indicated on the permit.

[RT I, 04.03.2015, 5 - entry into force 01.04.2015]

(4) Imported firearms and essential components thereof shall bear marking which meets the requirements. The marking of a registered firearm shall correspond to the marking set out on the special permit.

[RT I, 04.03.2015, 5 - entry into force 01.04.2015]

(5) Weapons, essential components thereof and ammunition carried to a border crossing point without a special permit specified in § 59 (4) of this Act shall be retained until the facts are ascertained. The customs authorities shall ensure that retained weapons, essential components thereof and ammunition are preserved and stored according to the requirements.

[RT I, 16.06.2017, 1 - entry into force 01.07.2017]

Chapter 8¹ CONVEYANCE OF FIREARMS AND AMMUNITION WITHIN EUROPEAN UNION AND TO COUNTRIES OUTSIDE EUROPEAN UNION

[RT I, 04.03.2015, 5 - entry into force 01.04.2015]

§ 62¹. General procedure for conveyance of firearms and ammunition within European Union and to countries outside European Union

[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

(1) A European Firearms Pass which includes, if necessary, a permission of the competent authority of the state to travel from one Member State of the European Union into another with the firearms and the ammunition intended for such firearms specified in the European Firearms Pass is the basis for the conveyance of firearms and ammunition within the territory of the European Union.

[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

(1¹) The conveyance of firearms and ammunition to countries outside the European Union, which is subject to Council Directive 91/477/EEC of 18 June 1991 on control of the acquisition and possession of weapons (OJ L 256, 13.09.1991, pp. 51–58; OJ special edition 13/11, pp. 3–10), is subject to the procedure established in this Chapter for the conveyance of firearms and ammunition within the European Union.

[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

(2) In Estonia, a European Firearms Pass is issued to a natural person by the Police and Border Guard Board on the basis of the application of the person if a weapons permit or a permit to carry a weapon has been issued to the person pursuant to this Act and the state fee has been paid. A weapon intended for hunting or engaging in the corresponding sports and entered on the weapons permit shall be entered on the European Firearms Pass. A European Firearms Pass shall be issued for the term of up to five years. The validity of a European Firearms Pass is limited by the validity of the weapons permit held by the owner of the weapon, and a Firearms Pass becomes invalid upon the revocation of the weapons permit held by the owner of the weapon.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(3) It is permitted to travel into another Member State with a firearm and the ammunition therefor which are specified on the European Firearms Pass if the person holds a corresponding prior permit issued by a competent authority. In Estonia, the Police and Border Guard Board is the competent authority.

[RT I 2009, 62, 405 – entry into force 01.01.2010]

(4) The standard format for European Firearms Passes issued in Estonia and the procedure for the issue of European Firearms Passes shall be established by a regulation of the minister responsible for the field.

[RT I 2007, 7, 38 – entry into force 27.04.2007]

(5) A person to whom a European Firearms Pass has been issued need not hold a permit issued by a competent authority of another Member State if the person certifies by an invitation or other evidence that he or she wishes to engage in hunting or shooting sports in the Member State to be visited. In such a case, a person engaged in hunting may have one or several firearms classified in category C or D in his or her possession and a person engaged in shooting sports may have one or several firearms classified in category B, C or D in his or her possession.

[RT I 2010, 43, 256 – entry into force 28.07.2010]

(6) The firearms listed in § 20 (1) and the ammunition listed in § 20 (4) of this Act are classified in category A. The firearms provided for in § 19 (1) 5) of this Act are classified in category B, C and D and the detailed list and classification thereof shall be established by a regulation of the minister responsible for the field.

(7) If a Member State has prohibited the import of a specific type of firearms, a corresponding express notation shall be made on the European Firearms Pass. The Police and Border Guard Board shall submit to other Member States a list of firearms which cannot be permitted to its territory without the prior consent thereof.

[RT I 2009, 62, 405 – entry into force 01.01.2010]

(8) The provisions of § 60 (4) and (5) of this Act do not apply to citizens of the European Union who hold a European Firearms Pass.

[RT I 2007, 7, 38 – entry into force 27.04.2007]

(9) The provisions of this Chapter do not apply to the conveyance of weapons in a weapons collection or to weapons or ammunition the use of which is prohibited for civilian purposes from one Member State into another.

[RT I 2007, 7, 38 – entry into force 27.04.2007]

§ 62². Procedure for transportation of firearms and ammunition from another Member State of European Union to Estonia

(1) The following recognised documents on the transportation of weapons and ammunition, which are used in the European Union, are the bases for the transportation of weapons and ammunition from another Member State of the European Union to Estonia:

- 1) a prior permit for the conveyance of firearms within the European Union (hereinafter prior permit);
- 2) a permit for the conveyance of firearms within the European Union (hereinafter permit); or
- 3) a declaration on the conveyance of firearms within the European Union (hereinafter declaration).

[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

(2) A natural or legal person (hereinafter applicant) may transport a weapon or ammunition to Estonia for the person's own purpose if the applicant holds:

- 1) a weapons permit, or an acquisition permit for the corresponding weapon issued pursuant to the procedure established by this Act;

- 2) a prior permit specified in clause (1) 1) of this section which is issued to the applicant on the basis of the application thereof by the Police and Border Guard Board; and

[RT I 2009, 62, 405 – entry into force 01.01.2010]

- 3) a permit specified in clause (1) 2) of this section which is issued to the applicant by the country of consignment of the weapon or ammunition on the basis of a prior permit specified in clause (1) 1) of this section. If a weapon has been transported into Estonia, the applicant shall immediately submit the permit to the Police and Border Guard Board.

[RT I 2009, 62, 405 – entry into force 01.01.2010]

(3) In order to release weapons and ammunition into free circulation as goods or to test, demonstrate or display weapons and ammunition at an exhibition (hereinafter goods), weapons and ammunition may be transported into Estonia by a person holding:

[RT I 2010, 43, 256 – entry into force 28.07.2010]

- 1) an activity licence for the manufacture or sale of weapons, components of firearms or ammunition, or for the conversion or repair of weapons, which is issued pursuant to the procedure established in this Act;

[RT I 2010, 43, 256 – entry into force 28.07.2010]

- 2) a prior permit specified in clause (1) 1) of this section which is issued to the person by the Police and Border Guard Board on the basis of an application of the person; and

[RT I 2010, 43, 256 – entry into force 28.07.2010]

- 3) a declaration specified in clause (1) 3) of this section which is forwarded to the competent authority of the country of consignment of the goods no later than at the date when the goods arrive in Estonia. A copy of the declaration is used as a delivery note of goods and shall accompany the goods until the goods arrive at their stated destination. When the goods have arrived at their stated destination, the person shall immediately submit the copy of the declaration to the Police and Border Guard Board.

[RT I 2010, 43, 256 – entry into force 28.07.2010]

(4) The standard format for the documents specified in subsection (1) of this section and the procedure for the issue thereof shall be established by a regulation of the minister responsible for the field.

