



Western Australia

Firearms Act 2024

Firearms Regulations 2024

Firearms Regulations 2024

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Schedule 10 — Fees

Defined terms

Firearms Regulations 2024

Made by the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *Firearms Regulations 2024*.

2. Commencement

These regulations come into operation on the day on which the *Firearms Act 2024* section 401 comes into operation.

3. Terms used

In these regulations —

approved society of firearm collectors has the meaning given in section 63 of the Act;

AS 4145.1-2008 means the Australian Standard 4145.1-2008 *Locksets and hardware for doors and windows, Part 1: Glossary of terms and rating system* published by Standards Australia;

AS/NZS 3809:1998 means the Australian/New Zealand Standard 3809:1998 *Safes and strongrooms* jointly published by Standards Australia and Standards New Zealand;

authority number has the meaning given in regulation 233(a);

class 1 accessory means —

- (a) ammunition; or
- (b) an unloaded external magazine; or

- (c) a firearm part that is a major firearm part or a part of a firearm that, when the part is removed, renders the firearm inoperable;

commercial carrier has the meaning given in section 315(1) of the Act;

commercial firearm warehousing has the meaning given in section 316(1) of the Act;

commercial warehouse operator has the meaning given in section 316(1) of the Act;

compliant accessory compartment, in relation to a firearm repository, means a compartment within the firearm repository that —

- (a) is constructed of mild steel; and
- (b) is entirely within the firearm repository; and
- (c) is only accessible from within the firearm repository; and
- (d) has a door that is locked using a compliant lock; and
- (e) cannot be removed from the firearm repository;

compliant container means a cabinet or container that meets or exceeds the requirements in Schedule 4;

compliant display requirements has the meaning given in regulation 264;

compliant lock means —

- (a) a compliant padlock; or
- (b) an internal lock that is unlocked using an access card, key, pin or code;

compliant padlock means a padlock that —

- (a) has a shrouded cover for use in securing the lock; and
- (b) has a physical security designation of at least S10 as determined in accordance with AS 4145.1-2008; and

- (c) has a corrosion resistance category of at least C4 as determined in accordance with AS 4145.1-2008;

compliant secure room requirements has the meaning given in regulation 265;

compliant storage has the meaning given in section 301 of the Act;

compliant strongroom requirements has the meaning given in regulation 266;

equivalent authority means an authority or instrument that is —

- (a) issued under the law in force in another State or country or a Territory; and
- (b) equivalent to a licence or permit;

external firearms law means a law of the Commonwealth, or of a place outside the State, that prohibits, restricts or otherwise regulates the possession, acquisition or supply of firearms or related things;

face, in relation to a cabinet or a container —

- (a) means a side or the top or bottom of the cabinet or container; but
- (b) does not include the door of the cabinet or container;

firearm repository means a cabinet, container, safe, secure room or strongroom;

firearm safety training course has the meaning given in section 166(1) of the Act;

firearms seller means a person who holds —

- (a) a Firearm Dealer Licence; or
- (b) a Firearm Manufacture Licence;

general storer has the meaning given in regulation 269;

government worker, in relation to a Government entity, means a person who is an employee or agent of, or contractor to, the Government entity;

Grade V safe means a safe with a resistance grade of at least V as determined in accordance with AS/NZS 3809:1998;

large calibre handgun means a handgun that —

- (a) has a calibre of at least 0.38 inches and not more than 0.45 inches; and
- (b) is not a muzzle loading handgun or a percussion lock or cap lock handgun;

level 1 container has the meaning given in regulation 261(1)(a);

level 1 storage has the meaning given in regulation 261;

level 2 container has the meaning given in regulation 262(1)(a);

level 2 storage has the meaning given in regulation 262;

level 3 storage has the meaning given in regulation 263;

museum activity has the meaning given in regulation 207(1);

occupied, in relation to a storage place for a firearm or related thing, means the storage place is a person's place of residence;

open hours, of a place, means the hours of the day when members of the public are permitted to enter the place;

operational level 1 alarm system, in relation to a storage place for a firearm or related thing, has the meaning given in regulation 267(2);

operational level 2 alarm system, in relation to a storage place for a firearm or related thing, has the meaning given in regulation 267(3);

operational video surveillance system, in relation to a storage place for a firearm or related thing, has the meaning given in regulation 268(2);

protected hinges, in relation to a door, means hinges of the door that are protected in such a way so that, if the hinges are removed, damaged or otherwise interfered with, the door remains in place and locked;

registered shooting competition has the meaning given in regulation 141(3);

revolving rifle means a rifle for which ammunition is loaded into, and fired from, a chamber inside a revolving cylinder;

shooting discipline means a shooting activity that tests proficiency and accuracy in firing a type of firearm under specific conditions;

shooting gallery has the meaning given in section 78 of the Act;

storage place, in relation to a firearm or related thing, means —

- (a) if the place at which the firearm or related thing is stored is a part, but not the whole, of a building or structure — the part of the building or structure at which the firearm or related thing is stored; or
- (b) otherwise — the place at which the firearm or related thing is stored;

storer has the meaning given in regulation 279;

trade storer means a person who stores a firearm or related thing that the person is authorised to possess under a Trade Licence;

unloaded external magazine means a magazine that does not contain ammunition;

unoccupied, in relation to a storage place for a firearm or related thing, means the storage place is not occupied.

Part 2 — Matters for Part 1 of Act

4. Disqualifying offences (Act s. 5)

For the purposes of paragraphs (c), (d), (e) and (f) of the definition of *disqualifying offence* in section 5 of the Act, a disqualifying offence is an offence under any of the following provisions —

- (a) section 236, 239, 241, 243, 245(1), 247(1), 250, 252, 254(1), 256 or 300(1) or (2) of the Act;
- (b) the *Weapons Act 1999* section 6A(1) or (2), 6B(1) or (2) or 7(1) or (2);
- (c) *The Criminal Code* section 74, 186(1), 191(1), 192(1), 305(3), 338E(1) or (2) or 407;
- (d) the *Misuse of Drugs Act 1981* section 8Q(1) or (2).

5. Disqualifying periods for disqualifying offences (Act s. 9)

- (1) Subregulation (2) applies if —
 - (a) a finding of guilt has been made against a person for a disqualifying offence; and
 - (b) either or both of the following apply —
 - (i) the statutory penalty for the disqualifying offence is or includes life imprisonment;
 - (ii) the person is ordered to be imprisoned indefinitely for the offence under the *Sentencing Act 1995* Part 14 or an equivalent law of another Australian jurisdiction.
- (2) For the purposes of section 9(1)(d) of the Act, the disqualifying period for the disqualifying offence is the period that —
 - (a) begins on the day on which the person is found guilty of the offence; and
 - (b) ends when the person dies.

- (3) For the purposes of section 9(1)(d) of the Act, if subregulation (2) does not apply, the disqualifying period for a disqualifying offence for which a finding of guilt has been made against a person is the period that —
- (a) begins on the day on which the person is found guilty of the offence; and
 - (b) is calculated by adding —
 - (i) any term of imprisonment imposed for the offence; and
 - (ii) the maximum period of imprisonment for the offence that could have been imposed on the person.

Examples for this subregulation:

1. Alex is found guilty of a disqualifying offence with a maximum penalty of imprisonment for 4 years or a fine of \$48 000 and is sentenced to a term of imprisonment of 18 months. The disqualifying period for Alex in relation to the disqualifying offence is calculated by adding the term of imprisonment imposed (18 months) to the maximum penalty (4 years). The disqualifying period is 5 years and 6 months beginning on the day on which Alex is found guilty.
 2. Belinda is found guilty of a disqualifying offence with a maximum penalty of imprisonment for 3 years and is not sentenced to a term of imprisonment for the offence. The disqualifying period for Belinda in relation to the disqualifying offence is calculated by reference to the maximum penalty (3 years) only as no term of imprisonment is imposed. The disqualifying period is 3 years beginning on the day on which Belinda is found guilty.
- (4) Despite subregulation (3), if the person is found guilty of 2 or more disqualifying offences in the same proceeding and —
- (a) 1 term of imprisonment is imposed — the reference in subregulation (3)(b)(ii) to the maximum period of imprisonment for the offence is a reference to the longest maximum period of imprisonment for the offences; or

- (b) 2 or more terms of imprisonment are imposed to be served cumulatively or partly cumulatively —
 - (i) the reference in subregulation (3)(b)(i) to a term of imprisonment imposed is a reference to the cumulative term of imprisonment imposed for the offences; and
 - (ii) the reference in subregulation (3)(b)(ii) to the maximum period of imprisonment for the offence is a reference to the longest maximum period of imprisonment for the offences;

or

- (c) 2 or more terms of concurrent imprisonment are imposed —
 - (i) the reference in subregulation (3)(b)(i) to a term of imprisonment imposed is a reference to the longest term of imprisonment imposed for the offences; and
 - (ii) the reference in subregulation (3)(b)(ii) to the maximum period of imprisonment for the offence is a reference to the longest maximum period of imprisonment for the offences.

Examples for this subregulation:

1. For the purposes of paragraph (b), Chris is found guilty of 2 disqualifying offences with maximum penalties of 5 years and 4 years and is sentenced to 2 terms of imprisonment of 3 years and 2 years to be served cumulatively. The disqualifying period for Chris in relation to each of the disqualifying offences is calculated by adding the cumulative term of imprisonment imposed (5 years) to the longest maximum penalty (5 years). The disqualifying period is 10 years beginning on the day on which Chris is found guilty.
2. For the purposes of paragraph (c), Doreen is found guilty of 2 disqualifying offences with maximum penalties of 5 years and 4 years and is sentenced to 2 terms of imprisonment of 3 years and 2 years to be served concurrently. The disqualifying period for Doreen in relation to each of the disqualifying offences is calculated by adding the longest term of imprisonment imposed (3 years) to the longest maximum penalty (5 years). The disqualifying period is 8 years beginning on the day on which Doreen is found guilty.

- (5) A reference in subregulation (3)(b)(i) or (4) to a term of imprisonment imposed on a person includes a reference to a term of —
- (a) suspended imprisonment imposed under the *Sentencing Act 1995* Part 11; or
 - (b) conditional suspended imprisonment imposed under the *Sentencing Act 1995* Part 12; or
 - (c) suspended imprisonment, or conditional suspended imprisonment, imposed under an equivalent law of another Australian jurisdiction.

Examples for this subregulation:

1. Eric is found guilty of a disqualifying offence with a maximum penalty of imprisonment for 4 years or a fine of \$48 000 and is sentenced to a term of imprisonment of 18 months suspended for 1 year. The disqualifying period for Eric in relation to the disqualifying offence is calculated by adding the term of suspended imprisonment imposed (18 months) to the maximum penalty (4 years). The disqualifying period is 5 years and 6 months beginning on the day on which Eric is found guilty.
 2. Fiona is found guilty of 2 disqualifying offences with maximum penalties of 5 years and 4 years and is sentenced to 2 cumulative terms of imprisonment of 2 years and 1 year suspended for 18 months. The disqualifying period for Fiona in relation to each of the disqualifying offences is calculated by adding the term of cumulative suspended imprisonment imposed (3 years) to the longest maximum penalty (5 years). The disqualifying period is 8 years beginning on the day on which Fiona is found guilty.
- (6) If the disqualifying offence is an indictable offence to which a summary conviction penalty applies and the offence is dealt with summarily, a reference in subregulation (3)(b)(ii) or (4) to the maximum period of imprisonment is a reference to the maximum period of imprisonment that could have been imposed on the person if the offence had not been dealt with summarily.

Example for this subregulation:

George is found guilty of 2 disqualifying offences - a simple offence with a maximum penalty of 3 years and an indictable offence dealt with summarily with a maximum penalty of 2 years if dealt with summarily and a maximum penalty of 5 years if it is not. George is sentenced to 2 terms of cumulative imprisonment of 2 years and 1 year suspended for

18 months. The disqualifying period for George in relation to each of the disqualifying offences is calculated by adding the term of cumulative suspended imprisonment imposed (3 years) to the longest maximum penalty for the indictable offence if it were not dealt with summarily (5 years). The disqualifying period is 8 years beginning on the day on which George is found guilty.

- (7) If a term of detention is imposed on the person for the disqualifying offence under the *Young Offenders Act 1994* or an equivalent law of another Australian jurisdiction —
- (a) a reference in subregulation (3)(b)(i) or (4) to a term of imprisonment is a reference to the term of detention imposed for the offence; and
 - (b) a reference in subregulation (3)(b)(ii), (4) or (6) to the maximum period of imprisonment is a reference to the maximum period of detention.

6. Disqualifying orders and their disqualifying periods (Act s. 5 and 9)

- (1) For the purposes of paragraph (c) of the definition of ***disqualifying order*** in section 5 of the Act, each of the following orders is a disqualifying order —
- (a) a protection order as defined in the *Community Protection (Offender Reporting) Act 2004* section 85;
 - (b) an interim control order or a control order as those terms are defined in the *Criminal Organisations Control Act 2012* section 3(1);
 - (c) a control order as defined in the *Criminal Code* (Commonwealth) section 100.1(1);
 - (d) a misconduct restraining order as defined in the *Restraining Orders Act 1997* section 3(1) that imposes restraints on the person bound by the order under section 36(2)(f) or (fa) or (3)(c) or (d) of that Act;
 - (e) an order made under the *Criminal Law (Mental Impairment) Act 2023* section 37;

- (f) an order made under the *Criminal Law (Mental Impairment) Act 2023* Part 5.
- (2) For the purposes of section 9(1)(b) of the Act, the disqualifying period for a disqualifying order made in relation to a person, other than for a disqualifying order that is of a temporary or interim nature only, is —
 - (a) if the order is made under the *Criminal Law (Mental Impairment) Act 2023* section 37 or 46(1)(c) — the period of 5 years beginning on the day on which the order is made; or
 - (b) otherwise — the period of 5 years beginning on the day on which the order ceases to be in force.

7. Disqualifying period for membership of disqualifying organisation (Act s. 9)

For the purposes of section 9(1)(f) of the Act, the disqualifying period for a person's membership of a disqualifying organisation is the period of 5 years beginning on the day on which the person ceases to be a member of the organisation.

8. Prescribed paintball gun (Act s. 5)

- (1) This regulation states the requirements for a prescribed paintball gun for the purposes of the definition of *prescribed paintball gun* in section 5 of the Act.
- (2) The paintball gun must —
 - (a) have a calibre of at least 0.4 inches and not more than 0.68 inches; and
 - (b) have a barrel length of at least 120 mm; and
 - (c) be a single shot gun, pump action gun or self-loading gun; and
 - (d) have a hopper to store paintball pellets that is attached externally to the gun; and
 - (e) have a pistol grip or stock; and

(f) have a foregrip.

(3) The paintball gun must not —

(a) be capable of firing a paintball pellet at a velocity of more than 91.44 metres per second; or

(b) have the appearance of —

(i) a handgun; or

(ii) a firearm specified in Schedule 2 Division 1.

9. Prescribed paintball pellet (Act s. 5)

(1) This regulation states the requirements for a prescribed paintball pellet for the purposes of the definition of *prescribed paintball pellet* in section 5 of the Act.

(2) The paintball pellet must —

(a) be in the form of a gelatine capsule; and

(b) have a diameter of at least 10 mm and no more than 17.27 mm; and

(c) be filled with a water-soluble marking dye of any colour except red or brown.

10. Prohibited accessory (Act s. 5)

For the purposes of paragraph (f) of the definition of *prohibited accessory* in section 5 of the Act, the following things are prohibited accessories —

(a) a device, commonly known as a solvent trap, made to be fitted to the barrel of a firearm to catch, trap and dispose of firearm cleaning solvent;

(b) a device, commonly known as a calibre conversion sleeve or adapter sleeve, made to be fitted in the chamber of a firearm to allow the firearm to discharge a different cartridge than the type it was designed to discharge;

- (c) a device, commonly known as a magazine limiter or restrictor, made to be fitted to a magazine to limit its capacity;
- (d) a device that is made to allow a firearm to be changed to fire automatically when the trigger is pulled.

11. Prohibited ammunition (Act s. 5)

For the purposes of the definition of *prohibited ammunition* in section 5 of the Act, the ammunition specified in Schedule 1 is prohibited ammunition.

12. Prohibited firearm (Act s. 5)

For the purposes of the definition of *prohibited firearm* in section 5 of the Act, the following firearms are prohibited firearms —

- (a) a firearm specified in Schedule 2 Division 1;
- (b) a firearm that is of a make and model specified in the Table in Schedule 2 Division 2 and chambered for any of the cartridges listed in Schedule 1 items 12 to 30.

Note for this regulation:

See also regulation 16.

13. Method of propulsion for firearm (Act s. 6)

For the purposes of section 6(1)(c) of the Act, the following are methods of propulsion for a firearm —

- (a) the exertion of force using a plunger that is propelled electronically, hydraulically or by compressed gas;
- (b) the exertion of electromagnetic force.

14. Things that are not firearms (Act s. 6)

For the purposes of section 6(3)(h) of the Act, the following things are not firearms —

- (a) a device that is made to throw a net for the purpose of catching animals, unless operation of the device requires the discharge of ammunition;
- (b) a device that —
 - (i) is made to shoot a projectile containing poison for the purpose of killing an animal that is a declared pest as defined in the *Biosecurity and Agriculture Management Act 2007* section 6; and
 - (ii) propels the projectile using force exerted by a plunger;
- (c) a medical or veterinary device for human or animal therapeutic diagnosis or treatment, including the following —
 - (i) a surgical staple gun;
 - (ii) an insulin pump or other battery-powered device for transfer of injectables;
 - (iii) any other medical or veterinary device that is spring-loaded, is battery-powered or uses compressed gas.

15. Firearm categories (Act s. 8)

- (1) For the purposes of section 8(1) of the Act, a firearm specified in Schedule 3 column 2 is of the category stated opposite the firearm in Schedule 3 column 1.
- (2) This regulation is subject to regulation 16.

16. Categorisation of firearms with particular functions or devices

- (1) This regulation applies to a firearm that has a function, or that has a device attached to the firearm, that allows the user of the firearm to change —
 - (a) the way the firearm loads; or
 - (b) how many shots the firearm fires when the trigger is pulled.
- (2) The firearm is a prohibited firearm for the purposes of the Act if —
 - (a) it is not a prohibited firearm under regulation 12 or section 8(4) of the Act; but
 - (b) it is capable of being changed so that it becomes a prohibited firearm under regulation 12 or section 8(4) of the Act.
- (3) If subregulation (2) does not apply, the firearm is a category D firearm for the purposes of the Act if —
 - (a) it is not a prohibited firearm under section 8(4) of the Act; and
 - (b) apart from this subregulation, it would not be a category D firearm; and
 - (c) it is capable of being changed so that it becomes a category D firearm.
- (4) If subregulations (2) and (3) do not apply, the firearm is a category C firearm for the purposes of the Act if —
 - (a) it is not a prohibited firearm under section 8(4) of the Act; and
 - (b) apart from this subregulation, it would not be a category C firearm; and
 - (c) it is capable of being changed so that it becomes a category C firearm.

