Pursuant to Article 75, paragraphs 1 and 2 of the Constitution of the Republic of Macedonia, the President of the Republic of Macedonia and the President of the Assembly of the Republic of Macedonia hereby issue

A DECREES
PROCLAIMING THE LAW AMENDING THE LAW ON WEAPONS

The Law amending the Law on Weapons that was adopted by the Assembly of the Republic of Macedonia at its plenary session held on 21 November 2013 is hereby proclaimed.

No. 07-4587/1
21 November 2013
Skopje

President
of the Republic of Macedonia,
Gjorgje Ivanov (signature)

President
of the Assembly of the Republic of Macedonia
Trajko Veljanoski (signature)
LAW AMENDING THE LAW ON WEAPONS

Article 1
In the Law on Weapons ("Official Gazette of the Republic of Macedonia" No. 7/2005, 47/2006, 42/2007, 86/2008, 72/10, 158/11 and 119/13) Article 14 shall be amended to read as follows:
“Compliance with the requirements under Article 9, paragraph 1 item 6 shall be checked by a licence exam.
Prior to conducting the licence exam referred to in paragraph 1 of this Article, natural persons applying for a permit to acquire weapons shall receive practical training in handling weapons. The practical training in handling weapons shall be provided by an authorised legal entity.
The authorisation referred to in paragraph 3 of this Article shall be issued by a competent authority to a legal entity which holds a licence for setting up a civilian shooting range.
The authorised legal entity shall issue a special certificate for the conducted practical training in handling weapons.
The provision under paragraph 2 of this Article shall not apply to members of the armed forces, employees of the Ministry of Internal Affairs, the reserve police who performed police duties for at least three years, retired employees of the Ministry of Internal Affairs, security service employees at the penitentiary institutions and other employees of state authorities that, in compliance with special regulations, are authorised to carry such weapons.
Practical training in handling weapons shall be delivered at the authorised legal entity by trainers and instructors with a University degree, as well as assistant instructors who have completed at least secondary education.
The instructors and assistant instructors referred to in paragraph 6 of this Article shall meet the requirements under Article 9, paragraph 1 items 1, 2, 3, 4, 6 and 7 of this Law.
The Minister of Internal Affairs shall adopt bylaws on the minimum technical and security requirements to be met by the facilities of the legal entities for practical training in handling weapons, as well as on the Training Programme for proper use, storage and maintenance of weapons, the manner of conducting practical training in handling weapons, as well as the manner of conducting the licence exam in technical knowledge about the proper use of weapons and familiarity with weapons regulations.”

Article 2
After Article 14, nine new Articles 14-a, 14-b, 14-c, 14-d, 14-e, 14-f, 14-g, 14-h and 14-i shall be added to read as follows:
“Article 14-a
Practical training in handling weapons shall be provided in compliance with the Training Programme for proper use, storage and maintenance of weapons.

Article 14-b
Training in handling weapons shall be followed by a licence exam organised on the premises of the authorised legal entity that delivered practical training to the candidates taking the licence exam.
The licence exam shall be taken before the Commission formed by the Minister of Internal Affairs.
The Commission shall consist of a Chairperson, two members and their deputies.
The Chairperson and his/her deputy shall be representatives of the Ministry of Internal Affairs, the second member of the Commissions and his/her deputy shall be representatives of the authorised legal entity that organised practical training, and the third member of the commission and his/her deputy shall be IT experts of the authorised legal entity.

The Commission members shall be entitled to an annual fee for conducting the exam in the amount that does not exceed three average salaries in the Republic of Macedonia in the previous year as published by the State Statistical Office, which shall be paid by the authorised legal entity.

The costs of practical training and the exam shall be borne by the candidate.

Article 14-c
The licence exam shall consist of two parts:
- theoretical (first) part, testing the candidates’ theoretical knowledge; and
- practical (second) part, testing the candidates’ practical skills.

The theoretical (first) part of the licence exam shall cover:
1) Law on Weapons;
2) Criminal Code;
3) First Aid; and
4) theoretical knowledge about safe handling of weapons and ammunition (disassembly, assembly, cleaning and maintenance of weapons and ammunition).

The practical (second) part of the licence exam shall cover:
1) practical knowledge about safe handling of weapons and ammunition (disassembly, assembly, cleaning and maintenance of weapons and ammunition), and
2) target shooting using a weapon.

The theoretical part of the licence exam shall be taken online by answering a set of questions in a form of a computer-based test.

Article 14-d
The authorised legal entity that delivered practical training to the candidate shall prepare a question database for the theoretical part of the licence exam.

Verification of questions for the theoretical part of the licence exam shall be performed by the Commissions referred to in Article 14-b, paragraph 2 of this Law.