(5) If necessary, the minister responsible for the field may establish the requirements for information communicated to Member States of the European Union.

(6) The procedure specified in this subsection applies to weapons and ammunition therefor in restricted commerce which are listed in § 19 of this Act.

(7) The documents listed in clauses (1) 1) and 2) of this section are valid for up to one year as of the date of issue thereof, and a state fee shall be paid for the issue thereof.

§ 62³. Procedure for transportation of firearms and ammunition from Estonia to another Member State of European Union

[RT I 2007, 7, 38 – entry into force 27.04.2007]

(1) A natural person may transport a firearm or ammunition acquired in Estonia or registered in the person's name for the person's own purpose from Estonia into another Member State of the European Union if he or she holds a permit specified in § 62²(1) 2) of this Act, which is issued to the applicant by the Police and Border Guard Board on the basis of his or her application and a prior permit specified in clause 1) of the same subsection which is issued by the competent authority of the country of destination. The permit is used as a delivery note until the weapon arrives in the country of destination.

[RT I 2009, 62, 405 – entry into force 01.01.2010]

(2) [Repealed – RT I 2007, 7, 38 – entry into force 27.04.2007]

(3) Weapons and ammunition may be transported from Estonia to other Member States by a person holding:

1) an activity licence for the manufacture or sale of weapons, essential components of firearms, ammunition or laser sights, or for the conversion or repair of weapons, which is issued pursuant to the procedure established by this Act;

2) a permit specified in § 62²(1) 2) of this Act, which is issued by the Police and Border Guard Board on the basis of the corresponding application and a prior permit specified in clause 1) of the same subsection which is issued by the competent authority of the country of destination.

[RT I 2009, 62, 405 – entry into force 01.01.2010]

(4) The procedure specified in this subsection applies to weapons and ammunition therefor in restricted commerce which are listed in § 19 of this Act.

(5) Weapons categorised as cultural objects shall be conveyed from Estonia to another Member State of the European Union pursuant to the procedure established by this Act and in accordance with the Intra-Community Transport, Export and Import of Cultural Objects Act and legislation passed on the basis thereof.

[RT I 2008, 3, 24 – entry into force 17.02.2008]

Chapter 9

TRANSFER OF WEAPONS AND AMMUNITION

§ 63. General procedure for transfer of weapons and ammunition

(1) Transfer of weapons and ammunition is defined in this Act as the transfer of the right of ownership to weapons and ammunition to another natural or legal person or to the state or a local government.

(2) An owner or possessor of a weapon may transfer the weapon:

- 1) to a person who holds an acquisition permit for the corresponding weapon;
- 2) by way of commission sale through a person who holds an activity licence for the sale of weapons;
- 3) to a person holding an activity licence for the sale, manufacture, conversion or repair of weapons.

(3) Ammunition may be transferred through persons specified in clauses (2) 2) and 3) of this section or to a person who holds a weapons permit for the corresponding weapon.

§ 64. Transfer of weapon to person holding acquisition permit

(1) A weapon shall be transferred to a person holding an acquisition permit in the presence of a competent official of the Police and Border Guard Board at the Police and Border Guard Board or the location of the weapon.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(2) The transfer of a weapon shall be formalised on the basis of a written application by the owner or possessor of the weapon. The application shall set out information concerning the weapon and the person to whom the weapon is to be transferred. The weapons permit or other document in proof of the legality of its ownership shall be annexed to the application.

§ 65. Transfer of weapon to person holding corresponding activity licence or through such person

In the cases specified in § 63 (2) 2) and 3) of this Act, a weapon shall be transferred on the basis of a permit provided for in § 80 of this Act and under the conditions set out therein.

Chapter 10

ACTIVITY LICENCES IN AREAS OF ACTIVITY RELATED TO WEAPONS AND AMMUNITION

§ 66. Authorisation obligation

[RT I, 29.06.2014, 1 – entry into force 01.07.2014]

(1) An activity licence is required for engaging in the following areas of activity:

- 1) sale of weapons, essential components of firearms, firearm accessories or ammunition;

[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

- 1¹) manufacture of weapons, essential components of firearms, firearm accessories or ammunition;

[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

- 2) conversion and repair of weapons as a service;

- 3) use of a firing range or field firing range for the provision of fee-charging services;
- 4) rental of weapons as a service at a firing range;
- 5) storage of weapons and ammunition as a service;
- 6) manufacture and conversion of gas sprays and pneumatic weapons.

(2) A person who holds an activity licence issued by another Contracting Party to the EEA Agreement shall also hold an activity licence specified in subsection (1) of this section.

(3) An activity licence is issued for the term of one to five years or for the duration of the performance of a temporary obligation or duty if it takes less than a year.

[RT I, 25.03.2011, 1 – entry into force 01.07.2014 (date of entry into force amended – RT I, 22.12.2013, 1)]

§ 67. Subject of review of activity licence

An undertaking shall be issued with an activity licence if the undertaking meets the following requirements:

- 1) the undertaking is a citizen of a Contracting Party to the EEA Agreement and has active legal capacity, or is a legal person founded in a Contracting Party to the EEA Agreement;
- 2) the person responsible of the undertaking meets the requirements provided for in §§ 38 and 39 of this Act;
- 3) the undertaking applying for an activity licence for the manufacture or sale of weapons or ammunition or the conversion or repair of weapons is not engaged in the provision of security services or private detective services;
- 4) upon applying for an activity licence for operating a firing range or a field firing range, the firing range or the field firing range complies with the health, environmental protection and fire safety requirements.

[RT I, 25.03.2011, 1 – entry into force 01.07.2014 (date of entry into force amended – RT I, 22.12.2013, 1)]

§ 67¹. Collection of information through surveillance activities and making enquiry to communications undertaking

(1) The police may, with the written consent of the applicant for an activity licence, collect personal data concerning the applicant through surveillance activities specified in § 126³(1) of the Code of Criminal Procedure and by an enquiry to an electronic communications undertaking for obtaining information provided for in § 111¹(2) and (3) of the Electronic Communications Act if it is necessary in order to decide on the grant of an activity licence.

(2) A person shall be notified of the activity specified in subsection (1) of this section conducted with respect to the person after making of a decision and at his or her request he or she shall be introduced information collected by the activity.

[RT I, 29.06.2014, 1 – entry into force 01.07.2014]

§ 68. Applying for activity licence

(1) An application for an activity licence is adjudicated by the Police and Border Guard Board.

[RT I, 29.06.2014, 1 – entry into force 01.07.2014]

(2) In addition to the information provided for in the General Part of the Economic Activities Code Act, an application for an activity licence shall include the following information and documents:

- 1) a list of partners and shareholders who hold over 5% of the share capital in the company applying for the activity licence, and a list of the members of the management board and supervisory board of the company which sets out the given name, surname, personal identification code or in the absence thereof date of birth, and residence of natural persons and the full name, seat and commercial registry code of the legal person;
- 2) information concerning the person responsible and his or her substitute (given name, surname, personal identification code or in the absence thereof date of birth, residence and telephone number), and certification that the corresponding examination has been passed;
- 3) a list of employees who are involved in the handling of weapons and ammunition, which sets out their given name, surname, residence and personal identification code or in the absence thereof date of birth;
- 4) the address and telephone number of the weapons storage room and the means used in order to ensure the security and guarding of the room, or a copy of a contract for the rental of a weapons storage room entered into for the period of validity of the activity licence.