17. Major firearm part (Act s. 14)

For the purposes of section 14(1)(h) of the Act, a revolving cylinder is a major firearm part.

Part 3 — Licences

Division 1 — Competition Licences

Subdivision 1 — Preliminary

18. Terms used

In this Division —

amendment application, in relation to a Competition Licence, means an application by the licensee under the licence to add a firearm to the licence, or to replace a firearm under the licence, under section 189(1)(a) or (b) of the Act;

barrel length, in relation to a handgun, means —

- (a) for a revolver — the distance from the muzzle of the barrel to the breech end immediately in front of the cylinder; or
- (b) otherwise — the distance from the muzzle of the barrel to the point of the breech face (including the chamber), measured with the top slide (if any) in the closed position.

Subdivision 2 — Applications and restrictions

19. Requirements for application for grant of licence and amendment application

- (1) An application for the grant of a Competition Licence must include the following —
 - (a) the shooting discipline in which the applicant intends to compete with the firearm to which the application relates;
 - (b) the letter required under regulation 20;
 - (c) if the application relates to a category C firearm — information about the matters of which the

Commissioner must be satisfied under regulation 22(3)(b) or (4)(b) and (c);

- (d) if the application relates to a category H firearm — information about the matters of which the Commissioner must be satisfied under regulations 23 and 24.

Note for this subregulation:

See also Part 4 Division 4 of the Act and Part 5 Division 1 of these regulations.

- (2) An amendment application must comply with subregulation (1)(a) and (b) and, if applicable, subregulation (1)(c) and (d).

Note for this subregulation:

Under section 189(3) of the Act, a licence must not be amended to add a firearm or replace a firearm with another firearm unless the Commissioner is satisfied that the licence could be granted to apply to the new firearm.

20. Club letter

- (1) This regulation applies in relation to —
 - (a) an application for the grant of a Competition Licence; or
 - (b) an amendment application.
- (2) The application must include a letter, in the approved form, from an authorised office bearer of a licensed firearm club that confirms that the applicant is a member of the club.
- (3) For the purposes of subregulation (2), an ***authorised office bearer*** is —
 - (a) the president of the licensed firearm club; or
 - (b) another office bearer of the club who is authorised by the president to provide the letter.
- (4) The letter must state the following —
 - (a) the name of the licensed firearm club;

- (b) the authority number of the club's Club Licence;
 - (c) the name and contact details of the authorised office bearer;
 - (d) confirmation that the club arranges for members to participate in shooting competitions in a shooting discipline relevant to the firearm to which the application relates.
- (5) If the application relates to 2 or more firearms, letters from different licensed firearm clubs can be provided in respect of different firearms for the purposes of subregulation (2).

21. Restriction on grant of licence: member of suitable licensed firearm club (Act s. 142)

- (1) This regulation restricts, under section 142 of the Act, the grant to a person of a Competition Licence that applies to a firearm.
- (2) The Commissioner must not grant the licence to apply to the firearm unless the Commissioner is satisfied that the person is a member of a licensed firearm club that arranges for members to participate in shooting competitions in a shooting discipline relevant to the firearm.

22. Restriction on grant of licence: category C firearm (Act s. 142)

- (1) This regulation restricts, under section 142 of the Act, the grant to a person of a Competition Licence that applies to a category C firearm.
- (2) The Commissioner must not grant the licence to apply to the category C firearm unless the Commissioner is satisfied that subregulation (3) or (4) applies.
- (3) This subregulation applies if —
 - (a) the category C firearm is a self-loading or pump action shotgun; and

- (b) the person —
 - (i) is a member of the Australian Clay Target Association (the *Association*) or a licensed firearm club affiliated with the Association; and
 - (ii) has, because of a lack of strength or dexterity, a physical need for a category C firearm that is a shotgun to enable the person to take part in shooting competitions in a shooting discipline involving clay targets.
- (4) This subregulation applies if —
 - (a) the category C firearm is a self-loading or pump action shotgun; and
 - (b) on 15 November 1996, the person was —
 - (i) in lawful possession of the category C firearm for use in shooting competitions in a shooting discipline involving clay targets; and
 - (ii) a member of a shooting club that arranged participation in, or conducted shooting competitions in, a shooting discipline involving clay targets;
 - and
 - (c) the person has been continually entitled to lawfully possess the firearm since 15 November 1996.

23. Restriction on grant of licence: characteristics of category H firearm (Act s. 124)

- (1) This regulation restricts, under section 124(a) of the Act, the grant of a Competition Licence that applies to a category H firearm.
- (2) The Commissioner must not grant the licence to apply to the category H firearm unless the category H firearm —
 - (a) has a calibre of 0.45 inches or less; and

- (b) is not capable of firing more than 10 rounds without being reloaded; and
 - (c) has a barrel length of —
 - (i) for a self-loading handgun — 120 mm or more; or
 - (ii) otherwise — 100 mm or more.
- (3) Subregulation (2)(c) does not apply if the Commissioner is satisfied that —
- (a) the category H firearm has been specially designed for target shooting; and
 - (b) the category H firearm is no easier to conceal on a person than —
 - (i) if the category H firearm is a self-loading handgun — a handgun that has a barrel length of 120 mm; or
 - (ii) otherwise — a handgun that has a barrel length of 100 mm.
- (4) The restrictions imposed under this regulation do not apply to a muzzle loading handgun or a percussion lock or cap lock handgun.

24. Restriction on grant of licence: member of handgun club for particular periods for category H firearm (Act s. 142)

- (1) In this regulation —
- handgun club*** means —
- (a) a licensed firearm club that arranges for members to participate in shooting competitions in a shooting discipline in which handguns are used; or
 - (b) an interstate or overseas shooting club or similar body that arranges for members to participate in shooting competitions in a shooting discipline in which handguns are used.

- (2) This regulation restricts, under section 142 of the Act, the grant to a person of a Competition Licence that applies to a category H firearm.
- (3) The Commissioner must not grant the licence to apply to the category H firearm unless the Commissioner is satisfied that the person was a member of a handgun club at all times during the 6-month period before the day on which the person applied for the grant of the licence.
- (4) The Commissioner must not grant the licence otherwise than in accordance with the following restrictions —
 - (a) the maximum number of category H firearms to which the licence can apply is 2;
 - (b) if the licence applies to 1 category H firearm only — the firearm must be a handgun that is —
 - (i) an air pistol that has a 0.177 inch calibre; or
 - (ii) a centrefire handgun; or
 - (iii) a rim-fire handgun that has a 0.22 inch calibre;
 - (c) if the licence applies to 2 category H firearms —
 - (i) one must be a handgun that is an air pistol that has a 0.177 inch calibre; and
 - (ii) the other must be a handgun that is a centrefire handgun or that is a rim-fire handgun that has a 0.22 inch calibre.
- (5) For the purposes of section 189(3) of the Act, this regulation does not apply in relation to the amendment of a Competition Licence, under section 189(1)(a) or (b) of the Act, to add a category H firearm, or to replace a firearm to which the licence applies with a category H firearm, unless —
 - (a) the licence has never previously applied to a category H firearm; or
 - (b) the probationary requirements are not met.

- (6) For the purposes of subregulation (5)(b), the *probationary requirements* are as follows —
- (a) if the Competition Licence was granted to apply to a category H firearm —
 - (i) the 6-month period beginning on the day on which the licence was granted expired before the licensee applied under section 189(1)(a) or (b) of the Act; and
 - (ii) at any time before the licensee applied under section 189(1)(a) or (b) of the Act, the licensee was a member of a handgun club for a continuous 12-month period, at least 6 months of which were after the day referred to in subparagraph (i);
 - (b) if the Competition Licence was not granted to apply to a category H firearm but currently applies, or has previously applied, to a category H firearm as a result of a previous amendment under section 189(1)(a) or (b) of the Act —
 - (i) the 6-month period beginning on the day on which the licence was amended for the first time to apply to a category H firearm expired before the licensee applied under section 189(1)(a) or (b) of the Act; and
 - (ii) at any time before the licensee applied under section 189(1)(a) or (b) of the Act, the licensee was a member of a handgun club for a continuous 12-month period, at least 6 months of which were after the day referred to in subparagraph (i).
- (7) For the purposes of section 189(3) of the Act, in a case in which this regulation applies in relation to the amendment of a Competition Licence in accordance with subregulation (5), subregulation (3) has effect as if the reference to the day on

which the person applied for the licence were a reference to the day on which the person applied under section 189(1)(a) or (b) of the Act.

25. Maximum number of firearms (Act s. 30)

- (1) In this regulation —

elite firearm, in relation to a Competition Licence, means a firearm of a type that is used in a shooting discipline in which the applicant for the licence or the licensee (as the case requires) consistently competes at a State, national or international level;

reputable shooting organisation means a State, national or international shooting organisation that the Commissioner considers to be reputable;

State includes a Territory.

- (2) This regulation states, under section 30(3) of the Act, circumstances in which the maximum number of firearms that a Competition Licence can apply to at any one time can be greater than 10.
- (3) The Commissioner may grant a Competition Licence that applies to more than 10 firearms if the Commissioner is satisfied that at least the minimum number of those firearms are elite firearms.
- (4) For the purposes of subregulation (3), the ***minimum number*** is the number by which the number of firearms to which the licence applies is greater than 10.

Example for this subregulation:

If the licence applies to 12 firearms, the minimum number is 2.

- (5) For the purposes of section 189(3) of the Act, subregulation (3) does not apply in the case of an application under section 189(1)(a) of the Act in respect of a Competition Licence.

- (6) Instead, the Commissioner must not amend the licence unless —
- (a) if the licence already applies to 10 or more firearms — the Commissioner is satisfied that each firearm to be added to the licence is an elite firearm; or
 - (b) if the licence applies to fewer than 10 firearms but would, if amended, apply to more than 10 firearms — the Commissioner is satisfied that at least the minimum number of the firearms to be added to the licence are elite firearms.
- (7) For the purposes of subregulation (6)(b), the *minimum number* is the number by which the number of firearms to which the licence applies would be greater than 10 if the licence were amended.

Example for this subregulation:

If the licence currently applies to 8 firearms and the application under section 189(1)(a) of the Act is for 4 firearms to be added, the minimum number is 2.

- (8) Subregulation (9) applies if —
- (a) in respect of a Competition Licence that applies to more than 10 firearms, an application is made under section 189(1)(b) of the Act to replace a firearm (the *current firearm*) with another firearm (the *new firearm*); and
 - (b) the Commissioner is satisfied that the current firearm is an elite firearm or was an elite firearm when the licence first applied to it.
- (9) The Commissioner must not amend the licence to replace the current firearm with the new firearm unless the Commissioner is satisfied that the new firearm is an elite firearm.
- (10) An application of any of the following types must be accompanied by a letter from a reputable shooting organisation

that confirms the matters referred to in subregulation (3), (6)(a) or (b) or (9) (if and as applicable) —

- (a) an application for the grant or renewal of a Competition Licence that would apply, or that applies, to more than 10 firearms;
- (b) an application under section 189(1)(a) of the Act which, if granted, would result in a Competition Licence applying to more than 10 firearms;
- (c) an application under section 189(1)(a) or (b) of the Act in respect of a Competition Licence that already applies to more than 10 firearms.

Note for this regulation:

In the case of a Competition Licence that applies to more than 10 firearms, the Commissioner may cancel, or refuse to renew, the licence under section 193(1)(d) of the Act if the Commissioner is satisfied that the licence would not be granted to apply to more than 10 firearms under this regulation if the licensee were then applying for it. (The reference to “this Act” in section 193(1)(d) of the Act includes these regulations — see the *Interpretation Act 1984* section 46.)

Subdivision 3 — Minimum activity requirements

26. Prescribed minimum activity requirement (Act s. 32)

- (1) In this regulation —
external shooting competition has the meaning given in regulation 27(1).
- (2) This regulation requires, under section 32(1) of the Act, a licensee under a Competition Licence to participate in a minimum number of shooting competitions.
- (3) The licensee must participate in at least 6 shooting competitions in each 12-month period of the licence.

- (4) For the purposes of subregulation (3) —
- (a) a shooting competition counts only if —
 - (i) the shooting competition is a registered shooting competition or an external shooting competition recognised for the licensee; and
 - (ii) the licensee uses a firearm to which the licence applies when participating in the shooting competition;
- and
- (b) the first 12-month period begins on the day on which the licence is granted.

27. External shooting competitions

- (1) An *external shooting competition* is a shooting competition conducted outside the State that the Commissioner recognises for a licensee under this regulation.
- (2) A licensee may make a request, in the approved manner and approved form, for the Commissioner to recognise for the licensee a shooting competition conducted outside the State.
- (3) The Commissioner must recognise the shooting competition for the licensee if the Commissioner is satisfied that —
 - (a) the licensee participated in the competition; and
 - (b) the competition —
 - (i) was in a shooting discipline relevant to a firearm to which the licensee's licence applies; and
 - (ii) was conducted by, or affiliated with, a reputable interstate, national or international shooting or sporting organisation.
- (4) The Commissioner must give the licensee written notice of —
 - (a) a decision to recognise, or refuse to recognise, the shooting competition for the licensee; and

- (b) if the Commissioner decides to refuse to recognise the shooting competition for the licensee — the reasons for the decision.

28. Reduction or waiver of prescribed minimum activity requirement (Act s. 32)

- (1) The Commissioner may, in respect of a 12-month period, reduce or waive the prescribed minimum activity requirement imposed under regulation 26 on the licensee under a Competition Licence.
- (2) The Commissioner may reduce or waive the requirement on —
 - (a) the request of the licensee made in the approved manner and approved form; or
 - (b) the Commissioner's own initiative.
- (3) The Commissioner may reduce or waive the requirement only if the Commissioner is satisfied that the licensee has a reasonable excuse for not complying with the requirement.
- (4) The Commissioner's power to reduce or waive the requirement is only exercisable before or during the 12-month period.
- (5) The Commissioner must give a licensee written notice of —
 - (a) a decision to reduce or waive the requirement for the licensee; or
 - (b) if the licensee requested a reduction or waiver of the requirement and the Commissioner decides to refuse the request — the decision to refuse the request and the reasons for the decision.

29. Condition of licence: large calibre handguns (Act s. 187)

- (1) This regulation imposes, under sections 186(1)(b) and 187(1)(a) of the Act, a condition on a Competition Licence that applies to a large calibre handgun.

- (2) The licensee under the licence must not use the large calibre handgun other than in competitions or training for —
- (a) the shooting discipline known as “Metallic Silhouette”;
or
 - (b) the shooting discipline known as “Western Action” or “Single Action”.

Division 2 — Hunting Licences

Subdivision 1 — General

30. Terms used

In this Division —

authorised person, for land, has the meaning given in section 39(1) of the Act;

hunting permission has the meaning given in section 39(2) of the Act;

permission holder means the person to whom permission is given to engage in hunting on land under a hunting permission;

standard hunting permission means a hunting permission referred to in regulation 35(a);

temporary hunting permission means a hunting permission referred to in regulation 35(b).

31. Extension of authority conferred by Hunting Licence (Act s. 122)

- (1) This regulation extends, under section 122 of the Act, the authority conferred by a Hunting Licence.
- (2) In addition to the authority referred to in section 36 of the Act, a Hunting Licence authorises the licensee to use a firearm to which the licence applies for the purposes of the lawful hunting of animals on any land if —
 - (a) the land is in the State; and

- (b) the licensee has permission to engage in hunting on the land under section 39 of the Act; and
- (c) the land is suitable for hunting using the firearm under the licence as provided by section 40 of the Act.

32. Limit on authority (Act s. 123)

- (1) This regulation limits, under section 123(1) of the Act, the authority conferred by a Hunting Licence.
- (2) A licensee is not authorised to use a firearm on land for which the licensee has approval for hunting under section 38 of the Act if no hunting permission, giving the licensee permission to engage in hunting on the land, is in force.

Example for this subregulation:

Despite an approval under section 38 of the Act applying to the land, there is no hunting permission in force for the land because a hunting permission for the land expired, lapsed or was revoked.

33. Restriction on grant of licence: no standard hunting permission (Act s. 142)

- (1) This regulation restricts, under section 142 of the Act, the grant of a Hunting Licence to a person.
- (2) The Commissioner must not grant the licence if the person does not have a standard hunting permission for any land at all.

34. Applications for determination of suitability of land for hunting using firearm

- (1) An authorised person for land may apply to the Commissioner, in the approved manner and approved form, for a determination of the Commissioner's satisfaction under section 40 of the Act as to the land's suitability for hunting using a firearm under a Hunting Licence.
- (2) An applicant must provide the Commissioner with the information that the approved form of application requires.

Subdivision 2 — Hunting permissions

35. Types of hunting permission

In order to have effect, a hunting permission must be expressed to be either —

- (a) a standard hunting permission; or
- (b) a temporary hunting permission.

36. Period for hunting permission (Act s. 39)

- (1) For the purposes of section 39(5)(a) of the Act, this regulation prescribes the period for which a hunting permission remains in force (unless the permission is sooner revoked).
- (2) If the person to whom a standard hunting permission is given holds a Hunting Licence at the time the permission is given, the permission remains in force until the end of the current term of the licence (unless the permission is sooner revoked).
- (3) If the person to whom a standard hunting permission is given does not hold a Hunting Licence at the time the permission is given —
 - (a) the permission remains in force until the end of the first term of any Hunting Licence granted to the person within 120 days after the day on which the permission is given (unless the permission is sooner revoked); and
 - (b) the permission expires if the person is not granted a Hunting Licence within 120 days after the day on which the permission is given.
- (4) A temporary hunting permission remains in force for the period, not exceeding 14 days, specified in the permission (unless the permission is sooner revoked).

37. Requirement to notify Commissioner if no longer authorised person (Act s. 39)

- (1) For the purposes of section 39(5)(b) of the Act, this regulation requires a person who gives hunting permission for land to notify the Commissioner if the person ceases to be an authorised person for the land.
- (2) The person must notify the Commissioner, in the approved manner and approved form, that the person has ceased to be an authorised person for the land within 28 days after the day on which they cease to be an authorised person for the land.
Penalty for this subregulation: a fine of \$2 000.

38. Lapsing of hunting permission if person ceases to be authorised person (Act s. 39)

For the purposes of section 39(5)(c) of the Act, a hunting permission lapses in the event that the person who gave the permission ceases to be an authorised person for the land.

39. Obligation of person revoking hunting permission

A person who revokes a hunting permission for land must notify the Commissioner of that fact, in the approved manner and approved form, within 28 days after the day on which they revoke the permission.
Penalty: a fine of \$2 000.