The Commissions referred to in Article 14-b, paragraph 2 of this Law shall also review and update the question database at least once a year.

During the review, the Commissions referred to in Article 14-b, paragraph 2 of this Law shall take into consideration the amendments to the legal regulations referred to in the questions, the number of candidates that answered the questions, their level of success in answering them, as well as other criteria that may influence the improvement of the question database quality.

Based on the review and update of the question database, the Commissions referred to in Article 14-b paragraph 2 of this Law shall decides which questions need to be modified or completely removed from the database.

Article 14-e
The licence exam shall be taken in an exam room, which is specially equipped for taking the licence exam with material-technical and IT equipment, Internet access and equipment for recording the examination.
The licence exam shall be recorded and broadcasted live on the website of the Ministry of Internal Affairs. In case the recording is interrupted due to technical reasons, the video recording of the entire licence exam shall be posted on the website of the Ministry of Internal Affairs. The criteria regarding the premises and the material-technical and IT equipment on the premises allocated for taking the licence exam shall be prescribed by the Minister of Internal Affairs.

Article 14-f
Prior to the commencement of the licence exam, the Chairperson of the Commission shall verify the candidate’s identity by checking his/her ID. During the licence exam, the candidate shall not consult laws, laws with comments and explanations, use a mobile phone, lap tops and other technical and IT devices, previously prepared items etc., nor shall s/he communicate with other candidates or persons, except for the IT member of the Commissions in case of technical problems with the computer. In the event the candidate fails to comply with paragraph 2 of this Article while taking the exam, s/he shall not be allowed to continue the exam, and it shall be considered that s/he has failed the licence exam and recorded in the report on the conducted theoretical part of the licence exam.

Article 14-g
The licence exam shall begin by taking the theoretical part, and a candidate who has passed the theoretical part shall then take the practical part of the exam. The theoretical part of the exam shall cover all the areas listed in Article 14-c paragraph 2 of this Law and it shall contain at least ten multiple-choice questions with three options out of which only one is correct, one is similar and one is incorrect. The candidate must answer at least 75% of answers correctly in at least four areas which would mean that s/he has partially passed the licence exam. In case candidates have only partially passed the theoretical part of the licence exam, they can resit the exam in order to fully pass the licence exam no later than six months from the date of the commencement of practical training in handling weapons.

Article 14-h
Taking the theoretical part of the licence exam implies answering a number of questions in the form of a computer-based test in compliance with the guidelines on the method of taking the exam, while the Chairperson of the Commission referred to in Article 14-b paragraph 2 of this Law shall provide clarifications, prior to the commencement of the exam. The questions in the test, depending on the level of difficulty, are graded with points as stated in the test. The questions in the tests for the theoretical part and their answers shall be managed by an electronic system specifically created for the licence exam, which is maintained by the authorised legal entity. The electronic system referred to in paragraph 3 of this Article, shall also contain an accessible database of at least 300 questions in the areas listed in Article 14-c paragraph 2 of this Law. The electronic system used during the exam shall eliminate a possibility that a candidate should get a test which is identical to the test of another candidate.
The electronic system also encompasses references to the legislation and regulations that contain answers to the questions.

The licence exam results shall be available to the candidate on the computer on which s/he has taken the exam, immediately after completing it. The total time allocated for answering the questions in the test for the licence exam shall be 30 minutes for each area referred to in Article 14-c paragraph 2 of this Law.

Article 14-i
The tests shall be used and given to the candidate only at the time of taking the licence exam. Materials and recordings from the licence exams shall be kept by the authorised legal entity. The Minister of Internal Affairs shall establish a special Commission to audit the conducted licence exams. The Commission referred to in paragraph 3 of this Article shall consist of a Chairperson and two members and their deputies. The Commission referred to in paragraph 3 of this Article shall use the materials and recordings referred to in paragraph 2 of this Article."

Article 3
After Article 83-d, a new Article 83-e shall be added to read:

"Article 83-e
A fine in the amount ranging from 4,000 to 5,000 Euros in MKD equivalent shall be imposed on the authorized person responsible for the technical aspect of the exam, if s/he fails to record the exam, broadcast it live on the website of the Ministry of Internal Affairs and if s/he fails to post the recording of the entire exam on the website of the Ministry of Internal Affairs in accordance with Article 14-e of this Law. "

Article 4
The bylaw envisaged in Article 14-e paragraph 3 of this Law shall be adopted within six months from the date of entry into force of the Law.

Article 5
The procedures related to the licence exam that have been initiated before the date of entry into force of this Law shall be finalised in accordance with the provisions of the regulations applicable at that time.

Article 6
This Law shall enter into force on the eighth day as of the date of its publication in the "Official Gazette of the Republic of Macedonia", while its implementation shall begin within one year after this Law enters into force.