(3) Upon applying for an activity licence for operating a firing range or a field firing range, the following documents shall be annexed to the application for the activity licence:

- 1) a noise measurement report;
- 2) the layout and perspective view.

[RT I, 25.03.2011, 1 – entry into force 01.07.2014 (date of entry into force amended – RT I, 22.12.2013, 1)]

§ 69. Specifications for applying for activity licence

In adjudicating an application for an activity licence, the principle of entry into force of an activity licence by default provided for in the General Part of the Economic Activities Code Act is not applied.

[RT I, 25.03.2011, 1 – entry into force 01.07.2014 (date of entry into force amended – RT I, 22.12.2013, 1)]

§ 70. Bases for suspension and revocation of activity licences

[Repealed – RT I, 29.06.2014, 1 – entry into force 01.07.2014]

§ 71. Consequences of suspension or revocation of activity licences

(1) [Repealed – RT I, 29.06.2014, 1 – entry into force 01.07.2014]

(2) Weapons and ammunition in the possession of the holder of an activity licence at the time of the suspension of the activity licence shall be deposited with the police, or the security and guarding of the weapons and ammunition shall be ensured until the end of the period of suspension of the activity licence.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(3) Weapons and ammunition in the possession of the holder of an activity licence at the time of the revocation of the activity licence shall be deposited with the police, or the proper security and guarding of the weapons and ammunition shall be ensured until the weapons and ammunition are transferred or destroyed pursuant to the procedure established by this Act.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(4) Weapons and ammunition shall be deposited, transported, stored, guarded, protected and returned at the expense of the holder of the activity licence.

(5) [Repealed – RT I, 29.06.2014, 1 – entry into force 01.07.2014]

(6) [Repealed – RT I, 29.06.2014, 1 – entry into force 01.07.2014]

§ 72. Inspection of legality of activities of holders of activity licences

(1) The Police and Border Guard Board shall inspect the legality of the weapons and ammunition related activities of the holders of activity licences at least twice a year. Other offices and authorities may be involved in inspections as necessary.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(2) [Repealed – RT I 2002, 61, 375 – entry into force 01.08.2002]

(3) A report shall be prepared concerning the inspection results, one copy of which shall be given to the holder of the activity licence and the other shall remain with the person who conducts the inspection.

Chapter 11

MANUFACTURE, MARKING, SALE, REPAIR AND CONVERSION OF WEAPONS AND AMMUNITION, RENDERING OF WEAPONS AND AMMUNITION INCAPABLE OF FIRING AND ESTABLISHMENT OF COMPLIANCE WITH REQUIREMENTS FOR INCAPABILITY OF FIRING, AND DISMANTLING AND DESTRUCTION OF WEAPONS AND AMMUNITION

[RT I, 04.03.2015, 5 - entry into force 01.04.2015]

§ 73. Manufacture of weapons and ammunition

(1) Weapons, components of firearms and ammunition shall be manufactured according to the specifications indicated on the activity licence.

(2) The Explosives Act and § 73¹(2) and (4) of this Act apply to the industrial production of ammunition containing explosive or pyrotechnic substances.

(3) A person engaging in the manufacture of weapons or components of firearms is required to:

1) store the basic products and materials used for the manufacture as well as unfinished and finished products in a place and in conditions which ensure their preservation and that they do not pose a danger to the surroundings;

2) ensure the quality and safety of the products according to the requirements.

(4) The requirements of this section and § 73¹ of this Act do not apply to the home production of cartridges from basic components by natural persons for the purposes of hunting or sporting. Home-produced cartridges shall not be transferred.

[RT I 2010, 43, 256 – entry into force 28.07.2010]

§ 73¹. Marking of weapons and ammunition

(1) A person engaging in the manufacture of weapons or components of firearms is required to mark a firearm or an essential component of a firearm with a marking according to the requirements in such a manner that the removal of the marking would be technically complicated or impossible.

(2) A person engaging in the manufacture of ammunition is required to mark every individual package of ammunition with a marking according to the requirements.

(3) When a military or service weapon or a weapon allotted to the Defence League is transferred to be used for civilian purposes, the firearm shall be marked with a marking according to the requirements.

[RT I, 20.03.2013, 1 – entry into force 01.04.2013]

(4) The requirements for the marking of firearms, essential components of firearms and ammunition shall be established by a regulation of the Government of the Republic.

[RT I 2010, 43, 256 – entry into force 28.07.2010]

§ 74. Sale of weapons and ammunition

(1) A person who holds an activity licence for the sale of weapons or ammunition is required:

1) to demand that a purchaser of a weapon present an identity document and an acquisition permit for the given type of weapon and to demand that a purchaser of ammunition present an identity document and a weapons permit;

2) to demand the presentation of a transfer permit concerning a weapon which is given for commission sale;

3) if a weapon is taken for sale on the basis of a transfer permit, to inform the Police and Border Guard Board within three working days as of the date on which the weapon is taken for sale;

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

4) to store weapons and ammunition which are taken for sale in a place and in conditions which comply with the established requirements;

5) to forward information concerning a sold weapon and the person who purchased the weapon to the Police and Border Guard Board within three working days after the sale of the weapon.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(2) It is prohibited to:

1) sell a weapon to a person who does not present an identity document or an acquisition permit for the given type of weapon;

2) sell a weapon in unrestricted commerce to a person of less than 18 years of age;

3) knowingly sell a defective weapon or defective ammunition;

4) sell weapons or cartridges which have not been type approved, except for weapons taken for commission sale.

(3) The requirements for the points of sale of weapons and ammunition shall be established by a regulation of the minister responsible for the field.

[RT I 2007, 7, 38 – entry into force 27.04.2007]

§ 75. Keeping of records regarding weapons and ammunition upon sale thereof

(1) A person who manufactures or sells weapons, essential components of firearms, firearm accessories and ammunition on the basis of an activity licence is required to keep separate records of weapons, essential components of firearms, silencers, laser sights and ammunition.

[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

(2) Records shall be kept in a weapons ledger and an ammunition ledger bound with string and sealed with the seal of the Police and Border Guard Board. The standard format for weapons ledgers and ammunition ledgers shall be established by a regulation of the minister responsible for the field.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(3) Weapons, essential components of firearms, silencers, laser sights and ammunition manufactured or acquired with the aim of being sold shall be specified on one side of a weapons ledger or an ammunition ledger, and weapons, essential components of firearms, silencers, laser sights and ammunition sold shall be specified on the other side of the ledger.