40. Renewal of hunting permission (Act s. 39)

- (1) For the purposes of section 39(5)(e) of the Act, an authorised person who gives a hunting permission may renew it only while it is in force.
- (2) If an authorised person for land renews a permission holder's standard hunting permission —
 - (a) the renewed permission remains in force until the end of any term for which the permission holder's Hunting

Licence is renewed within 120 days after the day on which the permission is renewed (unless the renewed permission is sooner revoked); and

- (b) the renewed permission expires if the permission holder's Hunting Licence is not renewed within 120 days after the day on which the permission is renewed.
- (3) Subject to this regulation —
- (a) the renewal of a hunting permission is taken, for the purposes of the Act and these regulations, to be the giving of a hunting permission; and
 - (b) the Act and these regulations apply to the renewal of a hunting permission in the same way they apply to the giving of a hunting permission.

41. Giving copies of hunting permissions to Commissioner

- (1) The Commissioner may, by written order, require a person who is or was an authorised person for land to give the Commissioner a copy of each hunting permission for the land given by the person within the last 5 years.
- (2) The person must comply with the order within 28 days after the day on which the order is given to the person (or such later date as may be specified in the order).

Penalty for this subregulation: a fine of \$2 000.

Division 3 — Paintball Licences

42. Requirement for application for grant of licence: licensed paintball business letter

- (1) An application for the grant of a Paintball Licence must include a letter, in the approved form, from a licensee under a Paintball Business Licence that confirms that the applicant has participated in at least 3 paintball games conducted under the

authority of the Paintball Business Licence within the last 6 months.

- (2) The letter must state the following —
- (a) the name of the licensee;
 - (b) the authority number of the licensee’s Paintball Business Licence;
 - (c) if the licensee is a body corporate or partnership — the name of the responsible person for the licence providing the letter for the licensee.

Note for this subregulation:

For the purposes of paragraph (c), see sections 129 and 132 of the Act.

43. Limit on authority: no use other than at licensed premises (Act s. 123)

- (1) In this regulation —
licensed premises has the meaning given in regulation 70.
- (2) This regulation limits, under section 123(1) of the Act, the authority conferred by a Paintball Licence under section 42 of the Act.
- (3) The licence does not authorise the use of a prescribed paintball gun to which the licence applies other than at licensed premises for a Paintball Business Licence.

Division 4 — Business Licences

Subdivision 1 — Preliminary

44. Terms used

In this Division —

amendment application, in relation to a Business Licence, means an application by the licensee under the licence to add a

firearm to the licence, or to replace a firearm under the licence, under section 189(1)(a) or (b) of the Act;

business has the meaning given in section 43 of the Act;

business firearm, in relation to a Business Licence, has the meaning given in section 43 of the Act.

45. Activity that is business (Act s. 43)

For the purposes of paragraph (b) of the definition of *business* in section 43 of the Act, an activity carried out by an incorporated association (as defined in the *Associations Incorporation Act 2015* section 3) for the objects or purposes of the association is a business.

Subdivision 2 — Matters for all Business Licences

46. Requirements for application for grant of licence and amendment application

- (1) An application for the grant of a Business Licence must include —
 - (a) a business plan that complies with regulation 47; and
 - (b) any other information required under this Division for the kind of Business Licence applied for.

Note for this subregulation:

See also Part 4 Division 4 of the Act and Part 5 Division 1 of these regulations.

- (2) An amendment application must comply with any requirements in this Division stated to apply to an amendment application for the kind of Business Licence applied for.

Note for this subregulation:

Under section 189(3) of the Act, a licence must not be amended to add a firearm or replace a firearm with another firearm unless the Commissioner is satisfied that the licence could be granted to apply to the new firearm.

47. Requirements for application for grant of licence: business plan

An application for the grant of a Business Licence must include a business plan that includes the following —

- (a) a description of the services (each a *relevant service*) the applicant intends to provide that require the possession or use of a firearm under the licence;
- (b) projections on the volume of business transactions that the applicant expects to enter into for providing a relevant service to customers over the proposed term of the licence;
- (c) evidence that demonstrates and supports how the projections under paragraph (b) might be achieved.

Examples for this paragraph:

Market research, a marketing plan and strategies about operations and finances.

48. Record-keeping requirements for licence

- (1) In this regulation —
required information means —
 - (a) for a firearm — the serial number of the firearm; or
 - (b) for a major firearm part — a serial number appearing on the part or, if there is no serial number, the type of part; or
 - (c) for ammunition — the quantity and type of the ammunition and whether the ammunition is live or blank ammunition.
- (2) The licensee under a Business Licence must record the following information about the withdrawal of a business firearm, a major firearm part of a business firearm or ammunition from compliant storage —
 - (a) the required information for the item;

- (b) the name of the person making the withdrawal;
- (c) the reason for the withdrawal;
- (d) the date and time of the withdrawal.

Penalty for this subregulation: a fine of \$5 000.

- (3) The licensee must keep the information recorded under subregulation (2) for the period of 5 years after the day of the withdrawal.

Penalty for this subregulation: a fine of \$5 000.

- (4) The licensee under a Business Licence must record the following information about the return of a business firearm, a major firearm part of a business firearm or ammunition to compliant storage —
 - (a) the required information for the item;
 - (b) the name of the person returning the item;
 - (c) the date and time of the return;
 - (d) for ammunition, if the quantity of ammunition returned differs from the quantity of ammunition withdrawn from compliant storage — the reason why.

Penalty for this subregulation: a fine of \$5 000.

- (5) The licensee must keep the information recorded under subregulation (4) for the period of 5 years after the day of the return.

Penalty for this subregulation: a fine of \$5 000.

- (6) A record of information required under this regulation must be made and kept in the approved manner and approved form.
- (7) This regulation does not apply to a licensee under a Security Agent Business Licence.

Note for this subregulation:
See regulation 51.

Subdivision 3 — Security Agent Business Licence

49. Terms used

In this Subdivision —

relevant training course means a firearm safety training course that —

- (a) is the course that an applicant for approval as an authorised person for a Security Agent Business Licence is required to complete; and
- (b) if applicable — is taught by a person by whom the approval of the course requires it to be taught;

Note for this definition:

See regulation 224.

security agent business has the meaning given in section 48(1) of the Act;

security agent's licence has the meaning given in the *Security and Related Activities (Control) Act 1996* section 3;

security officer has the meaning given in the *Security and Related Activities (Control) Act 1996* section 12.

50. Requirements for application for grant of licence

- (1) An application for the grant of a Security Agent Business Licence must include the following —
 - (a) the name of the person who holds the security agent's licence under which the security agent business is conducted;
 - (b) the licence number for the licence referred to in paragraph (a) (if any);
 - (c) the reasons why a firearm is required by a security officer in the course of the operation of the security agent business, including any risks posed by —

- (i) the nature of the activities that may be carried out by the officer; or
 - (ii) the locations where the activities may be carried out by the officer.
- (2) Subregulation (3) applies if an application has been made, but not decided, for the issue of a security agent's licence under the *Security and Related Activities (Control) Act 1996* in relation to the business for which a Security Agent Business Licence is sought.
- (3) For the purposes of subregulation (1)(a) and (b), the application must instead include —
 - (a) the name of the person who made the application for the issue of the security agent's licence; and
 - (b) the date on which the application was made; and
 - (c) any application number given to the person who made the application.

51. Record-keeping requirements for licence: particular records

- (1) This regulation applies in relation to records that —
 - (a) a licensee under a Security Agent Business Licence is required to keep and preserve under the *Security and Related Activities (Control) Act 1996* section 78; and
 - (b) are of a type referred to in the *Security and Related Activities (Control) Regulations 1997* regulations 35(a) and 36; and
 - (c) relate to an authorised person for the licence carrying out an activity as a security officer for the licensee's security agent business.
- (2) The records are also records the licensee must keep for the purposes of the Act.

- (3) For the purposes of the Act, the records must be kept for the same period as required under the *Security and Related Activities (Control) Act 1996* section 78(1)(c).

Note for this regulation:

See section 362 of the Act and regulation 253.

52. Conditions of licence: authorised persons for licence (Act s. 186 and 187)

- (1) In this regulation —
approved storage place, in relation to a firearm or related thing, has the meaning given in section 301 of the Act.
- (2) This regulation imposes, under sections 186(1)(c) and 187(1)(a) of the Act, conditions on a Security Agent Business Licence that apply to an authorised person for the licence.
- (3) An authorised person who is a security officer must not be in immediate possession of more than 1 business firearm while carrying out activities authorised by the officer's security officer licence under the *Security and Related Activities (Control) Act 1996*.
- (4) An authorised person who is wearing a business firearm must comply with subregulations (5) to (7).
- (5) The firearm must be carried in a holster that is —
- (a) suitable for the size and shape of the firearm; and
 - (b) if the holster is worn in conjunction with a belt — securely attached to the belt.
- (6) If the holster is concealed by clothing, it must have at least 1 feature or device, commonly known as a retention level, that is —
- (a) integrated with, or attached to, the holster; and
 - (b) designed to secure the firearm in the holster; and

- (c) engaged, if engagement of the retention level is required to secure the firearm.

Examples of a feature or device for this subregulation:

A friction fit, safety strap, thumb break or trigger guard lock.

- (7) If the holster is not concealed by clothing, it must have at least 2 features or devices, commonly known as retention levels, that are each —
 - (a) integrated with, or attached to, the holster; and
 - (b) designed to secure the firearm in the holster; and
 - (c) engaged, if engagement of the retention level is required to secure the firearm.

- (8) An authorised person who is a security officer must not be in possession of a business firearm, outside an approved storage place for the firearm, unless —
 - (a) the person is carrying out an activity that is authorised by the officer's security officer licence under the *Security and Related Activities (Control) Act 1996*; or
 - (b) the person is carrying out an activity that is reasonably incidental to the person carrying out an activity referred to in paragraph (a), including, for example, necessary travel from an approved storage place for the firearm to the place where the person is to carry out the activity referred to in paragraph (a); or
 - (c) the person is in possession of the firearm for the purposes of —
 - (i) the acquisition, supply or repair of the firearm; or
 - (ii) the use of the firearm at a licensed firearm range.

53. Condition of approval of authorised person for licence (Act s. 186 and 187)

- (1) This regulation imposes, under sections 186(2) and 187(1)(a) of the Act, a condition on the approval of an authorised person for a Security Agent Business Licence.
- (2) The authorised person must complete the relevant training course in each 12-month period of the person's approval as an authorised person for the licence.
- (3) The first 12-month period starts on the day on which the person's approval is granted.

54. Condition of licence: licensee (Act s. 186 and 187)

- (1) This regulation imposes, under sections 186(1)(b) and 187(1)(a) of the Act, a condition on a Security Agent Business Licence that applies to the licensee under the licence.
- (2) The licensee must ensure that each authorised person for the licence complies with the conditions imposed under regulations 52 and 53.

55. Record of completion of relevant training course

- (1) This regulation applies if an authorised person for a Security Agent Business Licence completes a relevant training course as required under regulation 53.
- (2) The course provider must give the authorised person a document that confirms that the authorised person has completed the relevant training course.
Penalty for this subregulation: a fine of \$2 000.
- (3) For the purposes of subregulation (2), the course provider is the person directly engaged by the authorised person, or by another person on behalf of the authorised person, to provide the relevant training course.

- (4) The authorised person must keep a document received under subregulation (2) for the period of 3 years after the day on which the document is received.

Penalty for this subregulation: a fine of \$2 000.

- (5) The authorised person must give the licensee under the Security Agent Business Licence a document received under subregulation (2) within 28 days after the day on which the document is received.

Penalty for this subregulation: a fine of \$2 000.

- (6) The licensee under the Security Agent Business Licence must keep a document received from the authorised person under subregulation (5) for the period of 3 years after the day on which the document is received.

Penalty for this subregulation: a fine of \$2 000.

56. Limit on authority: no manufacture of ammunition (Act s. 123)

- (1) This regulation limits, under section 123(1) of the Act, the authority conferred by a Security Agent Business Licence under section 117 of the Act.
- (2) The licence does not authorise an authorised person for the licence to manufacture ammunition for a business firearm.

Subdivision 4 — Firearms Training Business Licence

57. Requirements for application for grant of licence

An application for the grant of a Firearms Training Business Licence must include the following —

- (a) details of the firearms training the applicant intends to provide, including the types of firearms for which the applicant proposes to provide training;
- (b) details of the licensed firearm range at which the applicant intends to provide firearms training;

- (c) if the licensed firearm range is not a range the applicant owns or operates — evidence of the permission required under section 81 of the Act to use the range;
- (d) information about the matter of which the Commissioner must be satisfied under regulation 58.

58. Restriction on grant of licence: appropriately qualified to provide firearms training (Act s. 142)

- (1) In this regulation —
appropriately qualified, to provide firearms training, means having the necessary experience, qualifications or skills to safely and competently provide the training;
firearms training business has the meaning given in section 49(1) of the Act.
- (2) This regulation restricts, under section 142 of the Act, the grant of a Firearms Training Business Licence to a person.
- (3) The Commissioner must not grant the licence unless the Commissioner is satisfied that the person, or a person who will be an authorised person for the licence, is appropriately qualified to provide the firearms training that the person intends to provide in the firearms training business for which the licence is sought.
- (4) For the purposes of subregulation (3), the Commissioner may be satisfied that for different types of firearms training, different persons are appropriately qualified to provide the training.

Subdivision 5 — Theatrical Firearm Business Licence

59. Terms used

In this Subdivision —

inert ammunition means ammunition excluded from the definition of *ammunition* in section 5 of the Act under paragraph (c)(i) of that definition;

theatrical performance has the meaning given in section 50(1) of the Act;

theatrical worker means a person who is an actor or other person involved in a theatrical performance.

60. Requirements for application for grant of licence

An application for the grant of a Theatrical Firearm Business Licence must include information about —

- (a) the particular theatrical performance, or types of theatrical performances, for which the applicant requires a firearm; and
- (b) the matter of which the Commissioner must be satisfied under regulation 61.

61. Restriction on grant of licence: replica or visual effects not suitable (Act s. 142)

- (1) This regulation restricts, under section 142 of the Act, the grant of a Theatrical Firearm Business Licence.
- (2) The Commissioner must not grant the licence unless the Commissioner is satisfied that the use of a replica of a firearm, or visual effects that replicate the use of a firearm, would not be a suitable and appropriate substitute for the proposed use of the firearm authorised by the licence.

62. Conditions of approval of authorised person for licence (Act s. 186 and 187)

- (1) This regulation imposes, under sections 186(2) and 187(1)(a) of the Act, conditions on the approval of an authorised person for a Theatrical Firearm Business Licence.
- (2) Subregulation (3) applies in relation to the authorised person giving immediate possession of a business firearm to a theatrical worker under the authority of the licence for the purposes of a particular work of live or recorded entertainment if the theatrical

worker has not previously been given immediate possession of a business firearm under the authority of the licence for the purposes of the particular work of live or recorded entertainment.

- (3) The authorised person must not give immediate possession unless an authorised person for the licence has provided training to the theatrical worker on the safe handling and use of the firearm for the purposes of the particular work of live or recorded entertainment.
- (4) Subregulation (5) applies in relation to each occasion on which the authorised person gives immediate possession of a business firearm to a theatrical worker under the authority of the licence for the purposes of a particular theatrical performance.
- (5) The authorised person must not give immediate possession unless the authorised person has first —
 - (a) checked that the firearm has not been loaded with live ammunition, except if the use of the firearm with live ammunition has been approved under section 50(4) of the Act; and
 - (b) given a safety briefing to the theatrical worker that —
 - (i) summarises key points about the safe use and handling of the firearm; and
 - (ii) advises whether the firearm is loaded and, if so, whether it is loaded with blank, live or inert ammunition; and
 - (iii) advises whether any ammunition or inert ammunition given to the theatrical worker separately to the firearm is blank, live or inert ammunition;and
 - (c) if the firearm is loaded with live or blank ammunition, or blank or inert ammunition will be given to the theatrical worker separately to load in the firearm —

given an additional safety briefing that complies with subregulation (6).

- (6) The safety briefing for the purposes of subregulation (5)(c) must —
- (a) be given to the theatrical worker and all other persons who will be present when the worker has possession of the firearm; and
 - (b) advise how the firearm should be used safely and where the firearm will be fired; and
 - (c) advise of the emergency procedure to be followed if a person is injured by the firearm.
- (7) If the authorised person is at a place at which blank, live or inert ammunition is being used in a theatrical performance under the authority of the licence, the authorised person must ensure that the blank, live or inert ammunition is directly contained in a package or container that is clearly labelled as containing blank, live or inert ammunition (as the case requires).
- (8) Subregulation (7) does not apply at any time when the ammunition —
- (a) is loaded in a business firearm; or
 - (b) is being readied for loading in a business firearm; or
 - (c) is in a person's actual physical possession —
 - (i) immediately preceding the loading of the ammunition in a business firearm; or
 - (ii) immediately after the unloading of the ammunition from a business firearm.
- (9) The authorised person must not put ammunition (the **relevant ammunition**) possessed under the authority of the licence in a container or package that directly contains the ammunition and also directly contains —
- (a) if the relevant ammunition is blank ammunition — live ammunition; or

- (b) if the relevant ammunition is live ammunition — blank ammunition; or
- (c) inert ammunition.

63. Conditions of licence: licensee (Act s. 186 and 187)

- (1) This regulation imposes, under sections 186(1)(b) and 187(1)(a) of the Act, conditions on a Theatrical Firearm Business Licence that apply to the licensee under the licence.
- (2) If ammunition is in use at a place for the purposes of it being used in a particular theatrical performance at the place, the licensee must ensure that a person who possesses a current first aid qualification is present at the place.
- (3) For the purposes of subregulation (2), ammunition is in use if it is —
 - (a) loaded in a business firearm; or
 - (b) being readied for loading in a business firearm; or
 - (c) in a person's actual physical possession immediately preceding the loading or unloading of the ammunition in a business firearm.
- (4) The licensee must ensure that each authorised person for the licence complies with the conditions imposed under regulation 62.

64. Application for approval for use of firearm with live ammunition under s. 50(4) of Act

- (1) An application for an approval under section 50(4) of the Act for the use of a firearm with live ammunition under the authority of a Theatrical Firearm Business Licence must include the following —
 - (a) the name of the work of live or recorded entertainment (the *relevant production*) for which live ammunition is needed;

- (b) the name, date of birth and contact details of each person who is proposed to be in immediate possession of a firearm loaded with live ammunition;
 - (c) the period for which the licensee will need to possess live ammunition under the approval;
 - (d) information about the matters of which the Commissioner must be satisfied under regulation 65.
- (2) The application must also include a risk assessment and mitigation plan that —
- (a) evaluates the risks associated with having live ammunition at the place where the theatrical performance of the relevant production will occur; and
 - (b) provides ways to mitigate those risks, including, for example —
 - (i) ensuring that all persons on set are warned that live ammunition is on set; and
 - (ii) ensuring that training is provided to persons who will be in immediate possession of a firearm loaded with live ammunition on the safe handling and use of a loaded firearm.