[RT I 2010, 43, 256 – entry into force 28.07.2010]

(4) A weapons ledger and an ammunition ledger shall be preserved until the expiry or revocation of the activity licence. Upon the expiry or revocation of the activity licence, a person who manufactures or sells weapons, essential components of firearms, silencers, laser sights and ammunition is required to hand the weapons ledger and ammunition ledger over to the police no later than on the last day of validity of the activity licence.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(5) Information entered in a weapons ledger and an ammunition ledger may only be disclosed to persons with corresponding inspection rights or to persons who have been granted access to such documents by any other Act.

(6) The holder of an activity licence is required to immediately notify the police of the disappearance of a weapon for sale.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

§ 76. Repair of weapons

(1) The repair of weapons is defined in this Act as the elimination of a defect on a weapon in a manner which does not involve essential changes being made to the characteristics of the weapon.

(2) A weapon may be repaired by the owner thereof or by a person who holds a corresponding activity licence.

[RT I 2007, 7, 38 – entry into force 27.04.2007]

§ 77. Conversion of weapons

(1) The conversion of weapons is defined in this Act as the changing of a weapon in a manner which involves essential changes being made to the characteristics of the weapon.

(2) Weapons may only be converted on the basis a weapons conversion permit provided for in § 80 of this Act.

(3) The Police and Border Guard Board may refuse to issue a weapons conversion permit if the request to convert a weapon is unfounded, or if it is requested that the weapon be converted in a manner as a result of which the weapon would no longer have its original characteristics and if the owner or possessor of the weapon does not hold a corresponding weapons permit.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(4) The weapons conversion permit shall indicate the extent to which the weapon may be converted.

(5) If an essential component of a weapon bearing the number of the weapon is substituted during the conversion of the weapon, the Police and Border Guard Board shall be promptly notified thereof.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

§ 78. Rendering of weapons incapable of firing

(1) A weapon is rendered incapable of firing by the mechanical processing of any of the essential components of the firearm as a result of which the weapon loses the capacity to be fired.

[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

(2) Weapons may be rendered incapable of firing by persons who hold an activity licence for the repair or conversion of weapons solely on the basis of a permit for rendering weapons incapable of firing provided for in § 80 of this Act.

(3) The requirements for incapability of firing shall be established by a regulation of the minister responsible for the field.

[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

(3¹) [Repealed – RT I, 04.03.2015, 5 – entry into force 01.04.2015]

(4) [Repealed – RT I, 04.03.2015, 5 – entry into force 01.04.2015]

(5) The usable components of a weapon rendered incapable of firing shall be handled pursuant to the procedure provided by this Act.

[RT I, 22.12.2011, 2 – entry into force 01.01.2012]

§ 78¹. Establishment of compliance with requirements for incapability of firing

(1) A weapon rendered incapable of firing in another country shall meet the requirements for incapability of firing established on the basis of § 78 (3) of this Act.

(2) A person shall inform the Police and Border Guard Board of a weapon rendered incapable of firing in another country and brought to Estonia in a format which can be reproduced in writing before the weapon is

brought to Estonia. The following information concerning a weapon rendered incapable of firing in another country and brought to Estonia must be submitted to the Police and Border Guard Board:

- 1) information on the owner or possessor, including natural person's given name and surname, personal identification code, place of residence and phone number, and legal person's name, registry code or registration number, address and phone number;
- 2) the type and marking of the weapon;
- 3) a copy of a certificate issued in the other country for the weapon incapable of firing, if such certificate exists;
- 4) the manner of transport and expected time of arrival in Estonia.

(3) The person is required to immediately inform the Police and Border Guard Board if any of the information specified in clause (2) 4) of this section change.

(4) A person who has brought to Estonia a weapon rendered incapable of firing in another country must submit to the Police and Border Guard Board an application for the establishment of the compliance of the weapon with the requirements for incapability of firing within 30 days as of the time the weapon was brought to Estonia.

(5) The permit for the establishment of the compliance of a weapon rendered incapable of firing in another country with the requirements for incapability of firing shall be granted by the Police and Border Guard Board on the application of the owner or possessor of the weapon. The requirements provided for in § 80 (4) and (6) through (8) of this Act are applied to such permit.

(6) When applying for a permit specified in subsection (5) of this section a person shall submit to the Police and Border Guard Board the following information and documents:

- 1) information on the owner or possessor, including natural person's given name and surname, personal identification code, place of residence and phone number, and legal person's name, registry code or registration number, address and phone number;
- 2) the type and marking of the weapon;
- 3) a copy of a certificate issued in the other country for the weapon incapable of firing, if such certificate exists.

(7) The compliance of a weapon with the requirements for incapability of firing is verified by a person who holds an activity licence for the repair or conversion of weapons.

(8) If a person who holds an activity licence for the repair or conversion of weapons establishes that a weapon rendered incapable of firing in another country meets the requirements for incapability of firing in part, the owner of the weapon may apply for a weapons transfer permit, weapons conversion permit, permit for rendering the weapon incapable of firing or weapon dismantling permit provided for in § 80 of this Act.

(9) If a person who holds an activity licence for the repair or conversion of weapons establishes that a weapon rendered incapable of firing in another country has been rendered incapable of firing in a manner other than pursuant to the procedure established under § 78 (3) of this Act and a document confirming incapability of firing has been issued in the other country and it has been approved by the Police and Border Guard Board, the person who holds an activity licence for the repair or conversion of weapons may declare the weapon incapable of firing.

[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

§ 78². Declaration of weapon incapable of firing

(1) A weapon is declared incapable of firing by a person who holds an activity licence for the repair or conversion of weapons after the weapon has been rendered incapable of firing or after the compliance with the requirements for incapability of firing has been established.

(2) When a weapon is declared incapable of firing, a certificate confirming incapability of firing is issued, the format of which is established by a regulation of the minister responsible for the field.

(3) A person who holds an activity licence for the repair or conversion of weapons shall communicate a copy of a certificate confirming incapability of firing to the Police and Border Guard Board within three working days as of the issue of the certificate.

[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

§ 79. Dismantling of weapons

(1) The dismantling of a weapon is defined in this Act as cessation of the use of the weapon and disassembly of the weapon into its components.

(2) Weapons may be dismantled solely on the basis of a weapons dismantling permit provided for in § 80 of this Act by the owner or possessor of the weapon or by a person who holds an activity licence for the repair or conversion of weapons and with whom the owner or possessor has placed a corresponding order.

(3) Essential components of a firearm which remain usable after the weapon has been dismantled may be used solely for the repair or conversion of weapons. Legal persons shall keep records of usable essential components of weapons pursuant to the procedure established in § 75 of this Act.

(4) Unusable essential components of firearms shall be destroyed pursuant to the procedure provided for in § 83 of this Act.