65. Restriction on grant of approval for use of firearm with live ammunition under s. 50(4) of Act (Act s. 142)

- (1) This regulation restricts, under section 142 of the Act, the grant of an approval under section 50(4) of the Act authorising the use of a firearm with live ammunition under a Theatrical Firearm Business Licence.
- (2) The Commissioner must not grant the approval unless the Commissioner is satisfied that —
 - (a) blank ammunition would not be a suitable and appropriate substitute for the live ammunition; and

- (b) the licensee is capable of safely and appropriately managing the risks associated with the possession and use of live ammunition; and
- (c) the type of live ammunition that the licensee proposes to use is suitable and appropriate for the proposed use of the firearm.

66. Conditions of approval for use of firearm with live ammunition under s. 50(4) of Act (Act s. 186 and 187)

- (1) This regulation imposes, under sections 186(1)(b) and (c) and 187(1)(a) of the Act, conditions on an approval under section 50(4) of the Act for the use of a firearm with live ammunition under the authority of a Theatrical Firearm Business Licence.
- (2) The licensee or an authorised person for the licence must not allow a theatrical worker who is in immediate possession of a business firearm to load the firearm with live ammunition or unload live ammunition from the firearm.
- (3) A theatrical worker who is in immediate possession of a business firearm must not load the firearm with live ammunition or unload live ammunition from the firearm.
- (4) Subregulations (2) and (3) do not apply if the theatrical worker is also an authorised person for the licence.
- (5) Subregulation (6) applies in relation to a business firearm that is —
 - (a) at a place for the purposes of it being used in a particular theatrical performance at the place; and
 - (b) loaded with live ammunition.
- (6) Each authorised person for the licence who is at the place must ensure the business firearm is tagged at all times to clearly identify that it is loaded with live ammunition except when —

- (a) both —
 - (i) it is in a theatrical worker's immediate possession under the immediate supervision of an authorised person for the licence; and
 - (ii) it is necessary for the tag to be removed for the purposes of the theatrical performance;or
 - (b) an authorised person for the licence is giving the firearm to the theatrical worker for the purposes of the possession referred to in paragraph (a); or
 - (c) a theatrical worker, having been in possession of the firearm as referred to in paragraph (a), is returning the firearm still loaded with live ammunition to an authorised person for the licence.
- (7) If live ammunition is in use at a place for the purposes of a theatrical performance at the place, each authorised person for the licence who is at the place must ensure 1 or more signs or flags at the place are on display to warn persons at the place that live ammunition is present.
- (8) For the purposes of subregulation (7), ammunition is in use if it is —
- (a) loaded in a business firearm; or
 - (b) being readied for loading in a business firearm; or
 - (c) in a person's actual physical possession immediately preceding the loading or unloading of the ammunition in a business firearm.
- (9) Before the end of the term of the approval, the licensee must ensure that all live ammunition authorised under the approval that is still in the licensee's possession is lawfully disposed of.
- (10) The licensee must ensure each authorised person for the licence complies with the conditions imposed on an authorised person under this regulation.

Subdivision 6 — Paintball Business Licence

67. Terms used

In this Subdivision —

licensed premises has the meaning given in regulation 70;

paintball business has the meaning given in section 51(1) of the Act;

playing area, of premises, means the part of the premises for conducting paintball games;

proposed premises has the meaning given in regulation 68(1)(a).

68. Requirements for application for grant of licence

- (1) An application for the grant of a Paintball Business Licence must include the following —
 - (a) details of the premises (the *proposed premises*) at which paintball games, for the paintball business for which the licence is sought, are proposed to be conducted;
 - (b) a plan and photographs of the proposed premises;
 - (c) evidence that demonstrates that the applicant can lawfully use the proposed premises to carry on a paintball business.
- (2) The plan of the proposed premises must show the layout of the premises, including which part of the premises is proposed as the playing area and which parts are proposed for other purposes.
- (3) The photographs of the proposed premises must include photographs of the proposed playing area.

**69. Discretionary grounds for refusal to grant licence
(Act s. 142)**

- (1) This regulation states, under section 142 of the Act, discretionary grounds for refusing to grant a Paintball Business Licence to a person.
- (2) The Commissioner may refuse to grant the licence if the Commissioner is not satisfied that —
 - (a) the proposed premises are suitable for safely conducting paintball games; or
 - (b) the person can lawfully use the proposed premises to carry on a paintball business.
- (3) Without limiting subregulation (2)(b), the Commissioner may refuse to grant the licence if the Commissioner is not satisfied that the use of the proposed premises for a paintball business to conduct paintball games is permitted under the planning scheme that applies to the land on which the premises are located.

70. Licensed premises

- (1) If the Commissioner grants a Paintball Business Licence, the proposed premises are the *licensed premises* at which paintball games, for the paintball business for which the licence is granted, may be conducted, subject to subregulation (4).
- (2) A licensee may make a request to the Commissioner to change the licensed premises for a Paintball Business Licence to other premises (the *proposed new premises*).
- (3) The request must —
 - (a) include, for the proposed new premises, the information required for the proposed premises in an application for the grant of a Paintball Business Licence under regulation 68; and
 - (b) be made in the approved manner and approved form.

- (4) The Commissioner may change the licensed premises to the proposed new premises and, if the Commissioner does so, the proposed new premises are the *licensed premises* for the licence.
- (5) The Commissioner may refuse to change the licensed premises if the Commissioner is not satisfied that —
 - (a) the proposed new premises are suitable for safely conducting paintball games; or
 - (b) the licensee can lawfully use the proposed new premises to carry on a paintball business.
- (6) Only one premises can be the licensed premises for the licence under subregulation (1) or (4) at any one time.

71. Record-keeping requirements for licence

- (1) The licensee under a Paintball Business Licence must record the following information about each paintball game conducted at the licensed premises in the course of the operation of the business for which the licence is granted —
 - (a) the name and date of birth of each person (a *participant*) who participates in the game;
 - (b) if a participant holds a Paintball Licence — the authority number for the licence;
 - (c) the name of each authorised person for the licence who supervises the game.

Penalty for this subregulation: a fine of \$2 000.

- (2) The licensee must keep the information recorded under subregulation (1) for the period of 5 years after the day on which the game is conducted.

Penalty for this subregulation: a fine of \$2 000.

- (3) A record of information required under this regulation must be made and kept in the approved manner and approved form.

72. Conditions of licence: licensee (Act s. 186 and 187)

- (1) This regulation imposes, under sections 186(1)(b) and 187(1)(a) of the Act, conditions on a Paintball Business Licence that apply to the licensee under the licence.
- (2) The licensee must not conduct, or allow an authorised person for the licence to conduct, in the course of the operation of the business for which the licence is granted, a paintball game on premises other than the licensed premises.
- (3) If the licensee holds another Paintball Business Licence, subregulation (2) does not prevent the conduct of paintball games under the authority of the other licence at the licensed premises for the other licence.
- (4) The licensee must ensure that paintball games are not conducted on the licensed premises if either of the following changes have been made to the premises unless the Commissioner has accepted the change under regulation 75 —
 - (a) a significant structural change, after the grant of the licence or the last change under regulation 70(4) (as the case requires), to the playing area of the licensed premises;
 - (b) a change, after the grant of the licence or the last change under regulation 70(4) (as the case requires), to the location of the playing area of the licensed premises, including an expansion or reduction of the existing playing area or the creation of a new playing area.
- (5) For the purposes of subregulation (4)(a), a change is a ***significant structural change*** to an area if it involves the demolition, erection, construction or movement of a building, wall or any other large fixed structure located within the area.

- (6) The licensee must ensure that all paintball games conducted at the licensed premises are supervised by an authorised person for the licence.

Note for this subregulation:

See also section 51(3) of the Act for the supervision required for use of a business firearm under that provision.

- (7) The licensee must ensure that each authorised person for the licence complies with the conditions imposed on an authorised person for the licence under regulation 73.

**73. Conditions of approval of authorised person for licence
(Act s. 186 and 187)**

- (1) This regulation imposes, under sections 186(2) and 187(1)(a) of the Act, conditions on the approval of an authorised person for a Paintball Business Licence.
- (2) The authorised person must not conduct, in the course of the operation of the business for which the licence is granted, a paintball game on premises other than the licensed premises.
- (3) If the licensee holds another Paintball Business Licence, subregulation (2) does not prevent the conduct of paintball games under the authority of the other licence at the licensed premises for the other licence.
- (4) Subregulation (5) applies in relation to the use by a person, under the authority of a Paintball Licence or permit, of a paintball gun that is not a business firearm in a paintball game conducted at the licensed premises.
- (5) If the authorised person is supervising the conduct of the paintball game, the authorised person must ensure that, before the paintball gun is used, an authorised person for the licence has —
- (a) inspected the paintball gun to ensure that it complies with the requirements for a prescribed paintball gun under regulation 8; and

- (b) tested the paintball gun to ensure that it is only capable of firing a paintball pellet —
 - (i) at a velocity of not more than 91.44 metres per second in accordance with regulation 8(3)(a); and
 - (ii) with a diameter of at least 10 mm and no more than 17.27 mm in accordance with regulation 9(2)(b).
- (6) While the paintball gun remains at the licensed premises, an authorised person is not required to inspect or test the paintball gun for subsequent games of paintball.

74. Extension of authority for inspecting and testing of paintball gun (Act s. 122)

- (1) This regulation extends, under section 122 of the Act, the authority conferred by a Paintball Business Licence.
- (2) An authorised person for the licence is authorised to possess and use a paintball gun referred to in regulation 73(4) for the purposes of inspecting and testing the paintball gun as required under regulation 73(5).

75. Structural and other changes to licensed premises

- (1) The licensee under a Paintball Business Licence may make a request, in the approved manner and approved form, to the Commissioner to make —
 - (a) a significant structural change to the playing area of the licensed premises; or
 - (b) a change to the location of the playing area of the licensed premises, including an expansion or reduction of the existing playing area or the creation of a new playing area.

- (2) The request must include —
 - (a) a plan showing the proposed change; and
 - (b) in the case of a change referred to in subregulation (1)(b) — photographs of the location of the playing area as it would be changed, including of the playing area as it would be expanded or reduced or of any new playing area that would be created; and
 - (c) information about any approvals required under another written law to lawfully make the change to the licensed premises.
- (3) The Commissioner may refuse to accept the change if the Commissioner is satisfied that —
 - (a) the change makes the licensed premises unsuitable for safely conducting paintball games; or
 - (b) the licensee does not have, and is not likely to obtain, any approvals required under another written law to lawfully make the change to the licensed premises.

Subdivision 7 — Professional Shooter Business Licence

76. Term used: professional shooting service

In this Subdivision —

professional shooting service means a service that involves —

- (a) the sedation of animals by means of a firearm; or
- (b) the culling, euthanasia or other humane destruction of animals by means of a firearm.

77. Requirements for application for grant of licence and amendment application

- (1) If an application for the grant of a Professional Shooter Business Licence relates to a tranquilliser gun, the application must

include information about the matter of which the Commissioner must be satisfied under regulation 79.

Note for this subregulation:

The approved form for the application may also require other information for the grant of the licence, such as information about the applicant's intended use of a firearm to which regulation 80 applies.

- (2) An amendment application must comply with subregulation (1) if applicable.

78. Restriction on grant of licence: category E firearm (Act s. 124)

- (1) This regulation restricts, under section 124(a) of the Act, the grant of a Professional Shooter Business Licence that applies to a category E firearm.
- (2) The Commissioner may only grant the licence to apply to a category E firearm that is a prescribed paintball gun or a tranquilliser gun.

79. Restriction on grant of licence: tranquilliser gun (Act s. 142)

- (1) This regulation restricts, under section 142 of the Act, the grant of a Professional Shooter Business Licence that applies to a tranquilliser gun.
- (2) The Commissioner must not grant the licence to apply to the tranquilliser gun unless the Commissioner is satisfied that there will be an authorised person for the licence who can lawfully administer a tranquilliser by injection to an animal under the *Veterinary Practice Act 2021*.

80. Limit on authority: prescribed paintball gun (Act s. 123)

- (1) This regulation limits, under section 123(1) of the Act, the authority conferred by a Professional Shooter Licence that applies to a prescribed paintball gun.

- (2) The authority to use the prescribed paintball gun, conferred by section 46(b) of the Act, is limited to use for the purpose of marking animals to identify them as part of providing a professional shooting service.

Note for this regulation:

See also section 21 of the Act, which prevents the grant of a licence to authorise the possession of a firearm unless the Commissioner is satisfied of particular matters relevant to the possession of a firearm for a purpose to be authorised by the licence.

81. Record-keeping requirements for licence

- (1) In this regulation —
shooting activity means the use of a business firearm to sedate, cull, euthanise or otherwise humanely destroy an animal.
- (2) The licensee under a Professional Shooter Business Licence must record the following information about a shooting activity carried out under the authority of the licence as part of a professional shooting service provided to a person (the ***customer***) —
- (a) whether the shooting activity involved the sedation, culling, euthanasia or other humane destruction of an animal;
 - (b) the address where the shooting activity occurred;
 - (c) the name and contact details of the customer.

Penalty for this subregulation: a fine of \$2 000.

- (3) The licensee must keep the information recorded under subregulation (2) for the period of 5 years after the day on which the shooting activity occurred.

Penalty for this subregulation: a fine of \$2 000.

Subdivision 8 — Agriculture/aquaculture Business Licence

82. Terms used

In this Subdivision —

agriculture/aquaculture business means a business of —

(a) agriculture, including activities in the course of carrying on any of the following —

- (i) the operation of an abattoir;
- (ii) the operation of a winery;
- (iii) livestock or crop farming;

or

(b) aquaculture, including activities in the course of carrying on any of the following —

- (i) fish farming;
- (ii) oyster farming;
- (iii) seaweed farming;

designated Agriculture/aquaculture Business Licence means an Agriculture/aquaculture Business Licence granted to, or in respect of, an agricultural educational establishment that provides, or at which is provided, a firearm safety training course as part of, or incidental to, the agriculture/aquaculture business for which the licence is granted.

83. Agriculture/aquaculture Business Licence (Act s. 53)

- (1) For the purposes of section 53 of the Act, an agriculture/aquaculture business is a business for which a Prescribed Business Licence may be granted.
- (2) A Prescribed Business Licence for an agriculture/aquaculture business may be referred to as an Agriculture/aquaculture Business Licence.

84. Firearms to which Agriculture/aquaculture Business Licence applies (Act s. 124)

- (1) This regulation restricts, under section 124(a) of the Act, the grant of an Agriculture/aquaculture Business Licence.
- (2) The Commissioner may only grant the licence to apply to a category A, B, C, E or H firearm.

85. Restriction on grant of licence: category E firearms (Act s. 124)

- (1) This regulation restricts, under section 124(a) of the Act, the grant of an Agriculture/aquaculture Business Licence that applies to a category E firearm.
- (2) The Commissioner may only grant the licence to apply to a category E firearm that is a prescribed paintball gun or a tranquilliser gun.

86. Requirement for application for grant of licence

If an application for the grant of an Agriculture/aquaculture Business Licence relates to a tranquilliser gun, the application must include information about the matter of which the Commissioner must be satisfied under regulation 87.

87. Restriction on grant of licence: tranquilliser gun (Act s. 142)

- (1) This regulation restricts, under section 142 of the Act, the grant of an Agriculture/aquaculture Business Licence that applies to a tranquilliser gun.
- (2) The Commissioner must not grant the licence to apply to the tranquilliser gun unless the Commissioner is satisfied that there will be an authorised person for the licence who can lawfully administer a tranquilliser by injection to an animal under the *Veterinary Practice Act 2021*.

88. Limit on authority: prescribed paintball gun (Act s. 123)

- (1) This regulation limits, under section 123(1) of the Act, the authority conferred by an Agriculture/aquaculture Business Licence that applies to a prescribed paintball gun.
- (2) The authority to use the firearm, conferred by section 46(b) of the Act, is limited to use for the purpose of marking animals to identify them as part of conducting the licensee's agriculture/aquaculture business.

Note for this regulation:

See also section 21 of the Act, which prevents the grant of a licence to authorise the possession of a firearm unless the Commissioner is satisfied of particular matters relevant to the possession of a firearm for a purpose to be authorised by the licence.

89. Restriction on grant of licence: category H firearm (Act s. 124)

- (1) In this regulation —
barrel length, in relation to a revolver, means the distance from the muzzle of the barrel of the revolver to the breech end immediately in front of the cylinder.
- (2) This regulation restricts, under section 124(a) of the Act, the grant of an Agriculture/aquaculture Business Licence that applies to a category H firearm.
- (3) The licence can apply to 1 category H firearm only.
- (4) The firearm must be a revolver that has —
 - (a) a calibre of at least 0.38 inches but not more than 0.45 inches; and
 - (b) a barrel length of 100 mm or more.

90. Limit on authority: category H firearm (Act s. 123)

- (1) This regulation limits, under section 123(1) of the Act, the authority conferred by an Agriculture/aquaculture Business Licence that applies to a category H firearm.
- (2) The authority to use the category H firearm, conferred by section 46(b) of the Act, is limited to use for the purpose of the humane destruction of cattle occurring —
 - (a) incidentally to the mustering or yarding of the cattle; and
 - (b) as part of the licensee’s agriculture/aquaculture business.

Note for this regulation:

See also section 21 of the Act, which prevents the grant of a licence to authorise the possession of a firearm unless the Commissioner is satisfied of particular matters relevant to the possession of a firearm for a purpose to be authorised by the licence.

91. Requirement for application for grant of designated Agriculture/aquaculture Business Licence

An application for the grant of a designated Agriculture/aquaculture Business Licence must include information about the matter of which the Commissioner must be satisfied under regulation 92.

92. Restriction on grant of designated Agriculture/aquaculture Business Licence: appropriately qualified to provide firearm safety training course (Act s. 142)

- (1) In this regulation —
appropriately qualified, to provide a firearm safety training course, means having the necessary experience, qualifications or skills to safely and competently provide the course.
- (2) This regulation restricts, under section 142 of the Act, the grant of a designated Agriculture/aquaculture Business Licence to a person.

- (3) The Commissioner must not grant the licence unless the Commissioner is satisfied that the person, or a person who will be an authorised person for the licence, is appropriately qualified to provide a firearm safety training course.