§ 80. Weapons transfer permit, weapons conversion permit, permit for rendering weapons incapable of firing and weapons dismantling permit

(1) Weapons transfer permits, weapons conversion permits, permits for rendering weapons incapable of firing and weapons dismantling permits (hereinafter permits) are issued by the Police and Border Guard Board on the application of the owner or possessor of the weapon.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(2) An application for a permit shall set out:

- 1) data concerning the owner or possessor of the weapon: the given name, surname, personal identification code and residence of a natural person, or the name, registry code or registration number, address and telephone number of a legal person;
- 2) the type, mark, calibre and marking of the weapon;
- 3) the number, date of issue and date of expiry of the weapons permit;
- 4) the reason for the application (transfer, conversion, rendering incapable of firing, dismantling);
- 5) the manner of realisation of the permit (to whom and in which manner the weapon is to be transferred, the extent to which the weapon is to be converted, and who is to convert the weapon, render it incapable of firing or dismantle it).

(2¹) In the case of an inherited weapon, a found weapon, a weapon which has belonged to joint property or a weapon rendered incapable of firing in another country, an application for a permit shall set out:

- 1) information on the owner or possessor, including natural person's given name and surname, personal identification code, place of residence and phone number, and legal person's name, registry code or registration number, address and phone number;
- 2) the type, mark, calibre and marking of the weapon;
- 3) a copy of a certificate issued in the other country for the weapon incapable of firing, if such certificate exists.

[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

(3) A weapons permit or, in the absence of a weapons permit, a document in proof of the legality of the ownership of a weapon shall be annexed to an application. Such documents shall be returned to the applicant after their verification.

(4) The Police and Border Guard Board shall review an application no later than within one month as of the date of submission of all the required documents.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(5) A permit shall not be granted to a person who uses a weapon on the basis of a parallel weapons permit.

(6) An applicant shall be notified of the refusal to issue a permit within three working days after the corresponding decision is made.

(7) A permit is valid for one month during which time the owner of a weapon has the right to transfer the weapon or give it to be sold by commission sale, converted, rendered incapable of firing or dismantled.

(8) If it is impossible to use a permit within one month, the Police and Border Guard Board shall extend the period of validity of the permit by one month if there is good reason for the application for extension and if the application is submitted before the expiry of the permit.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(9) A weapon transfer permit does not limit the time needed for the commission sale of the weapon.

(10) The holder of an activity licence for the sale of weapons has the right to return a weapon to the owner thereof one month after the weapon was given for commission sale. In this case, the seller shall make a notation concerning the return of the weapon on the permit and notify the Police and Border Guard Board in writing within three working days.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(11) If a weapons permit is revoked during the time that the weapon is given for sale or conversion, the weapon shall be handed over to the Police and Border Guard Board by the person who sells or converts the weapon.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(12) After the conclusion of a transaction, a notation to this effect shall be made on the permit and the permit shall be returned to the Police and Border Guard Board within five working days, and this constitutes the basis for a corresponding notation to be made in the register of service and civilian weapons.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(13) The standard format for permits shall be established by a regulation of the minister responsible for the field.

§ 81. Duties of persons engaging in repair or conversion of weapons

(1) A person who holds an activity licence for the repair or conversion of weapons is required to:

1) demand that a person who brings a weapon for repair present an identity document and a weapons permit;
2) demand that a person who brings a weapon to be converted, rendered incapable of firing or dismantled present an identity document and a weapons permit together with a weapons conversion permit, permit for rendering a weapon incapable of firing or weapons dismantling permit, and that a person who brings a weapon for the establishment of its compliance with the requirements for incapability of firing present an identity document and a permit for the establishment of the compliance of the rendering of the weapon incapable of firing with the technical requirements;

[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

3) communicate information concerning a converted weapon or a dismantled weapon and data concerning the owner or possessor of the weapon to the Police and Border Guard Board within three working days after the weapon is converted or dismantled;

[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

3¹) communicate information on the owner or possessor of a weapon rendered incapable of firing or of a weapon the compliance of which with the requirements for incapability of firing has been established and send a copy of the certificate confirming incapability of firing to the Police and Border Guard Board within three working days after the weapon is rendered incapable of firing or after receiving the certificate specified in § 78² of this Act;

[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

4) store a received weapon and the essential components of firearms needed for the repair and conversion of weapons pursuant to the procedure and under the conditions provided for in this Act and ensure their preservation;

5) inform the Police and Border Guard Board of any weapon received for conversion, rendering incapable of firing, dismantling or establishing its compliance with the requirements for incapability of firing within three working days as of the receipt of the weapon.

[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

(2) It is prohibited to receive a weapon from a person who fails to submit an identity document or a required permit.

[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

§ 82. Keeping of records regarding weapons brought for repair, conversion, rendering incapable of firing or establishing their compliance with requirements for incapability of firing

[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

(1) A person who holds an activity licence for the repair or conversion of weapons is required to keep records regarding weapons which are brought for repair, conversion, rendering incapable of firing or establishment of their compliance with the requirements for incapability of firing, and also regarding the essential components of firearms needed for the repair or conversion of weapons.

[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

(2) Records shall be kept in a weapons ledger bound with string and sealed with the seal of the Police and Border Guard Board. The standard format for weapons ledgers shall be established by a regulation of the minister responsible for the field.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(3) A weapons ledger shall be preserved until the expiry or revocation of the activity licence.

[RT I 2010, 43, 256 – entry into force 28.07.2010]

(4) Information entered in a weapons ledger and an ammunition ledger may only be disclosed to persons with corresponding inspection rights or to persons who have been granted access to such documents by any other Act.

[RT I 2010, 43, 256 – entry into force 28.07.2010]

(5) Upon the expiry or revocation of an activity licence, a person who holds an activity licence for the repair or conversion of weapons is required to hand the weapons ledger over to the police no later than on the last day of validity of the activity licence.

[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

§ 83. Destruction of weapons and ammunition

(1) The destruction of weapons and ammunition is defined in this Act as the physical destruction of a weapon as a whole and of ammunition.

(2) The following are subject to destruction:

- 1) expropriated weapons and ammunition which cannot be sold in any other manner;
- 2) weapons and ammunition given by the owner thereof for destruction;
- 3) weapons and ammunition confiscated under a court judgment and subject to destruction;
- 4) illegal weapons and ammunition which a person brings to the Police and Border Guard Board or the Estonian Internal Security Service and concerning the illegal handling of which no criminal proceedings are commenced on the basis of § 199 (1) 7) or § 199 (2) of the Code of Criminal Procedure;
- 5) other weapons and ammunition pursuant to the procedure established by law or legislation issued on the basis of law.

[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

(3) Weapons of historical or cultural value are not subject to destruction. A weapon of historical or cultural value is subject to preservation in a weapons collection pursuant to the procedure provided by this Act.

[RT I, 21.03.2011, 4 – entry into force 01.06.2011]

(4) The owner or possessor of a weapon shall hand over the weapon or ammunition subject to destruction together with an application to this effect to the police who organises the destruction of weapons and ammunition.

[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(4¹) The destruction of weapons and ammunition specified in clause (2) 1) of this section is arranged by the Police and Border Guard Board.

[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

(4²) The destruction of weapons and ammunition specified in clause (2) 3) of this section is arranged by the authority assigned under the court judgment or by the authority in whose possession the weapons and ammunition are.

[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

(4³) The destruction of weapons and ammunition specified in clause (2) 4) of this section is arranged by the Police and Border Guard Board or the Estonian Internal Security Service.

[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

(5) A weapon shall be destroyed by being melted or by being crushed under a suitable press in a manner which precludes the further use of the weapon as a whole and of any of its components.

(6) Ammunition containing explosives shall be destroyed pursuant to the procedure established by the Explosives Act.

(7) Weapons and ammunition shall be destroyed in the presence of an official authorised by the director general of the relevant authority. The owner or possessor of a weapon or representatives of other authorities may be invited to be present at the destruction of the weapon.

[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

(8) A report shall be prepared concerning the destruction of a weapon or ammunition which sets out the type, mark, model, calibre and marking (if there is a marking) of the weapon and ammunition, the quantity of ammunition, and the location, date and manner of destruction. The report shall be prepared in two original copies of which one shall be bound into the weapon register book and the other shall be given to the owner or possessor of the weapon. The report shall be signed by the persons who were present at the destruction of the weapon.

[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

(9) A notice concerning the destruction of a weapon shall be made in the register of service and civilian weapons.

§ 83¹. Requirements for persons involved in manufacture, sale, repair and conversion of weapons and ammunition, rendering of weapons and ammunition incapable of firing, and dismantling and destruction of weapons and ammunition

A person who has passed the examination provided for in § 38 (3) of this Act, if no circumstances specified in § 36 of this Act exist, may engage in the manufacture, sale, repair and conversion of weapons and ammunition,

the rendering of weapons and ammunition incapable of firing, and the dismantling and destruction of weapons and ammunition.

[RT I 2007, 7, 38 – entry into force 27.04.2007]

Chapter 12

FIRING RANGES AND FIELD FIRING RANGES

§ 84. Firing ranges and field firing ranges

(1) For the purposes of this Act, a firing range is a building, room or territory permanently used for shooting competitions or shooting practice.

(2) A field firing range is a place which is suitable or adapted for the temporary organisation of shooting competitions or shooting practice.

(3) In order to construct or establish a firing range or a field firing range, written consent shall be obtained from the local government in the territory of which the firing range or field firing range is to be constructed or established.

(4) A firing range or a field firing range shall be located, constructed or established and adapted in a manner which ensures the safety of the users of the firing range or field firing range and its surroundings and precludes the entry of unauthorised persons and animals into the shooting area.

(5) A firing range or a field firing range where sports events are organised shall be constructed or established and equipped according to the requirements of the corresponding internationally recognised sports organisation.

(6) Safety requirements, internal procedure rules and the name of the person responsible for shooting activities shall be displayed in a visible place at a firing range or a field firing range.

(7) The safety requirements for firing ranges and field firing ranges and for shooting competitions and shooting practice shall be established by a regulation of the minister responsible for the field.

(8) The definitions and requirements of this section do not apply to firing ranges of the Defence Forces and the Defence League.

[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

§ 85. Training areas and firing ranges of Defence Forces and Defence League

(1) A training area of the Defence Forces or the Defence League is an area of land or sea which includes the airspace above the area and a training building complex and where units of the Defence Forces and the Defence League organise their tactical training, exercises, shooting and blasting and where weapons, munitions of war, battle equipment and other equipment is tested.

[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

(2) A firing range of the Defence Forces or the Defence League is a training building permanently used for shooting, where it is possible to practise shooting from hand firearms.

(3) The establishment of a training area of the Defence Forces or the Defence League shall be decided by the Government of the Republic on the proposal of the minister responsible for the field.

(4) The establishment of a firing range of the Defence Forces or the Defence League which is not located within a training area shall be decided by the minister responsible for the field.

(5) The minister responsible for the field shall establish the requirements set for a training area and a firing range of the Defence Forces or the Defence League and the procedure for the use thereof on the proposal of the Commander of the Defence Forces.

[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

§ 86. Rental and use of weapons at firing ranges

[RT I 2007, 7, 38 – entry into force 27.04.2007]

(1) Weapons may be rented at a firing range by a person (hereinafter lender) who holds an activity licence for the rental of weapons at a firing range. An activity licence is not required in an educational institution or a shooting sports organisation where engagement in shooting sports is included in the articles of association as an activity.

(2) A weapon shall be rented to a person (hereinafter borrower) upon the submission of an identity document. The given name, surname and personal identification code of the borrower shall be entered in the weapons

ledger on the basis of the identity document. A borrower who does not have an identity document because of his or her age shall present his or her student card.

(3) Before borrowing a weapon, a borrower shall examine the safety requirements for the handling of weapons and ammunition and the internal procedure rules of the firing range. The borrower shall sign the weapons ledger to confirm that he or she has reviewed the requirements and rules specified above. The borrower shall be familiarised with these requirements and rules by the person responsible for rental or by a shooting instructor.

(4) The borrowing of a weapon shall be recorded in the weapons ledger, concerning which the borrower shall give his or her signature. The borrower of a weapon is responsible for storing the weapon and for its legal and safe use.

(5) A rented weapon shall only be used at the same firing range under the instruction of a shooting instructor.

(6) Only borrowers who hold a weapons permit or a licence of a shooting instructor, shooting coach or shooting athlete may use a rented weapon independently.

(7) Sporting firearms may be rented to persons who are of at least 16 years of age.

(8) At a firing range of an educational institution, or of a shooting sports organisation operating on the basis of its articles of association, a person who is of at least 12 years of age may be issued with a shooting firearm for use under the direct supervision of a shooting instructor or the person's parent if the parent holds a weapons permit. A parent who holds a weapons permit or a shooting instructor may, on his or her own responsibility and under his or her direct supervision, give his or her own personal firearm and ammunition for use at a firing range to a child of at least 12 years of age.

[RT I 2007, 7, 38 – entry into force 27.04.2007]

(9) A borrowed weapon shall be promptly returned to the lender after use. The person who receives the weapon shall make a notation concerning the receipt of the weapon in the weapons ledger and shall confirm the entry with his or her signature. It is prohibited to take a weapon out of a firing range.

§ 86¹. Shooting instructor

(1) For the purposes of this Act, a shooting instructor is a person who organises shooting competitions or shooting practice and activities related to shooting, and to whom a shooting sports organisation has issued a licence of a shooting instructor. A shooting sports organisation is an Estonian sports organisation recognised by an international sports federation and involved in shooting.

(2) A shooting instructor is required to:

- 1) verify the compliance of a firing range or a field firing range with the safety requirements;
- 2) be acquainted with weapons used for civilian purposes and the areas in which they are used;
- 3) verify the compliance of weapons with the intended purpose of their use;
- 4) monitor and, if necessary, guide the handling of weapons by shooters;
- 5) verify the right to use weapons;
- 6) take necessary measures in the case of an accident.

(3) A licence of a shooting instructor is issued to a person who has completed shooting instructor training and passed a shooting instructor examination. The knowledge and skills of a shooting instructor upon the performance of the duties specified in subsection (2) of this section are checked in the course of the examination. The requirements set for shooting instructor training and the procedure for the shooting instructor examination shall be established by a regulation of the minister responsible for the field.