93. Extension of authority of designated Agriculture/aquaculture Business Licence: firearm safety training course (Act s. 122)

- (1) In this regulation —
student includes prospective student.
- (2) This regulation extends, under section 122 of the Act, the authority conferred by a designated Agriculture/aquaculture Business Licence in relation to the provision of a firearm safety training course by or at an agricultural educational establishment if —
- (a) the firearm safety training course is or will be taught by the licensee, or an authorised person for the licence, to students at the agricultural educational establishment; and
 - (b) if required by the approval of the firearm safety training course — the licensee or authorised person (as the case requires) is an approved firearms trainer or a person who is approved to teach the firearm safety training course.
- (3) The Agriculture/aquaculture Business Licence authorises the following possession —
- (a) the licensee, and an authorised person for the licence, is authorised to possess a firearm to which the licence applies for the purposes of the firearm safety training course;
 - (b) a student (other than a disqualified person or prohibited person) of the agricultural educational establishment is authorised to possess, under the immediate supervision of the licensee or an authorised person for the licence, a

firearm to which the licence applies for the purposes of completing the firearm safety training course.

- (4) The authority conferred by an Agriculture/aquaculture Business Licence for the possession of a firearm under subregulation (3) includes loading the firearm but only with a dummy round.

94. Agriculture/aquaculture Business Licence authority for sighting in at authorised use locations (Act s. 111)

For the purposes of section 111(1)(e) of the Act, an Agriculture/aquaculture Business Licence is prescribed.

Subdivision 9 — Event Business Licence

95. Event Business Licence (Act s. 53)

- (1) For the purposes of section 53 of the Act, a business of conducting events (for example, yacht races) started or stopped by, or involving, a firearm without live ammunition is a business for which a Prescribed Business Licence may be granted.
- (2) A Prescribed Business Licence for such a business may be referred to as an Event Business Licence.

96. Firearms to which Event Business Licence applies (Act s. 124)

- (1) This regulation restricts, under section 124(a) of the Act, the grant of an Event Business Licence.
- (2) The Commissioner may only grant the licence to apply to —
- (a) a category A firearm that is a shotgun; or
 - (b) a category E firearm that is a cannon.

97. Limit on authority conferred by Event Business Licence (Act s. 123)

- (1) This regulation limits, under section 123(1) of the Act, the authority conferred by an Event Business Licence.
- (2) The licence does not authorise the use of a firearm other than —
 - (a) to start or stop, or to mark or signal the start or stopping of, an event or a stage of an event; or
 - (b) otherwise to mark or signal something in connection with an event; or
 - (c) for ceremonial or commemorative purposes in connection with an event.
- (3) The licence does not authorise the use of a firearm with live ammunition.
- (4) Despite section 110 of the Act, an Event Business Licence does not authorise the use of a firearm at a licensed firearm range for the purposes specified in that section.

Subdivision 10 — Industrial Business Licence

98. Term used: industrial business

In this Subdivision —

industrial business means a business of —

- (a) mining; or
- (b) producing cement, lime, steel or other industrial material.

99. Industrial Business Licence (Act s. 53)

- (1) For the purposes of section 53 of the Act, industrial business is a business for which a Prescribed Business Licence may be granted.

- (2) A Prescribed Business Licence for industrial business may be referred to as an Industrial Business Licence.

100. Firearms to which Industrial Business Licence applies (Act s. 124)

- (1) This regulation restricts, under section 124(a) of the Act, the grant of an Industrial Business Licence.
- (2) The Commissioner may only grant the licence to apply to a category A, B or E firearm.

101. Restriction on grant of Industrial Business Licence: category A and B firearms (Act s. 124)

- (1) This regulation restricts, under section 124(a) of the Act, the grant of an Industrial Business Licence that applies to a category A or B firearm.
- (2) The licence may only be granted if the Commissioner is satisfied that there is a significant animal pest population on or around the premises at which the relevant industrial business is conducted.

102. Limit on use of category A and B firearms (Act s. 124)

- (1) This regulation limits, under section 124(c) of the Act, the use of a category A or B firearm under the authority of an Industrial Business Licence.
- (2) The firearm may only be used for the culling, euthanasia or other humane destruction of the animal pest population referred to in regulation 101(2).

103. Restriction on grant of Industrial Business Licence: category E firearms (Act s. 124)

- (1) This regulation restricts, under section 124(a) of the Act, the grant of an Industrial Business Licence that applies to a category E firearm.

- (2) The licence may only be granted to apply to a category E firearm that is —
 - (a) a prescribed paintball gun; or
 - (b) a kiln gun.
- (3) For a licence that applies to a prescribed paintball gun, the Commissioner must not grant the licence unless the Commissioner is satisfied that —
 - (a) the applicant genuinely intends the prescribed paintball gun will be possessed for the purpose of marking mine faces or other infrastructure; and
 - (b) the applicant cannot otherwise mark the mine faces or other infrastructure safely (because, for example, the applicant cannot safely use a handheld spray-paint can due to the height or distance of the mine face or other infrastructure).

104. Limit on authority: prescribed paintball gun (Act s. 123)

- (1) This regulation limits, under section 123(1) of the Act, the authority conferred by an Industrial Business Licence that applies to a prescribed paintball gun.
- (2) The authority to use the prescribed paintball gun, conferred by section 46(b) of the Act, is limited to use for the purpose of marking mine faces or other infrastructure.

105. Limit on authority: kiln gun (Act s. 123)

- (1) This regulation limits, under section 123(1) of the Act, the authority conferred by an Industrial Business Licence that applies to a kiln gun.
- (2) The authority to use the kiln gun, conferred by section 46(b) of the Act, is limited to use for the purpose of removing refractory material (such as slag) from a kiln, furnace or silo.

- (3) Despite section 110 of the Act, an Industrial Business Licence does not authorise the use of a kiln gun at a licensed firearm range for the purposes specified in that section.
- (4) Despite section 111 of the Act, an Industrial Business Licence does not authorise the use of a kiln gun for target shooting for the purposes of sighting in the kiln gun.

106. Industrial Business Licence authority for sighting in at authorised use locations (Act s. 111)

For the purposes of section 111(1)(e) of the Act, an Industrial Business Licence is prescribed.

Division 5 — Primary Producer Licences

107. Terms used

In this Division —

amendment application, in relation to a Primary Producer Licence, means an application by the licensee under the licence to add a firearm to the licence, or to replace a firearm under the licence, under section 189(1)(a) or (b) of the Act;

primary production activities, of a person, has the meaning given in section 54 of the Act.

108. Requirements for application for grant of licence and amendment application

- (1) An application for the grant of a Primary Producer Licence must include the following —
 - (a) evidence that demonstrates that the applicant carries on a business of primary production, including, for example, evidence from the Australian Taxation Office that the person received tax concessions or deductions as a primary producer;
 - (b) details of the landholding on which the applicant engages in primary production activities;

- (c) for a licence that applies to a tranquilliser gun — information about the matter of which the Commissioner must be satisfied under regulation 110.

Notes for this subregulation:

1. See also Part 4 Division 4 of the Act and Part 5 Division 1 of these regulations.
2. The approved form for the application may also require other information for the grant of the licence such as information about the applicant's intended use of a firearm to which regulation 111 or 113 applies.

- (2) An amendment application must comply with subregulation (1)(c) if applicable.

Note for this subregulation:

Under section 189(3) of the Act, a licence must not be amended to add a firearm or replace a firearm with another firearm unless the Commissioner is satisfied that the licence could be granted to apply to the new firearm.

109. Restriction on grant of licence: category E firearm (Act s. 124)

- (1) This regulation restricts, under section 124(a) of the Act, the grant of a Primary Producer Licence that applies to a category E firearm.
- (2) The Commissioner may only grant the licence to apply to a category E firearm that is a prescribed paintball gun or a tranquilliser gun.

110. Restriction on grant of licence: tranquilliser gun (Act s. 142)

- (1) This regulation restricts, under section 142 of the Act, the grant of a Primary Producer Licence that applies to a tranquilliser gun.
- (2) The Commissioner must not grant the licence to apply to the tranquilliser gun unless the Commissioner is satisfied that there will be an authorised person for the licence who can lawfully administer a tranquilliser by injection to an animal under the *Veterinary Practice Act 2021*.

111. Limit on authority: prescribed paintball gun (Act s. 123)

- (1) This regulation limits, under section 123(1) of the Act, the authority conferred by a Primary Producer Licence that applies to a prescribed paintball gun.
- (2) The authority to use the prescribed paintball gun, conferred by sections 60(b) and (c) and 62(2) of the Act, is limited to use for the purpose of marking animals or trees to identify them as part of the primary production activities of —
 - (a) the licensee; or
 - (b) a person, other than the licensee, who has given permission as referred to in section 60(c) of the Act.

Note for this regulation:

See also section 21 of the Act, which prevents the grant of a licence to authorise the possession of a firearm unless the Commissioner is satisfied of particular matters relevant to the possession of a firearm for a purpose to be authorised by the licence.

112. Restriction on grant of licence: category H firearm (Act s. 124)

- (1) In this regulation —

barrel length, in relation to a revolver, means the distance from the muzzle of the barrel of the revolver to the breech end immediately in front of the cylinder.
- (2) This regulation restricts, under section 124(a) of the Act, the grant of a Primary Producer Licence that applies to a category H firearm.
- (3) The licence can apply to 1 category H firearm only.
- (4) The firearm must be a revolver that has —
 - (a) a calibre of at least 0.38 inches but not more than 0.45 inches; and
 - (b) a barrel length of 100 mm or more.

113. Limit on authority: category H firearm (Act s. 123)

- (1) This regulation limits, under section 123(1) of the Act, the authority conferred by a Primary Producer Licence that applies to a category H firearm.
- (2) The authority to use the category H firearm, conferred by section 60(b) and (c) of the Act, is limited to use for the purpose of the humane destruction of cattle —
 - (a) incidentally to the mustering or yarding of cattle; and
 - (b) as part of the primary production activities of —
 - (i) the licensee; or
 - (ii) a person, other than the licensee, who has given permission as referred to in section 60(c) of the Act.

Note for this subregulation:

See also section 21 of the Act, which prevents the grant of a licence to authorise the possession of a firearm unless the Commissioner is satisfied of particular matters relevant to the possession of a firearm for a purpose to be authorised by the licence.

114. Limit on authority: primary producer's Hunting Licence (Act s. 123)

- (1) This regulation limits, under section 123(1) of the Act, the authority conferred by a primary producer's Hunting Licence under section 61 of the Act.
- (2) A primary producer's Hunting Licence does not authorise the use of a category E firearm.

Division 6 — Collector Licences

115. Terms used

In this Division —

amendment application, in relation to a Collector Licence, means an application by the licensee under the licence to add a

firearm to the licence, or to replace a firearm under the licence, under section 189(1)(a) or (b) of the Act;

student of arms has the meaning given in section 67(2) of the Act.

116. Requirements for application for grant of licence and amendment application

- (1) In this regulation —
- relevant collectible* means a firearm, major firearm part or ammunition to which a Collector Licence is proposed to apply.
- (2) An application for the grant of a Collector Licence made by a person must include —
- (a) for each relevant collectible, a description of the focus of the applicant's collection, or proposed collection, of which the relevant collectible is proposed to form a part; and
 - (b) information about the commemorative, historical or thematic value of each relevant collectible as referred to in section 69 of the Act or regulation 119 or 126.

Note for this subregulation:

See also Part 4 Division 4 of the Act and Part 5 Division 1 of these regulations.

- (3) An application for the grant of a Collector Licence for firearms must also include the following —
- (a) for each relevant collectible, either —
 - (i) the date of manufacture of the relevant collectible and evidence that verifies this date; or
 - (ii) if it is not reasonable to provide the date of manufacture of the relevant collectible due to its age — an approximate date or period during which the relevant collectible was likely to have been manufactured and evidence that verifies this date or period;

- (b) information about —
 - (i) the matter of which the Commissioner must be satisfied under section 67(1)(a) of the Act; and
 - (ii) the matter of which the Commissioner must be satisfied under section 67(1)(b) of the Act for each relevant collectible;
- (c) the letter required under regulation 117.

Note for this subregulation:

For a major firearm part, see regulation 119(2).

- (4) An amendment application must comply with subregulations (2) and (3)(a) and (b)(ii).

Note for this regulation:

Under section 189(3) of the Act, a licence must not be amended to add a firearm or replace a firearm with another firearm unless the Commissioner is satisfied that the licence could be granted to apply to the new firearm.

117. Approved society of firearm collectors letter

- (1) An application for the grant of a Collector Licence for firearms must include a letter, in the approved form, from an authorised officer bearer of an approved society of firearm collectors that confirms —
 - (a) that the applicant is a member of the society; and
 - (b) the period for which the applicant has been a member of the society.
- (2) For the purposes of subregulation (1), an *authorised office bearer* is —
 - (a) the president of the approved society of firearm collectors; or
 - (b) another office bearer of the society who is authorised by the president to provide the letter.

- (3) The letter must state the following —
- (a) the name of the approved society of firearm collectors;
 - (b) the authority number of the society's approval;
 - (c) the name and contact details of the authorised officer bearer.

118. Restriction on grant of Collector Licence for firearms (Act s. 142)

- (1) This regulation restricts, under section 142 of the Act, the grant to a person of a Collector Licence for firearms.
- (2) The Commissioner must not grant the licence unless the Commissioner is satisfied that the person has been a member of an approved society of firearm collectors, or another similar body in another State or country, or in a Territory, at all times during the 6-month period before the day on which the person applied for the grant of the licence.

119. Restriction on grant of Collector Licence for firearms: major firearm parts (Act s. 142)

- (1) This regulation restricts, under section 142 of the Act, the grant to a person of a Collector Licence for firearms that applies to a major firearm part.
- (2) The Commissioner must not grant the licence to apply to the major firearm part unless the Commissioner is satisfied that the major firearm part is within the scope of the person's interest as a student of arms.
- (3) If the major firearm part is for a handgun, the Commissioner must not grant the licence to apply to the major firearm part unless the Commissioner is satisfied that the major firearm part —
- (a) was not manufactured within the preceding 50 years; and

- (b) has significant historical value because of the special significance that the major firearm part, or any major firearm part of the same or a related kind, has in connection with a particular period in history.
- (4) If the major firearm part is for a category C firearm, the Commissioner must not grant the licence to apply to the major firearm part unless the Commissioner is satisfied that the major firearm part has significant historical value because of the special significance that the major firearm part, or any major firearm part of the same or a related kind, has in connection with a particular period in history.
- (5) If the major firearm part is not for a handgun or a category C firearm, the Commissioner must not grant the licence to apply to the major firearm part unless the Commissioner is satisfied that the major firearm part has —
 - (a) significant commemorative value because of the special significance that the major firearm part, or any major firearm part of the same or a related kind, has in connection with a particular event in history; or
 - (b) significant historical value because of the special significance that the major firearm part, or any major firearm part of the same or a related kind, has in connection with a particular period in history; or
 - (c) significant thematic value because of the special significance that the major firearm part, or any major firearm part of the same or a related kind, has in connection with the development, manufacture or use of major firearm parts.

120. Requirements for firearm, major firearm part or ammunition to have significant historical value (Act s. 69)

- (1) In this regulation —
use, in relation to a major firearm part or ammunition, means use as part of the use of a firearm.

- (2) This regulation applies for the purposes of section 69(6)(b) of the Act and regulations 119 and 126.
- (3) In order for a firearm, major firearm part or ammunition (the *relevant item*) to have significant historical value because of the special significance that the relevant item has in connection with a particular period in history, the requirement of subregulation (5) or (6) must be satisfied in relation to the relevant item.
- (4) In order for a firearm, major firearm part or ammunition (the *collected item*) to have significant historical value because of the special significance that a firearm, major firearm part or ammunition of the same or a related kind (the *historical item*) has in connection with a particular period in history —
- (a) the requirement of subregulation (5) or (6) must be satisfied in relation to the historical item; and
 - (b) the collected item must be from the period in history and not a replica of an item from the period.
- (5) The requirement of this subregulation is that —
- (a) the relevant item or historical item (as the case requires) was used during the period in history; and
 - (b) its use had an important impact on the period in history.

Example for this subregulation:

The relevant item or historical item is a firearm that was used in the assassination, or attempted assassination, of an important historical figure which in turn had an important impact on a period of history.

- (6) The requirement of this subregulation is that —
- (a) the use of firearms during the period in history is historically important because their use had a significant influence or impact on the period; and

Example for this paragraph:

Firearms were used in 1 or more significant events that occurred during the period such as military conflict, revolution or colonial settlement.

- (b) the relevant item or historical item (as the case requires) was used during the period in history in a way connected to the influence or impact referred to in paragraph (a).

121. Requirements for firearm, major firearm part or ammunition to have significant commemorative value (Act s. 69)

- (1) In this regulation —
use, in relation to a major firearm part or ammunition, means use as part of the use of a firearm.
- (2) This regulation applies for the purposes of section 69(6)(b) of the Act and regulation 119.
- (3) In order for a firearm, major firearm part or ammunition (the *relevant item*) to have significant commemorative value because of the special significance that the relevant item has in connection with a particular event in history —
 - (a) the event must have important historical significance for the place where the event took place or the world generally; and
 - (b) the relevant item must have been used in the event.

Example for this subregulation:

A firearm used in a gun salute during the opening of the Sydney Harbour Bridge would have commemorative value. The event has important historical significance for Sydney.

- (4) In order for a firearm, major firearm part or ammunition (the *collected item*) to have significant commemorative value because of the special significance that a firearm, major firearm part or ammunition of the same or a related kind (the *historical item*) has in connection with a particular event in history —
 - (a) the event must have important historical significance for the place where the event took place or the world generally; and
 - (b) the historical item must have been used in the event; and

- (c) the collected item —
 - (i) must have been in existence around the time of the event; or
 - (ii) must be a replica that is a faithful reproduction of the historical item.

122. Requirements for firearm to have significant thematic value (Act s. 69)

- (1) This regulation applies for the purposes of section 69(6)(b) of the Act.
- (2) In order for a firearm to have significant thematic value because of the special significance that the firearm has in connection with the development, manufacture or use of firearms —
 - (a) it must be an example of, or otherwise have relevance for, a significant change in a characteristic of firearms, including, for example, the design of firearms or the materials used to manufacture firearms; and
 - (b) it must have been in existence at or around the time of the change.

Example for this subregulation:

A firearm made of a particular material and in existence just prior to the first use of a new material for firearms may have relevance for a significant change in a characteristic of firearms.

- (3) In order for a firearm (the *relevant firearm*) to have significant thematic value because of the special significance that a firearm of the same or a related kind (the *significant firearm*) has in connection with the development, manufacture or use of firearms —
 - (a) the significant firearm must be an example of, or otherwise have relevance for, a significant change in a characteristic of firearms, including, for example, the design of firearms or the materials used to manufacture firearms; and

- (b) the significant firearm must have been in existence at or around the time of the change; and
- (c) the relevant firearm must be a replica that is a faithful reproduction of the significant firearm.