(4) A licence of a shooting instructor is issued for the term of five years. A shooting sports organisation may revoke a licence of a shooting instructor if the shooting instructor has severely violated the duties specified in subsection (2) of this section.

(5) The procedure for the issue of licences of a shooting instructor and the standard format for licences of a shooting instructor shall be established by a regulation of the minister responsible for the field.

[RT I 2007, 7, 38 – entry into force 27.04.2007]

§ 87. Sale of ammunition at firing range

(1) Ammunition may be sold at a firing range by a person who holds an activity licence for the sale of ammunition.

(2) Ammunition may be sold to owners or possessors of weapons on the basis of a weapons permit in the quantities established by § 46 (5) of this Act.

[RT I 2007, 7, 38 – entry into force 27.04.2007]

(3) It is not necessary to present a weapons permit if ammunition is purchased for shooting with a weapon borrowed from a firing range. In this case it is prohibited to take the ammunition out of the firing range and any ammunition not used at the firing range is subject to repurchase.

Chapter 13

SUPERVISION

§ 88. Supervision over compliance with this Act

(1) State supervision over the handling of weapons, components of firearms and ammunition the use of which is permitted for civilian purposes shall be exercised by the Police and Border Guard Board, and state supervision over the legality of the import, export and conveyance of weapons and ammunition shall be exercised by the Tax and Customs Board.

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(2) Administrative supervision and supervisory control over the handling of military and service weapons shall be exercised by authorities authorised by the Government of the Republic.

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

(3) [Repealed – RT I, 13.03.2014, 4 – entry into force 01.07.2014]

§ 88¹. Special state supervision measures

(1) In order to exercise the state supervision provided by this Act, the Tax and Customs Board may apply the special measures provided for in §§ 30, 32, 45, 49, 50 and 51 of the Law Enforcement Act on the bases and pursuant to the procedure provided by the Law Enforcement Act.

(2) In order to exercise the state supervision provided by this Act, the Police and Border Guard Board may apply the special measures provided for in §§ 30, 31, 32, 37, 38, 39, 41, 45, 48, 49, 50, 51, 52 and 53 of the Law Enforcement Act on the bases and pursuant to the procedure provided by the Law Enforcement Act.

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

§ 89. Rights of officials exercising administrative supervision

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

Officials authorised to exercise administrative supervision over compliance with this Act and legislation issued on the basis thereof have the right to:

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

1) inspect weapons, components of firearms and ammunition and places where weapons, components of firearms and ammunition are stored, manufactured, sold, rented, repaired, converted, dismantled or destroyed;

[RT I 2010, 43, 256 – entry into force 28.07.2010]

2) demand that the handlers of military and service weapons present documents and written or oral information needed for supervision purposes;

[RT I, 13.03.2014, 4 – entry into force 01.07.2014]

3) issue precepts for the elimination of detected violations and verify compliance with such precepts;

4) take other measures prescribed by Acts and legislation issued on the basis thereof in order to ensure compliance with this Act.

Chapter 13¹

LIABILITY

§ 89¹. Violation of requirements for handling of or procedure for keeping records and registration of weapons, essential components of firearms or ammunition, or requirements for handling weapons rendered incapable of firing which do not meet requirements

[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

(1) Violation of the requirements for the carrying, storage, handing over, manufacture, conversion, repair, sale, rental or transport of weapons, essential components of firearms or ammunition, or violation of other requirements for the handling of weapons, essential components of firearms or ammunition, or violation of the procedure for keeping records and registration of weapons, essential components of firearms or ammunition, or violation of the requirements for the handling of weapons rendered incapable of firing which do not meet requirements

is punishable by a fine of up to 300 fine units or by detention.

[RT I, 04.03.2015, 5 – entry into force 01.04.2015]

(2) The same act, if committed by a legal person, is punishable by a fine of up to 3200 euros.

[RT I 2010, 22, 108 – entry into force 01.01.2011]

§ 89². Unlawful handling of electric shock weapons and cut-and-thrust weapons use of which for civilian purposes is prohibited

(1) Manufacture, acquisition, possession, storage, sale, carrying, conveyance, transport or other unlawful handling of electric shock weapons and cut-and-thrust weapons the use of which for civilian purposes is prohibited is punishable by a fine of up to 200 fine units or by detention.

(2) The same act, if committed by a legal person, is punishable by a fine of up to 3200 euros.
[RT I 2010, 22, 108 – entry into force 01.01.2011]

§ 89³. Unlawful handling of gas, pneumatic, projectile and cut-and-thrust weapons

(1) Unlawful manufacture, conversion, acquisition, possession, sale, carrying, conveyance or other unlawful handling of gas, pneumatic, projectile or cut-and-thrust weapons, except for cut-and-thrust weapons the use of which for civilian purposes is prohibited is punishable by a fine of up to 100 fine units or by detention.

(2) The same act, if committed by a legal person, is punishable by a fine of up to 1300 euros.
[RT I 2010, 22, 108 – entry into force 01.01.2011]

§ 89⁴. Violation of requirements for handing over weapons and ammunition

(1) Failure to hand over weapons or ammunition to the police within the prescribed period of time by a person whose acquisition permit or weapons permit has expired or has been suspended or revoked, or failure to hand over weapons or ammunition to the owner thereof within the prescribed period of time by a person whose parallel weapons permit has expired or has been suspended or revoked is punishable by a fine of up to 200 fine units or by detention.
[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(2) Failure to hand over weapons or ammunition to the police within the prescribed period of time by a legal person whose acquisition permit or weapons permit has expired or has been suspended or revoked is punishable by a fine of up to 2000 euros.
[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

§ 89⁵. Violation of requirement to return acquisition permit, weapon, weapons permit or parallel weapons permit

(1) Failure to return an expired, suspended or revoked acquisition permit, weapons permit or parallel weapons permit to the police or the holder thereof within the prescribed period of time is punishable by a fine of up to 50 fine units.
[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

(2) Failure by a legal person to return an expired, suspended or revoked acquisition permit or weapons permit to the police within the prescribed period of time is punishable by a fine of up to 640 euros.
[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

§ 89⁶. Obstruction of activities of official exercising state supervision

[Repealed – RT I, 12.07.2014, 1 – entry into force 01.01.2015]

§ 89⁷. [Repealed – RT I 2002, 63, 387 – entry into force 01.09.2002]

§ 89⁸. [Repealed – RT I 2002, 63, 387 – entry into force 01.09.2002]

§ 89⁹. [Repealed – RT I 2002, 63, 387 – entry into force 01.09.2002]

§ 89¹⁰. Carrying weapons or ammunition while intoxicated by alcohol or under influence of narcotic drugs or psychotropic substances

Carrying weapons or ammunition while intoxicated by alcohol or under the influence of narcotic drugs or psychotropic substances
is punishable by a fine of up to 200 fine units or by detention.
[RT I 2007, 7, 38 – entry into force 27.04.2007]