123. Requirements for major firearm part to have significant thematic value

- (1) This regulation applies for the purposes of regulation 119.
- (2) In order for a major firearm part to have significant thematic value because of the special significance that the major firearm part has in connection with the development, manufacture or use of major firearm parts —
 - (a) it must be an example of, or otherwise have relevance for, a significant change in a characteristic of major firearm parts, including, for example, the design of major firearm parts or the materials used to manufacture major firearm parts; and
 - (b) it must have been in existence at or around the time of the change.

Example for this subregulation:

A major firearm part that incorporates, for the first time for that type of part, a safety switch to prevent discharge may be an example of a significant change in a characteristic of major firearm parts.

- (3) In order for a major firearm part (the *relevant part*) to have significant thematic value because of the special significance that a major firearm part of the same or a related kind (the *significant part*) has in connection with the development, manufacture or use of major firearm parts —
 - (a) the significant part must be an example of, or otherwise have relevance for, a significant change in a characteristic of major firearm parts, including, for example, the design of major firearm parts or the materials used to manufacture major firearm parts; and

- (b) the significant part must have been in existence at or around the time of the change; and
- (c) the relevant part must be a replica that is a faithful reproduction of the significant part.

124. Requirements for ammunition to have significant thematic value (Act s. 69)

- (1) This regulation applies for the purposes of section 69(6)(b) of the Act.
- (2) In order for ammunition to have significant thematic value because of the special significance that the ammunition has in connection with the development, manufacture or use of ammunition —
 - (a) it must be an example of, or otherwise have relevance for, a significant change in a characteristic of ammunition, including, for example, the way ammunition is loaded in firearms, the propellant used or the type of casing; and
 - (b) it must have been in existence at or around the time of the change.

Example for this subregulation:

Ammunition for a shotgun that uses, for the first time for that type of ammunition, plastic casing for the shell of the ammunition may be an example of a significant change in a characteristic of ammunition.

- (3) In order for ammunition (the *relevant ammunition*) to have significant thematic value because of the special significance that ammunition of the same or a related kind (the *significant ammunition*) has in connection with the development, manufacture or use of ammunition —
 - (a) the significant ammunition must be an example of, or otherwise have relevance for, a significant change in a characteristic of ammunition, including, for example, the

way ammunition is loaded in firearms, the propellant used or the type of casing; and

- (b) the significant ammunition must have been in existence at or around the time of the change; and
- (c) the relevant ammunition must be a replica that is a faithful reproduction of the significant ammunition.

125. Restriction on types of firearms and ammunition to which Collector Licence can apply (Act s. 66, 68 and 142)

- (1) This regulation restricts, under sections 66(4), 68(3) and 142 of the Act, the types of firearms, major firearm parts and ammunition to which a Collector Licence can apply.
- (2) A Collector Licence cannot apply to —
 - (a) a category D firearm; or
 - (b) a major firearm part for a prohibited firearm or a category D firearm.

Note for this subregulation:

For prohibited firearms and prohibited ammunition, see sections 119 and 120 of the Act.

- (3) Subregulation (4) applies in relation to a Collector Licence that is for both the collection of firearms and the collection of ammunition.
- (4) The Commissioner must not grant the licence to apply to —
 - (a) ammunition that could be used in a firearm to which the licence applies; or
 - (b) a firearm that could use ammunition to which the licence applies.

126. Prohibited firearm permitted: revolving rifle (Act s. 119 and 142)

- (1) For the purposes of section 119 of the Act, a Collector Licence for firearms may be granted to authorise a person to possess a revolving rifle.

Note for this subregulation:

See also Part 2 Division 11 of the Act for additional authority conferred by a licence that authorises the possession of a firearm.

- (2) Subregulation (3) restricts, under section 142 of the Act, the grant to a person of a Collector Licence for firearms that applies to a revolving rifle.
- (3) The Commissioner must not grant the licence to apply to the revolving rifle unless the Commissioner is satisfied that the revolving rifle has significant historical value because of the special significance that the revolving rifle, or any revolving rifle of the same or a related kind, has in connection with a particular period in history.

127. Extension of authority of licence: prohibited accessory for firearm (Act s. 122)

- (1) This regulation extends, under section 122 of the Act, the authority conferred by a Collector Licence.
- (2) The Commissioner may approve a prohibited accessory as a permitted accessory for a firearm (the *related firearm*) to which the licence applies.
- (3) The Commissioner must not approve a sound suppressor as a permitted accessory.
- (4) If the related firearm is a handgun or category C firearm, the Commissioner must not approve the prohibited accessory as a permitted accessory unless the Commissioner is satisfied that the accessory is from the same period in history as the related firearm and is not a replica of an accessory from the period.

- (5) If the prohibited accessory is approved as a permitted accessory for the related firearm —
- (a) the licence authorises the licensee to possess the permitted accessory for the purpose of it forming part of the licensee's firearm collection of which the related firearm forms part; and
 - (b) the authority under paragraph (a) ceases if the licence ceases to apply to the related firearm.

128. Record-keeping requirements for licence: possession of ammunition

- (1) A licensee under a Collector Licence must record the following information about ammunition that the licensee possesses under the authority of the licence —
- (a) a description of the ammunition, including the quantity and type of the ammunition;
 - (b) the date on which the licensee acquired the ammunition;
 - (c) if the licensee ceases to possess ammunition under the authority of the licence, the reason the licensee is no longer in possession of the ammunition, including —
 - (i) the name of any person to whom the licensee gave possession of, or supplied, the ammunition; and
 - (ii) the authority number for any licence or permit held by the person that authorises their possession or acquisition of the ammunition.

Penalty for this subregulation: a fine of \$5 000.

- (2) The licensee must keep the information recorded under subregulation (1) for —
- (a) ammunition in the licensee's possession; and
 - (b) if the licensee ceases to possess the ammunition — the period of 5 years after the day on which the licensee ceases to possess the ammunition.

Penalty for this subregulation: a fine of \$5 000.

- (3) A record of information required under this regulation must be made and kept in the approved manner and approved form.

Division 7 — Approved society of firearm collectors

129. Requirement and application for approval of society of firearm collectors (Act s. 70)

- (1) Subregulation (2) imposes, under section 70(2) of the Act, a requirement that must be satisfied before a body corporate can be approved as an approved society of firearm collectors.
- (2) The Commissioner must be satisfied that —
- (a) the body corporate genuinely performs the function referred to in section 70(1) of the Act; and
 - (b) the performance of the function is the body corporate's primary purpose; and
 - (c) to the extent that the function relates to the collection of firearms, it is the collection of firearms for the purpose of studying or preserving firearms.
- (3) An application for the approval of a body corporate as an approved society of firearm collectors must include —
- (a) a copy of the body corporate's constitution or, if the body corporate does not have a constitution, information about the rules governing the body corporate; and
 - (b) information to satisfy the Commissioner of the matters under subregulation (2), including information about —
 - (i) the body corporate's specific or general interest in firearms for which the body corporate is formed; and
 - (ii) any activities relating to the study, preservation or collection of firearms that the body corporate arranges or proposes to arrange.

130. Record-keeping requirements for approved society of firearm collectors

- (1) An approved society of firearm collectors must record the following information about each member of the society —
- (a) the name and date of birth of the member;
 - (b) if the member —
 - (i) holds a Collector Licence — the authority number for the licence; or
 - (ii) does not hold a Collector Licence but holds 1 or more other firearm authorities — the authority number for 1 of the authorities;
 - (c) the date on which the member joined the society;
 - (d) if the member ceases to be a member of the society —
 - (i) the date on which the member ceased to be a member; and
 - (ii) a statement of the reason why the member ceased to be a member; and
 - (iii) if the member ceased to be a member as a result of being expelled from membership — a statement of the reasons for the member being expelled.

Penalty for this subregulation: a fine of \$2 000.

Note for this subregulation:

See also section 376 of the Act about information the Commissioner must be notified of if a member who holds a Collector Licence ceases to be a member of the society.

- (2) An approved society of firearm collectors must keep the information recorded under subregulation (1) —
- (a) for each current member of the society; and
 - (b) if a member ceases to be a member of the society — for the period of 5 years after the day on which the member ceases to be a member.

Penalty for this subregulation: a fine of \$2 000.

- (3) A record of information required under this regulation must be made and kept in the approved manner and approved form.

Division 8 — Club Licences

Subdivision 1 — Preliminary

131. Terms used

In this Division —

amendment application, in relation to a Club Licence, means an application by the licensee under the licence to add a firearm to the licence, or to replace a firearm under the licence, under section 189(1)(a) or (b) of the Act;

relevant discipline, for a Club Licence, has the meaning given in regulation 133(2).

Subdivision 2 — Applications and restrictions

132. Requirements for application for grant of licence and amendment application

- (1) An application for the grant of a Club Licence must include the following —
- (a) information about each shooting discipline for which the applicant will arrange participation by its members;
 - (b) a copy of the applicant's constitution or, if the applicant does not have a constitution, information about the rules governing the applicant;
 - (c) a list showing the name and date of birth of each member of the club and the total number of members;
 - (d) a copy of 1 or more written agreements between the applicant and the licensee under a Range Licence for the use of a suitable firearm range, by members of the club

as referred to in section 73(2) of the Act, for each shooting discipline referred to in paragraph (a);

- (e) if the application relates to a category C firearm — information about the matters of which the Commissioner must be satisfied under regulation 136(3);
- (f) if the application relates to a category H firearm — information about the matters of which the Commissioner must be satisfied under regulation 137.

Note for this subregulation:

See also Part 4 Division 4 of the Act and Part 5 Division 1 of these regulations.

- (2) Subregulation (1)(d) does not apply in relation to a shooting discipline if the applicant —
 - (a) is a licensee under a Range Licence that applies to a suitable firearm range for the shooting discipline; or
 - (b) has made an application for a Range Licence that has not yet been decided but which, if granted, would apply to a suitable firearm range for the shooting discipline.
- (3) An amendment application must comply with subregulation (1)(e) and (f) if applicable.

Note for this subregulation:

Under section 189(3) of the Act, a licence must not be amended to add a firearm or replace a firearm with another firearm unless the Commissioner is satisfied that the licence could be granted to apply to the new firearm.

133. Relevant disciplines for licence

- (1) In this regulation —
appropriately qualified, to supervise a person, means having the necessary experience, qualifications or skills to safely and competently supervise the person.

- (2) As part of granting a Club Licence, the Commissioner must designate 1 or more shooting disciplines (each a *relevant discipline*) for the licence.
- (3) In deciding whether to designate a relevant discipline for a Club Licence, the Commissioner must have regard to whether —
 - (a) the applicant has, or has access to, a licensed firearm range for use by members of the club referred to in section 73(2) of the Act that is suitable for the relevant discipline; and
 - (b) the shooting discipline is a generally accepted category of shooting discipline.
- (4) The Commissioner must not designate a shooting discipline as a relevant discipline for a licence unless the Commissioner is satisfied that there will be 1 or more authorised persons for the licence who are appropriately qualified to supervise persons in the shooting discipline as referred to in section 74(1)(c) of the Act.
- (5) A Club Licence must specify each relevant discipline for the licence.
- (6) For each firearm to which the licence applies, the licence must also specify the relevant discipline for which the firearm is authorised.
- (7) A firearm can be authorised for more than 1 relevant discipline.

134. Amendment of relevant disciplines for licence

- (1) The Commissioner may amend a Club Licence, on the application of the licensee, by adding or removing a shooting discipline as a relevant discipline for the licence.
- (2) An application to add a shooting discipline as a relevant discipline for a Club Licence must include information about —
 - (a) the firearms to which the licence applies that are proposed to be used for the discipline; and

- (b) the matters that the Commissioner must have regard to, and be satisfied of, under regulation 133 for a relevant discipline for a Club Licence.
- (3) The Commissioner must not amend a Club Licence to add a shooting discipline as a relevant discipline for the licence unless the Commissioner is satisfied that the licence could be granted with the shooting discipline designated as a relevant discipline for the licence.
- (4) The Commissioner may amend a Club Licence, without an application by the licensee, by removing a shooting discipline as a relevant discipline for the licence if the Commissioner is satisfied that the licence would not be granted with the shooting discipline designated as a relevant discipline for the licence.
- (5) If the Commissioner amends a licence under this regulation, the Commissioner must give notice of the amendment in writing to the licensee.
- (6) If the amendment was made under subregulation (4), the notice of the amendment must include a statement of the Commissioner's reasons for the amendment.
- (7) The amendment takes effect when notice of it is given to the licensee or on a later date specified by the Commissioner in the notice.

135. Restriction on grant of licence: target shooting (Act s. 142)

- (1) This regulation restricts, under section 142 of the Act, the grant of a Club Licence.
- (2) The Commissioner must not grant the licence unless the Commissioner is satisfied that, to the extent that the club referred to in section 73(2) of the Act has as its primary purpose the making of arrangements for participation by its members in target shooting using firearms, it is target shooting for the purpose of practising or preparing for competition shooting.

**136. Restriction on grant of licence: category C firearm
(Act s. 142)**

- (1) This regulation restricts, under section 142 of the Act, the grant of a Club Licence that applies to a category C firearm.
- (2) The Commissioner must not grant the licence to apply to the category C firearm unless the firearm is a self-loading or pump action shotgun.
- (3) Also, the Commissioner must not grant the licence to apply to the category C firearm unless the Commissioner is satisfied that either of the following persons has, because of a lack of strength or dexterity, a physical need for a category C firearm that is a shotgun to enable the person to take part in shooting competitions in a shooting discipline involving clay targets —
 - (a) a person who will be an authorised person for the licence;
 - (b) a person who has expressed written interest in using a club firearm for the purposes of competition shooting, target shooting or firearms training.

137. Restriction on grant of licence: characteristics of category H firearm (Act s. 124)

- (1) In this regulation —

barrel length, in relation to a handgun, means —

 - (a) for a revolver — the distance from the muzzle of the barrel to the breech end immediately in front of the cylinder; or
 - (b) otherwise — the distance from the muzzle of the barrel to the point of the breech face (including the chamber), measured with the top slide (if any) in the closed position.
- (2) This regulation restricts, under section 124(a) of the Act, the grant of a Club Licence that applies to a category H firearm.

- (3) The Commissioner must not grant the licence to apply to the category H firearm unless the firearm —
 - (a) has a calibre of 0.45 inches or less; and
 - (b) is not capable of firing more than 10 rounds without being reloaded; and
 - (c) has a barrel length of —
 - (i) for a self-loading handgun — 120 mm or more; or
 - (ii) otherwise — 100 mm or more.
- (4) Subregulation (3)(c) does not apply if the Commissioner is satisfied that —
 - (a) the category H firearm has been specially designed for target shooting; and
 - (b) the category H firearm is no easier to conceal on a person than —
 - (i) if the category H firearm is a self-loading handgun — a handgun that has a barrel length of 120 mm; or
 - (ii) otherwise — a handgun that has a barrel length of 100 mm.
- (5) The restrictions imposed under this regulation do not apply to a muzzle loading handgun or a percussion lock or cap lock handgun.

138. Restriction on grant of licence: large calibre handgun (Act s. 124)

- (1) This regulation restricts, under section 124(a) of the Act, the grant of a Club Licence that applies to a large calibre handgun.
- (2) The Commissioner must not grant the licence to apply to a large calibre handgun unless 1 of the following is a relevant discipline for the licence —
 - (a) the shooting discipline known as “Metallic Silhouette”;

- (b) the shooting discipline known as “Western Action” or “Single Action”.

Subdivision 3 — Limit on authority and conditions

139. Limit on authority: use authorised for relevant discipline only (Act s. 123)

- (1) This regulation limits, under section 123(1) of the Act, the authority conferred by a Club Licence on a person to use a club firearm at a licensed firearm range under section 74(1)(b) and (c) of the Act.
- (2) The person is only authorised to use the club firearm for the purposes of competition shooting, target shooting or firearms training in a relevant discipline for the licence for which the firearm is authorised.

Note for this subregulation:

See regulation 133(5) to (7).

140. Condition of licence: licensee (Act s. 186 and 187)

- (1) This regulation imposes, under sections 186(1)(b) and 187(1)(a) of the Act, a condition on a Club Licence that applies to the licensed firearm club.
- (2) The licensed firearm club must comply with the competition requirement that applies to the club under regulation 141, subject to regulation 142.

141. Competition requirement for licensed firearm club

- (1) A licensed firearm club must conduct at least 4 shooting competitions in each 12-month period of the Club Licence.
- (2) For the purposes of subregulation (1) —
 - (a) a shooting competition counts only if —
 - (i) it is in a relevant discipline for the licence; and
 - (ii) it is held at a licensed firearm range; and

- (iii) before it is held, the licensed firearm club registers it with the Commissioner in the approved manner and approved form;
 - and
 - (b) the first 12-month period begins on the day on which the licence is granted.
- (3) A competition registered under subregulation (2)(a)(iii) is a *registered shooting competition*.

142. Reduction or waiver of competition requirement

- (1) The Commissioner may, in respect of a 12-month period, reduce or waive the requirement imposed under regulation 141 on a licensed firearm club.
- (2) The Commissioner may reduce or waive the requirement on —
 - (a) the request of the licensed firearm club made in the approved manner and approved form; or
 - (b) the Commissioner’s own initiative.
- (3) The Commissioner may reduce or waive the requirement only if the Commissioner is satisfied that the licensed firearm club has a reasonable excuse for not complying with the requirement.
- (4) The Commissioner’s power to reduce or waive the requirement is only exercisable before or during the 12-month period.
- (5) The Commissioner must give a licensed firearm club written notice of —
 - (a) a decision to reduce or waive the requirement for the licensed firearm club; or
 - (b) if the licensed firearm club applied for a reduction or waiver of the requirement and the Commissioner decides to refuse the application — the decision to refuse the application and the reasons for the decision.

Subdivision 4 — Membership of licensed firearm club and reportable matters

143. Membership matters: requirements for membership of licensed firearm club (Act s. 77)

- (1) For the purposes of section 77(1)(a) of the Act, a person (the *potential club member*) is required to provide the following to a licensed firearm club —
 - (a) the potential club member's name, date of birth and contact details;
 - (b) 2 character references that comply with subregulation (2);
 - (c) if the potential club member —
 - (i) holds a Competition Licence — the authority number for the licence; or
 - (ii) does not hold a Competition Licence but holds 1 or more other firearm authorities — the authority number for 1 of the authorities; or
 - (iii) does not hold a firearm authority — the items under subregulation (3).
- (2) For the purposes of subregulation (1)(b), each character reference must —
 - (a) state that the person giving the character reference —
 - (i) has known the potential club member for at least 2 years; and
 - (ii) believes the potential club member is of good character and a suitable person to be a member of a licensed firearm club;and
 - (b) state the name and contact details of the person giving the character reference; and

- (c) if the person giving the character reference holds 1 or more firearm authorities — state the authority number for 1 of the authorities; and
 - (d) be dated within the last 3 months.
- (3) For the purposes of subregulation (1)(c)(iii), the items are —
- (a) a national police certificate for the potential club member issued within the last 12 months by the Police Force of Western Australia or a police force of another State or a Territory; and
 - (b) a declaration made within the last 7 days in accordance with subregulation (4).
- (4) The declaration —
- (a) must be made in the approved manner; and
 - (b) must be made by the potential club member; and
 - (c) must state that the potential club member is not a disqualified person or prohibited person.
- (5) The potential club member commits an offence if the potential club member makes a declaration under subregulation (3)(b) that they know is false or misleading in a material particular.
- Penalty for this subregulation: a fine of \$5 000.

144. Membership matters: circumstances in which licensed firearm club must suspend or cancel membership (Act s. 77)

- (1) For the purposes of section 77(1)(b) of the Act, a licensed firearm club must cancel the membership of a member of the club if the member is a disqualified person, other than an interim disqualified person, or a prohibited person.
- (2) For the purposes of section 77(1)(b) of the Act, a licensed firearm club must suspend the membership of a member of the club if the member is an interim disqualified person.

- (3) If a membership is suspended under subregulation (2), the membership must remain suspended until the member ceases to be an interim disqualified person (unless the membership is cancelled, or otherwise ends, earlier).
- (4) The Commissioner must notify a licensed firearm club as soon as practicable after any of the following occurs —
 - (a) the Commissioner becomes aware that a member of the club is a disqualified person (including an interim disqualified person) or a prohibited person;
 - (b) the Commissioner refuses to grant a firearm authority to a member of the club;
 - (c) the Commissioner cancels, refuses to renew or suspends a firearm authority held by a member of the club;
 - (d) the suspension of a firearm authority held by a member of the club ends.

145. Reportable matters: registered shooting competitions (Act s. 375)

- (1) For the purposes of section 375(1)(e) of the Act, a registered shooting competition conducted by the licensed firearm club is a reportable matter.
- (2) For the purposes of section 375(2)(a) of the Act, the licensed firearm club must provide to the Commissioner for each participant in the registered shooting competition —
 - (a) if the participant holds a firearm authority and provides the club with the authority number of the authority — the authority number; or
 - (b) otherwise — the participant's name and date of birth.

146. Reportable matters: manner and time within which information must be provided (Act s. 375)

- (1) For the purposes of section 375(2)(b) and (c) of the Act, information about a reportable matter must be provided, in the

approved manner, to the Commissioner within 7 days after the day on which the reportable matter occurs.

- (2) Also, information about a reportable matter must be provided to the Commissioner in the approved form.

147. Reportable matters: member of club not fit and proper person (Act s. 375)

For the purposes of section 375(3) of the Act, the officer of the licensed firearm club must notify the Commissioner of the opinion and the grounds on which it was formed —

- (a) in the approved manner; and
- (b) within 7 days after the day on which the officer formed the opinion.

148. Record-keeping requirements for licence

- (1) A licensed firearm club must record the following information about each member of the licensed firearm club —
- (a) the name and date of birth of the member;
 - (b) if the member —
 - (i) holds a Competition Licence — the authority number for the licence; or
 - (ii) does not hold a Competition Licence but holds 1 or more other firearm authorities — the authority number for 1 of the authorities;
 - (c) the date on which the member joined the club;
 - (d) if the member ceases to be a member of the club —
 - (i) the date on which the member ceased to be a member; and
 - (ii) a statement of the reason why the member ceased to be a member; and

- (iii) if the member ceased to be a member as a result of being expelled from membership — a statement of the reasons for the member being expelled.

Penalty for this subregulation: a fine of \$2 000.

- (2) A licensed firearm club must keep the information recorded under subregulation (1) —
 - (a) for each current member of the club; and
 - (b) if a member ceases to be a member of the club — for the period of 5 years after the day on which the member ceases to be a member.

Penalty for this subregulation: a fine of \$2 000.

- (3) A record of information required under this regulation must be made and kept in the approved manner and approved form.

Division 9 — Range Licences

Subdivision 1 — Preliminary

149. Terms used

In this Division —

amendment application, in relation to a Range Licence, means an application by the licensee under the licence to add a firearm to the licence, or to replace a firearm under the licence, under section 189(1)(a) or (b) of the Act;

business plan means a business plan that complies with regulation 150;

firearm range has the meaning given in section 78 of the Act;

licensed location, in relation to a shooting gallery to which a Range Licence applies, means a location, or location of a kind, specified in the licence;

licensed plan —

- (a) in relation to a shooting area for a firearm range that is not a shooting gallery — has the meaning given in regulation 154; or
- (b) in relation to a shooting area for a shooting gallery — has the meaning given in regulation 160;

proposed plan —

- (a) in relation to a shooting area for a firearm range that is not a shooting gallery — has the meaning given in regulation 152(1)(b); or
- (b) in relation to a shooting area for a shooting gallery — has the meaning given in regulation 158(1)(c);

proposed range has the meaning given in regulation 152(1)(a);

range firearm has the meaning given in section 78 of the Act;

shooting area, for a firearm range, means an area of the range in which —

- (a) a firearm is used; or
- (b) a projectile fired from a firearm is expected to travel.

150. Requirements for application for grant of licence: business plan

An application for the grant of a Range Licence must include a business plan that includes the following —

- (a) a description of the shooting activities for which the applicant proposes the firearm range will be used (each a ***relevant shooting activity***);
- (b) projections on the volume of business transactions that the applicant expects to enter into for allowing the use of the firearm range for a relevant shooting activity over the proposed term of the licence;

- (c) evidence that demonstrates and supports how the projections under paragraph (b) might be achieved.

Examples for this paragraph:

Market research, a marketing plan and strategies about operations or finances.

Subdivision 2 — Range Licences other than for shooting galleries

151. Application of Subdivision

This Subdivision does not apply to a Range Licence for a shooting gallery.

152. Requirements for application for grant of licence and amendment application

- (1) An application for the grant of a Range Licence must include the following —
 - (a) the location of the proposed licensed firearm range (the *proposed range*);
 - (b) a plan (the *proposed plan*) of, and for the safe operation of, the shooting area for the proposed range;
 - (c) photographs of the shooting area for the proposed range;
 - (d) a map of the property where the proposed range is located;
 - (e) information about each shooting discipline for which the applicant intends to provide facilities or equipment at the proposed range;
 - (f) evidence that demonstrates —
 - (i) the applicant is the owner or other lawful occupier of the land; and
 - (ii) the matter of which the Commissioner must be satisfied under section 83(c) of the Act;
 - (g) a business plan;

- (h) if the application is for a licence that applies to a category C firearm — information about the matters of which the Commissioner must be satisfied under regulation 155(3).

Note for this subregulation:

See also Part 4 Division 4 of the Act and Part 5 Division 1 of these regulations.

- (2) Without limiting subregulation (1)(b), the proposed plan must —
 - (a) show the layout of the shooting area, including any shooting lanes and safety features; and
 - (b) demonstrate how the shooting area meets the standards of construction referred to in section 83(b) of the Act; and
 - (c) demonstrate how the operation of the shooting area will be managed to ensure its safe operation.
- (3) An amendment application must comply with subregulation (1)(h) if applicable.

Note for this subregulation:

Under section 189(3) of the Act, a licence must not be amended to add a firearm or replace a firearm with another firearm unless the Commissioner is satisfied that the licence could be granted to apply to the new firearm.

153. Restriction on grant of licence: proposed plan suitable for safe operation (Act s. 142)

- (1) This regulation restricts, under section 142 of the Act, the grant of a Range Licence.
- (2) The Commissioner must not grant the licence unless the Commissioner is satisfied that the proposed plan is suitable for ensuring the safe operation of the shooting area.

Note for this subregulation:

See also section 83(b) of the Act.

154. Licensed plan of shooting area for firearm range

- (1) If the Commissioner grants a Range Licence, the proposed plan is the *licensed plan* of the shooting area for the firearm range, subject to subregulation (4).
- (2) The licensee may make a request, in the approved manner and approved form, to the Commissioner to make a new plan the licensed plan.
- (3) The request must clearly indicate the changes between the current licensed plan and the new plan.
- (4) The Commissioner may change the current licensed plan to the new plan and, if the Commissioner does so, the new licensed plan is the *licensed plan* of the shooting area for the firearm range.
- (5) The Commissioner must not change the current licensed plan to the new plan unless the Commissioner is satisfied that the Range Licence could be granted with the new plan as the licensed plan of the shooting area for the firearm range.

155. Restriction on grant of licence: category C firearm (Act s. 142)

- (1) This regulation restricts, under section 142 of the Act, the grant of a Range Licence that applies to a category C firearm.
- (2) The Commissioner must not grant the licence to apply to the category C firearm unless the firearm is a self-loading or pump action shotgun.
- (3) Also, the Commissioner must not grant the licence to apply to the category C firearm unless the Commissioner is satisfied that either of the following persons has, because of a lack of strength or dexterity, a physical need for a category C firearm that is a

shotgun to enable the person to take part in shooting competitions in a shooting discipline involving clay targets —

- (a) a person who will be an authorised person for the licence;
- (b) a person who has expressed written interest in using a range firearm for the purposes of competition shooting, target shooting or firearms training.

156. Conditions of licence: licensee (Act s. 186 and 187)

- (1) This regulation imposes, under sections 186(1)(b) and 187(1)(a) of the Act, conditions on a Range Licence that apply to the licensee under the licence.
- (2) The licensee must not allow the use of a firearm at the shooting area for the licensed firearm range if the licensee has made a material change to the shooting area as shown on the licensed plan.

Note for this subregulation:

A licensee may request that the Commissioner change the licensed plan of a shooting area under regulation 154(2).

- (3) Without limiting subregulation (2), the following are examples of a material change to the shooting area for a licensed firearm range —
 - (a) the addition or deletion of a shooting lane;
 - (b) a change to the backstops or other fixed and permanent safety features of the shooting area;
 - (c) a change to the construction of the shooting lanes, or operation of the lanes as shown on the licensed plan, to allow shooting in a different direction.
- (4) The licensee must ensure that a person who possesses a first aid qualification is present at the licensed firearm range when a person is using a firearm at the range.

- (5) The licensee must ensure that the licensee or an authorised person for the licence is present at the licensed firearm range when a person is using a firearm at the range.

157. Reporting for licence: visitors to licensed firearm range

- (1) In this regulation —
visitor, in relation to a Range Licence, means a person who —
- (a) attends the licensed firearm range to use a firearm at the range; and
 - (b) is not the licensee or an authorised person or responsible person for the licence.
- (2) A licensee under a Range Licence must report the required information to the Commissioner for a visitor who attends the licensed firearm range within 7 days after the day on which the visitor attends the range.
Penalty for this subregulation: a fine of \$2 000.
- (3) For the purposes of subregulation (2), the required information is —
- (a) if the visitor provides the licensee or an authorised person for the licence with an authority number of a firearm authority held by the visitor — the authority number; or
 - (b) otherwise —
 - (i) the visitor's name and date of birth; and
 - (ii) confirmation that the licensee has obtained a declaration in accordance with regulation 241 for the visitor.
- (4) A report to the Commissioner under this regulation must be made in the approved manner and approved form.

Subdivision 3 — Range Licences for shooting galleries

158. Requirements for application for grant of licence

- (1) An application for the grant of a Range Licence for a shooting gallery must include the following —
 - (a) the proposed locations, or kinds of locations, at which the applicant proposes to operate the shooting gallery;
 - (b) any events, or kinds of events, during which the applicant proposes to operate the shooting gallery;
 - (c) a plan (the *proposed plan*) of, and for the safe operation of, the shooting area for the shooting gallery;
 - (d) photographs of the shooting area for the shooting gallery;
 - (e) information about each shooting activity the applicant proposes to conduct in the shooting gallery;
 - (f) a business plan.

Note for this regulation:

See also Part 4 Division 4 of the Act and Part 5 Division 1 of these regulations.

- (2) Without limiting subregulation (1)(c), the proposed plan must —
 - (a) show the layout of the shooting area, including any shooting lanes and safety features; and
 - (b) demonstrate how the shooting area meets the standards of construction referred to in regulation 159(2)(b); and
 - (c) demonstrate how the operation of the shooting area will be managed to ensure its safe operation.

159. Restriction on grant of licence: proposed plan suitable for safe operation and shooting area meets standards of construction (Act s. 142)

- (1) This regulation restricts, under section 142 of the Act, the grant of a Range Licence for a shooting gallery.

- (2) The Commissioner must not grant the licence unless the Commissioner is satisfied that —
 - (a) the proposed plan is suitable for ensuring the safe operation of the shooting area; and
 - (b) the shooting area will meet standards of construction determined by the Commissioner as necessary for the safe operation of a shooting gallery at the locations, or locations of the kind, specified in the licence.

160. Licensed plan of shooting area for shooting gallery

- (1) If the Commissioner grants a Range Licence for a shooting gallery, the proposed plan is the *licensed plan* of the shooting area for the shooting gallery, subject to subregulation (4).
- (2) The licensee may make a request, in the approved manner and approved form, to the Commissioner to make a new plan the licensed plan.
- (3) The request must clearly indicate the changes between the current licensed plan and the new plan.
- (4) The Commissioner may change the current licensed plan to the new plan and, if the Commissioner does so, the new licensed plan is the *licensed plan* of the shooting area for the shooting gallery.
- (5) The Commissioner must not change the current licensed plan to the new plan unless the Commissioner is satisfied that the Range Licence could be granted with the new plan as the licensed plan of the shooting area for the shooting gallery.

161. Restriction on grant of licence: only particular category A firearms (Act s. 124)

- (1) This regulation restricts, under section 124(a) of the Act, the grant of a Range Licence for a shooting gallery that applies to a category A firearm.

- (2) The Commissioner must not grant the licence to apply to the category A firearm unless the firearm is —
 - (a) an air rifle that has a calibre of not more than 0.22 inches and that is not self-loading; or
 - (b) a rim-fire rifle that —
 - (i) has a calibre of not more than 0.22 inches and a magazine capacity of not more than 10 rounds; and
 - (ii) is not self-loading.

162. Conditions of licence: licensee (Act s. 186 and 187)

- (1) This regulation imposes, under sections 186(1)(b) and 187(1)(a) of the Act, conditions on a Range Licence for a shooting gallery that apply to the licensee under the licence.
- (2) If the licensee is constructing the shooting gallery for the purposes of the operation of the gallery at a licensed location for the gallery, the licensee must ensure that before the operation of the gallery —
 - (a) all parts of the gallery are properly constructed and securely fixed; and
 - (b) the parts for the shooting area are constructed and fixed in accordance with the licensed plan.
- (3) The licensee must ensure that before the operation of the shooting gallery at a licensed location for the gallery and at all times during the operation of the gallery at a licensed location for the gallery —
 - (a) all parts of the gallery are in good condition and repair; and
 - (b) all equipment brought into the gallery is in good condition and proper working order.

- (4) The licensee must ensure that at all times during the operation of the shooting gallery at a licensed location for the gallery —
 - (a) there is a sufficient number of authorised persons for the licence to ensure the safe operation and immediate supervision of members of the public at the gallery; and
 - (b) a person who possesses a first aid qualification is present at the gallery.
- (5) If the licensee is present during the operation of the shooting gallery at a licensed location for the gallery, the licensee must ensure that each firearm in the gallery is appropriately tethered to the shooting bench in a way that only allows the firearm to shoot in the direction of a target of the gallery.
- (6) The licensee must not allow a person to use a firearm other than a range firearm in the shooting gallery.
- (7) The licensee must ensure that each authorised person for the licence complies with the conditions imposed under regulation 163.

**163. Conditions of approval of authorised person for licence
(Act s. 186 and 187)**

- (1) This regulation imposes, under sections 186(2) and 187(1)(a) of the Act, conditions on the approval of an authorised person for a Range Licence for a shooting gallery.
- (2) If the authorised person is constructing the shooting gallery for the purposes of the operation of the gallery at a licensed location for the gallery, the authorised person must ensure that before the operation of the gallery —
 - (a) all parts of the shooting gallery are properly constructed and securely fixed; and
 - (b) the parts for the shooting area are constructed and fixed in accordance with the licensed plan.

- (3) If the authorised person is present during the operation of the shooting gallery at a licensed location for the gallery, the authorised person must ensure that each firearm in the gallery is appropriately tethered to the shooting bench in a way that only allows the firearm to shoot in the direction of a target of the gallery.
- (4) The authorised person must not —
 - (a) use a firearm other than a range firearm in the shooting gallery; or
 - (b) allow a person to use a firearm other than a range firearm in the gallery.

164. Interference with parts of shooting gallery

- (1) This regulation applies —
 - (a) during the construction of a shooting gallery at a licensed location for the gallery; and
 - (b) at any time after the construction has been completed while the shooting gallery remains constructed at the licensed location.
- (2) A person must not interfere with —
 - (a) any fastening or fitting which secures part of the shooting gallery; or
 - (b) any shield, object used to tether a firearm, or other device which contributes to the safe operation of the gallery.

Penalty for this subregulation: a fine of \$5 000.

- (3) Subregulation (2) does not apply to the licensee, or an authorised person for the licence, who is constructing, adjusting or dismantling any component of the shooting gallery in the course of the construction or operation of the gallery.

165. Reporting for licence: operation of shooting gallery

- (1) At least 7 days before the operation of a shooting gallery at a licensed location for the gallery, the licensee under the Range Licence for the shooting gallery must report to the Commissioner the location and name of any event for which the shooting gallery is being operated.
Penalty for this subregulation: a fine of \$2 000.
- (2) Within 28 days after the day on which the operation of the shooting gallery at the location ceases, the licensee must also report the required details for each authorised person for the licence who supervised a person using a range firearm at the location under section 80(2)(c) of the Act.
Penalty for this subregulation: a fine of \$2 000.
- (3) For the purposes of subregulation (2), the required details are —
 - (a) the authorised person’s name; and
 - (b) the authority number for the approval of the person as an authorised person for the licence.
- (4) A report to the Commissioner under this regulation must be made in the approved manner and approved form.

Division 10 — Trade Licences

Subdivision 1 — Preliminary

166. Terms used

In this Division —

apprentice has the meaning given in the *Vocational Education and Training Act 1996* section 60A;

appropriately qualified, to conduct an activity, means having the necessary experience, qualifications or skills to safely and competently conduct the activity without supervision;

authorised apprentice, in relation to a Firearm Repair Licence or Firearm Manufacture Licence, means a person who is —

- (a) an apprentice under a training contract that relates to the repair or manufacture of firearms or related things; and
- (b) approved as an authorised person for the licence;

firearm technology nomination approval has the meaning given in regulation 192(1);

high-risk item has the meaning given in regulation 189(1);

high-risk item approval has the meaning given in regulation 189(2);

multi-purpose licence has the meaning given in section 88(3) of the Act;

prohibited accessory approval has the meaning given in section 98(1) of the Act;

trade purpose has the meaning given in section 88(1) of the Act;

training contract has the meaning given in the *Vocational Education and Training Act 1996* section 60A.