§ 89¹¹. Unlawful carrying of weapons or ammunition at public events

Carrying of weapons or ammunition at a public event by a person who is not performing his or her duties of employment or service at the event
is punishable by a fine of up to 200 fine units or by detention.
[RT I 2002, 63, 387 – entry into force 01.09.2002]

§ 89¹². Violation of procedure for issue of weapons permits, parallel weapons permits, permits to carry weapons or weapons collection permits

Violation of the procedure for the issue of weapons permits, parallel weapons permits, permits to carry weapons or weapons collection permits by an official issuing such permits
is punishable by a fine of up to 200 fine units.
[RT I 2002, 63, 387 – entry into force 01.09.2002]

§ 89¹³. Handling of insignificant quantities of ammunition

[RT I, 12.07.2014, 1 – entry into force 01.01.2015]
Unlawful handling of insignificant quantities of ammunition for a firearm or unlawful handling of gas weapon cartridges
is punishable by a fine of up to 300 fine units or by detention.
[RT I, 12.07.2014, 1 – entry into force 01.01.2015]

§ 89¹⁴. Application of confiscation

The Police and Border Guard Board or a court may apply confiscation of a substance or object which was the direct object used to commit misdemeanours provided for in §§ 89¹ through 89⁴, 89¹⁰, 89¹¹ and 89¹³ pursuant to § 83 of the Penal Code.
[RT I, 29.12.2011, 1 – entry into force 01.01.2012]

§ 89¹⁵. Proceedings

(1) [Repealed – RT I, 12.07.2014, 1 – entry into force 01.01.2015]

(2) The body conducting extra-judicial proceedings in matters of misdemeanours provided for in §§ 89¹ through 89⁵ and 89¹⁰ through 89¹³ of this Act is the Police and Border Guard Board.
[RT I, 12.07.2014, 1 – entry into force 01.01.2015]

(3) The extra-judicial body conducting proceedings in matters of misdemeanours provided for in § 89¹(1) of this Act is:

- 1) the Ministry of Justice (regarding service weapons);
- 2) the Ministry of Defence (regarding military weapons);
- 3) the Ministry of the Environment (regarding service weapons);
- 4) the Ministry of Finance (regarding service weapons).

[RT I 2007, 13, 69 – entry into force 15.03.2007]

Chapter 14 IMPLEMENTING PROVISIONS

§ 90. Validity of activity licences, weapons permits and permits to carry weapon

(1) Activity licences, weapons permits and permits to carry a weapon issued on the basis of legislation which was in force prior to the entry into force of this Act are valid until the expiry thereof.

(2) Activity licences issued on the basis of § 66 (1) 1) and 2) of this Act are valid until the expiry thereof. A person who holds an activity licence for the manufacture and sale of weapons, essential components of firearms, firearm accessories or ammunition and for the conversion and repair of weapons has the right to manufacture, sell, convert or repair components of firearms, respectively, until the expiry of the activity licence.
[RT I 2010, 43, 256 – entry into force 28.07.2010]

§ 91. Specifications for application of Act

(1) A weapon which is not granted type approval according to the manner of handling but which has been registered in the name of a natural person on the basis of legislation which was in force prior to the entry into force of this Act shall be retained by its owner and the owner shall retain his or her existing rights to use the weapon. It is prohibited to use such a weapon on the basis of a parallel weapons permit and such a weapon may only be transferred into state ownership or to an owner of a weapons and cartridges collection.
[RT I 2007, 7, 38 – entry into force 05.02.2007]

(2) An unregistered weapon the collection of which is permitted pursuant to § 25 of this Act shall be registered at the police authority of the residence or seat of the owner or possessor within six months as of the entry into force of this Act.

(3) In order for a weapon specified in subsection (2) of this section to be registered, an application shall be submitted to a police authority which sets out the name, type and number of the weapon (or, in the case of a non-standard weapon, a description thereof) and the circumstances behind the obtaining of the weapon. The provisions of § 33 (1) through (4) of this Act do not apply upon the registration of the weapon.

(4) Before a weapon specified in subsection (2) of this section is registered, the police authority shall assess the truthfulness of the circumstances behind the obtaining of the weapon, verify the compliance of the weapon with the information presented in the application, verify that the weapon specified in the application has not been used in any illegal activities and compare the data concerning the weapon with the data held in the register of military weapons and the register of service and civilian weapons. The police authority has the right to obtain an expert opinion concerning the weapon.

(5) The maintenance of the register of service and civilian weapons shall be continued pursuant to the procedure established earlier by the Government of the Republic until the commencement of the use of the register specified in § 3 (5) of this Act.

(6) A weapons permit issued to an Estonian citizen who has performed his conscript service obligation (except for alternative service) and who, on 25 June 2004, is not at least 21 years of age is valid until the expiry of the permit.

(7) Weapons permits issued before the entry into force of this Act for pneumatic, cut-and-thrust and projectile weapons specified in § 19 (1) 2) through 4) of this Act are valid until the expiry thereof.
[RT I 2009, 4, 25 – entry into force 26.01.2009]

(8) A person who has a projectile dart, projectile spike or projectile knife specified in § 19 (1) 4) of this Act is required to perform the following within three months as of the entry into force of this Act:

- 1) according to § 35 of this Act, submit an application for a weapons permit for the weapon in his her possession; or
- 2) transfer the weapon pursuant to the procedure established by this Act.

[RT I 2009, 4, 25 – entry into force 26.01.2009]

(9) If a person specified in subsection (8) of this section is denied a weapons permit for the weapon, the weapon shall be transferred within three months as of the date of communication of the decision on denial.
[RT I 2009, 4, 25 – entry into force 26.01.2009]

(10) If a person specified in subsection (8) of this section has not transferred the weapon within the period of time established by subsection (8) or (9) of this section, the weapon is subject to expropriation.
[RT I 2009, 4, 25 – entry into force 26.01.2009]

(11) Regulations which were applicable before 1 April 2013 and which govern the handling and registration of weapons allotted to the Defence League are valid, to the extent that they are not in conflict with this Act, until they are revoked or until relevant legislation is established on the basis of the Estonian Defence League Act.
[RT I, 20.03.2013, 1 – entry into force 01.04.2013]

Chapter 15

AMENDMENTS TO OTHER ACTS

§ 92.–§ 97.[Omitted from this text.]

Chapter 16 **FINAL PROVISIONS**

§ 98. Entry into force of Act

(1) § 97 of this Act enters into force on the tenth day following its publication in the Riigi Teataja.

(2) This Act enters into force on 31 March 2002.

[RT I 2001, 102, 673 – entry into force 01.01.2002]

¹Council Directive 91/477/EEC on control of the acquisition and possession of weapons (OJ L 256, 13.09.1991, pp. 51–58) as amended by Directive 2008/51/EC (OJ L 179, 08.07.2008, pp. 5–11). [RT I, 04.03.2015, 5 – entry into force 01.04.2015]