Subdivision 2 — Licences and approvals as authorised persons

167. Requirements for application for grant of licence

An application for the grant of a Trade Licence must include the following —

- (a) the premises (the ***proposed premises***), as referred to in section 91 of the Act, at which the activities authorised by the licence will be conducted;
- (b) evidence that demonstrates that the applicant can lawfully carry on the business which the applicant proposes to operate under the licence at the proposed premises;
- (c) a business plan that complies with regulation 168;

- (d) information about insurance that the applicant holds in relation to an activity that would be authorised by the licence;
- (e) if the application relates to a Firearm Repair Licence or Firearm Manufacture Licence — information about the matters of which the Commissioner must be satisfied under regulation 169;
- (f) if the application relates to a Firearm Storage Licence — the approximate number of firearms or related things that the applicant intends to store under the authority of the licence and the categories of any firearms the applicant intends to store;
- (g) any other information required under this Division for the Trade Licence applied for.

Note for this regulation:

See also Part 4 Division 4 of the Act and Part 5 Division 1 of these regulations.

168. Requirements for application for grant of licence: business plan

An application for the grant of a Trade Licence must include a business plan that includes the following —

- (a) a description of the things referred to in section 89(1) of the Act that the applicant intends to deal in, repair, manufacture or store under the authority of the licence;
- (b) for a Firearm Dealer Licence, Firearm Repair Licence or Firearm Manufacture Licence — projections on the number of eligible agreements (as defined in regulation 172) that the applicant expects to enter into annually;
- (c) for a Firearm Storage Licence — projections on the volume of business transactions with customers that the applicant expects to enter into annually that involve the

storage of a thing referred to in section 89(1) of the Act under the authority of the licence;

- (d) evidence that demonstrates and supports how the projections under paragraph (b) or (c) might be achieved.

Examples for this paragraph:

Market research, a marketing plan and strategies about operations or finances.

169. Restriction on grant of Firearm Repair Licence or Firearm Manufacture Licence (Act s. 142)

- (1) This regulation restricts, under section 142 of the Act, the grant to a person of a Firearm Repair Licence or Firearm Manufacture Licence.
- (2) The Commissioner must not grant a Firearm Repair Licence unless the Commissioner is satisfied that the person, or a person who will be an authorised person for the licence, is appropriately qualified to repair the things that will be authorised for repair under the licence.
- (3) The Commissioner must not grant a Firearm Manufacture Licence unless the Commissioner is satisfied that the person, or a person who will be an authorised person for the licence, is appropriately qualified to manufacture the things that will be authorised for manufacturing under the licence.
- (4) For the purposes of subregulation (2) or (3), the Commissioner may be satisfied that —
 - (a) for different types of things, different persons are appropriately qualified to repair or manufacture the things; and
 - (b) if the repair or manufacturing of a thing involves more than 1 step — different persons are appropriately qualified to perform the work required for each step.

170. Restriction on grant of approval of person as authorised person for Firearm Repair Licence or Firearm Manufacture Licence (Act s. 142)

- (1) This regulation restricts, under section 142 of the Act, the grant of an approval of a person as an authorised person for a Firearm Repair Licence or Firearm Manufacture Licence.
- (2) The Commissioner must not grant the approval unless the Commissioner is satisfied that the person —
 - (a) is appropriately qualified —
 - (i) for a Firearm Repair Licence — to repair, or participate in a step in the repair of, the things, or 1 or more types of thing, authorised for repair under the licence; or
 - (ii) for a Firearm Manufacture Licence — to manufacture, or participate in a step in the manufacture of, the things, or 1 or more types of thing, authorised for manufacture under the licence;
 - or
 - (b) is a suitable apprentice.
- (3) A person is a *suitable apprentice* if —
 - (a) the person is an apprentice under a training contract; and
 - (b) the employer under the training contract is the licensee; and
 - (c) the training contract is for the person to obtain a qualification that —
 - (i) for a Firearm Repair Licence — relates to the repair of the things, or 1 or more types of thing, authorised for repair under the licence; or
 - (ii) for a Firearm Manufacture Licence — relates to the manufacture of the things, or 1 or more types

of thing, authorised for manufacture under the licence.

- (4) For the purposes of subregulation (3)(b), the licensee includes —
 - (a) for a licensee that is a partnership — a member of the partnership or the responsible person for the licence; and
 - (b) for a licensee that is a body corporate — the responsible person for the licence.
- (5) An application for the approval of the person must include information about the matters of which the Commissioner must be satisfied under this regulation and, if the person is applying as a suitable apprentice, a copy of the person's training contract.

171. Discretionary grounds for refusal to grant licence (Act s. 142)

- (1) This regulation states, under section 142 of the Act, discretionary grounds for refusing to grant a Trade Licence to a person.
- (2) The Commissioner may refuse to grant the licence if the Commissioner is not satisfied that the person can lawfully carry on the business that the person proposes to operate under the licence at the proposed premises (as defined in regulation 167(a)).
- (3) Without limiting subregulation (2), the Commissioner may refuse to grant the licence if the Commissioner is not satisfied that —
 - (a) the use of the proposed premises for the business is permitted under the planning scheme that applies to the land on which the premises are located; or
 - (b) the person has a licence or other approval that is required under another written law to lawfully conduct an activity that is, or is part of, an activity authorised by the licence.

Subdivision 3 — Minimum level of business activity and conditions of Trade Licences

172. Minimum level of business activity for particular Trade Licences (Act s. 90)

- (1) This regulation imposes, under section 90(2) of the Act, a requirement for a minimum level of business activity for a Firearm Dealer Licence, a Firearm Manufacture Licence or a Firearm Repair Licence.
- (2) The minimum level of business activity required is for the licensee annually to enter into 20 agreements (each an *eligible agreement*) under which the licensee agrees to the following —
 - (a) for a Firearm Dealer Licence — to supply 1 or more firearms or related things to a customer;
 - (b) for a Firearm Repair Licence — to repair 1 or more firearms or related things for a customer;
 - (c) for a Firearm Manufacture Licence — to manufacture 1 or more firearms or related things for a customer.
- (3) However, an agreement does not count for the purposes of subregulation (2) if —
 - (a) the customer holds a Trade Licence; and
 - (b) the agreement is for a firearm or related thing that the customer possesses or will possess under the authority of the Trade Licence.
- (4) If more than 1 eligible agreement with the same customer is entered into within a 24-hour period, the eligible agreements are counted as 1 eligible agreement for the purposes of subregulation (2).
- (5) For a multi-purpose licence, the requirement for a minimum level of business activity under subregulation (2) may be met with eligible agreements for any trade purpose for the licence.

173. Conditions of Trade Licences: authorised persons for licence (Act s. 186 and 187)

- (1) In this regulation —
licensed firearm premises means premises to which a Trade Licence applies.
- (2) This regulation imposes, under sections 186(1)(c) and 187(1)(a) of the Act, conditions on a Trade Licence that apply to an authorised person for the licence.
- (3) An authorised person must not leave a firearm or related thing unattended in an area of the licensed firearm premises at any time when either or both of the following apply —
 - (a) the area is open to members of the public;
 - (b) a member of the public is present in the area.
- (4) For the purposes of subregulation (3), a firearm or related thing is left unattended if it is not in —
 - (a) the immediate possession of the licensee or an authorised person for the licence; or
 - (b) compliant storage.
- (5) Before an authorised person stores a firearm that is in their immediate possession under the authority of the licence, the authorised person must —
 - (a) inspect the firearm to ensure that it is not loaded with ammunition; and
 - (b) place a visible flag, known as a chamber flag, on the firearm to indicate that the firearm is not loaded.
- (6) Subregulation (5) does not apply in relation to a firearm that already has a chamber flag.

174. Conditions of Trade Licences: licensee (Act s. 186 and 187)

- (1) In this regulation —
licensed firearm premises means premises to which a Trade Licence applies.
- (2) This regulation imposes, under sections 186(1)(b) and 187(1)(a) of the Act, conditions on a Trade Licence that apply to the licensee under the licence.
- (3) The licensee must ensure that each firearm or related thing (a *relevant item*) in the possession of the licensee or an authorised person under the authority of the licence is labelled with the following details —
 - (a) if the relevant item is a firearm — the serial number of the firearm;
 - (b) if the relevant item is a major firearm part — a serial number appearing on the part or, if there is no serial number, the type of part;
 - (c) if the relevant item is a prohibited accessory — any serial number appearing on the accessory;
 - (d) if the licensee is in possession of the relevant item on behalf of a customer, the following —
 - (i) the name of the customer;
 - (ii) if a licence or permit (other than the Trade Licence) applies to the relevant item — the authority number for the licence or permit;
 - (iii) if subparagraph (ii) does not apply but the customer, or a person for whom the customer works, holds an equivalent authority for the relevant item — any number or similar given under the law of the relevant jurisdiction for the purpose of the unique identification of the authority.

- (4) For the purposes of subregulation (3) —
 - (a) a relevant item must be labelled at all times when in possession, except when it is reasonable in the circumstances for it not to be labelled, including, for example, when it is being cleaned or repaired; and
 - (b) if more than 1 licence, permit or equivalent authority applies to the relevant item — the relevant item only needs to be labelled with the number or similar referred to in subregulation (3)(d)(ii) or (iii) for 1 of the licences, permits or equivalent authorities.
- (5) The licensee must not leave a firearm or related thing unattended in an area of the licensed firearm premises at any time when either or both of the following apply —
 - (a) the area is open to members of the public;
 - (b) a member of the public is present in the area.
- (6) For the purposes of subregulation (5), a firearm or related thing is left unattended if it is not in —
 - (a) the immediate possession of the licensee or an authorised person for the licence; or
 - (b) compliant storage.
- (7) Before the licensee stores a firearm that is in their immediate possession under the authority of the licence, the licensee must —
 - (a) inspect the firearm to ensure that it is not loaded with ammunition; and
 - (b) place a visible flag, known as a chamber flag, on the firearm to indicate that the firearm is not loaded.
- (8) Subregulation (7) does not apply in relation to a firearm that already has a chamber flag.

- (9) The licensee must ensure that each authorised person for the licence complies with the conditions imposed under regulation 173.

175. Condition of Firearm Storage Licences: authorised persons (Act s. 186 and 187)

- (1) This regulation imposes, under sections 186(1)(c) and 187(1)(a) of the Act, a condition on a Firearm Storage Licence that applies to an authorised person for the licence.
- (2) The authorised person must take all reasonable steps to ensure that a visitor does not enter an area where firearms, major firearm parts or ammunition are stored under the authority of the licence unless —
- (a) the visitor, or a person for whom the visitor works, has been engaged to provide a service or other thing for the licensee; and
 - (b) the visitor is required to carry out work in the area, or inspect the area, for the purpose of providing the service or other thing; and
 - (c) the visitor is immediately supervised by the licensee or an authorised person for the licence while in the area.
- (3) Subregulation (2) does not apply in relation to a visitor who enters the area to perform a function under the Act or another written law.
- (4) In subregulations (2) and (3) —
- visitor** means a person who is none of the following —
- (a) the licensee;
 - (b) the responsible person for the licence;
 - (c) an authorised person for the licence.

176. Conditions of Firearm Storage Licences: licensee (Act s. 186 and 187)

- (1) This regulation imposes, under sections 186(1)(b) and 187(1)(a) of the Act, conditions on a Firearm Storage Licence that apply to the licensee under the licence.
- (2) The licensee must take all reasonable steps to ensure that a visitor does not enter an area where firearms, major firearm parts or ammunition are stored under the authority of the licence unless —
 - (a) the visitor, or a person for whom the visitor works, has been engaged to provide a service or other thing for the licensee; and
 - (b) the visitor is required to carry out work in the area, or inspect the area, for the purpose of providing the service or other thing; and
 - (c) the visitor is immediately supervised by the licensee or an authorised person for the licence while in the area.
- (3) Subregulation (2) does not apply in relation to a visitor who enters the area to perform a function under the Act or another written law.
- (4) In subregulations (2) and (3) —

visitor means a person who is none of the following —

 - (a) the licensee;
 - (b) the responsible person for the licence;
 - (c) an authorised person for the licence.
- (5) The licensee must ensure that each authorised person for the licence complies with the conditions imposed under regulation 175.

177. Conditions of Firearm Manufacture Licence and Firearm Dealer Licence (Act s. 186 and 187)

- (1) In this regulation —
cartridge package means the box or other container that directly contains a cartridge.
- (2) Subregulation (3) imposes, under sections 186(1)(b) and 187(1)(a) of the Act, a condition on a Firearm Manufacture Licence if the licensee —
 - (a) is approved to supply ammunition manufactured under the authority of the licence; and
 - (b) has ammunition manufactured by the licensee, or by an authorised person for the licence, that utilises a cartridge case that has been used previously.
- (3) The licensee must not supply the ammunition to another person unless the cartridge package has wording durably imprinted in a prominent place on the package that indicates the cartridge case has been used previously.
- (4) Subregulation (5) imposes, under sections 186(1)(b) and 187(1)(a) of the Act, a condition on a Firearm Dealer Licence if —
 - (a) the licensee acquires ammunition from a person; and
 - (b) the person advises the licensee that the ammunition utilises a cartridge case that has been used previously.
- (5) The licensee must not supply the ammunition to another person unless the cartridge package has wording durably imprinted in a prominent place on the package that indicates the cartridge case has been used previously.
- (6) Without limiting the wording that may be used to comply with subregulation (3) or (5), the wording “manufactured ammunition” or “reloaded ammunition” may be imprinted to indicate the cartridge case has been used previously.

178. Conditions of Firearm Repair Licence or Firearm Manufacture Licence: licensee's obligations relating to authorised apprentice (Act s. 186 and 187)

- (1) This regulation imposes, under sections 186(1)(b) and 187(1)(a) of the Act, conditions that apply to the licensee under a Firearm Repair Licence or Firearm Manufacture Licence in relation to an authorised apprentice for the licence.
- (2) The licensee must ensure that the authorised apprentice is immediately supervised by another authorised person for the licence at all times when the apprentice has immediate possession of a firearm or related thing to which the licence applies.
- (3) The authorised person supervising the authorised apprentice under subregulation (2) must not also be an authorised apprentice for the licence.
- (4) If the authorised apprentice's training contract ends or is suspended, the licensee must notify the Commissioner in the approved manner and approved form that the contract has ended or been suspended and why.
- (5) Subregulation (6) applies if a Firearm Manufacture Licence authorises the licensee to supply a thing to which the licence applies that is manufactured under the authority of the licence.
- (6) The licensee must ensure that the authorised apprentice does not supply the thing to another person.
- (7) The licensee must ensure that —
 - (a) each authorised person for the licence complies with the conditions imposed under regulation 179; and
 - (b) each authorised apprentice for the licence complies with the conditions imposed under regulation 180.

179. Condition of approval of authorised person for Firearm Repair Licence or Firearm Manufacture Licence (Act s. 186 and 187)

- (1) This regulation imposes, under sections 186(2) and 187(1)(a) of the Act, a condition on the approval of an authorised person for a Firearm Repair Licence or Firearm Manufacture Licence.
- (2) If the authorised person is supervising an authorised apprentice for the licence, the authorised person must not stop supervising the apprentice while the apprentice is in immediate possession of a firearm or related thing to which the licence applies unless —
 - (a) another authorised person for the licence starts supervising the apprentice; or
 - (b) the apprentice ceases to immediately possess the firearm or related thing.
- (3) The other authorised person supervising the authorised apprentice under subregulation (2)(a) must not also be an authorised apprentice for the licence.

180. Conditions of Firearm Repair Licence or Firearm Manufacture Licence: authorised apprentice's obligations (Act s. 186 and 187)

- (1) This regulation imposes, under sections 186(1)(c) and 187(1)(a) of the Act, conditions that apply to an authorised apprentice for a Firearm Repair Licence or Firearm Manufacture Licence.
- (2) The authorised apprentice must not accept immediate possession of a firearm or related thing to which the licence applies unless the apprentice is immediately supervised by another authorised person for the licence.
- (3) The authorised person supervising the authorised apprentice under subregulation (2) must not also be an authorised apprentice for the licence.

- (4) Subregulation (5) applies if a Firearm Manufacture Licence authorises the licensee to supply a thing to which the licence applies that is manufactured under the authority of the licence.
- (5) The authorised apprentice must not supply the thing to another person.

Subdivision 4 — Reporting and record-keeping requirements

181. Reporting for Trade Licence: accepting possession

- (1) If a licensee or an authorised person under a Trade Licence (the *Trade Licensee*) accepts possession of a firearm or related thing (the *relevant item*) from or for a customer, the licensee must report the required information for the relevant item to the Commissioner within 7 days after the day on which the Trade Licensee accepts possession.
Penalty for this subregulation: a fine of \$5 000.
- (2) For the purposes of subregulation (1), the required information is the following —
 - (a) a description of the relevant item (including any details required by the approved form for the report);
 - (b) the date on which possession was accepted by the Trade Licensee;
 - (c) the customer’s name and any relevant authority number for the relevant item;
 - (d) if the customer did not give the relevant item to the Trade Licensee — the name of the person who gave the relevant item to the Trade Licensee;
 - (e) the reason for the Trade Licensee accepting possession of the relevant item, including, for example, because the relevant item was sold to the licensee under the Trade Licence or given to the Trade Licensee for repair or storage.

- (3) For the purposes of subregulation (2)(c), a **relevant authority number** for the relevant item is —
 - (a) if a licence or permit (other than the Trade Licence) applies to the relevant item — the authority number for the licence or permit; or
 - (b) if paragraph (a) does not apply but the customer, or a person for whom the customer works, holds an equivalent authority for the relevant item — any number or similar given under the law of the relevant jurisdiction for the purpose of the unique identification of the authority.
- (4) For the purposes of subregulation (2)(c), if there is more than 1 relevant authority number for the relevant item, the licensee only needs to report 1 relevant authority number for the relevant item under subregulation (1).
- (5) A report to the Commissioner under this regulation must be made in the approved manner and approved form.

182. Reporting for Firearm Manufacture Licence

- (1) If a firearm or related thing (the **relevant item**) is manufactured under the authority of a Firearm Manufacture Licence, the licensee must report the following information to the Commissioner within 7 days after the day on which the manufacture is completed —
 - (a) a description of the relevant item (including any details required by the approved form for the report);
 - (b) the date on which the manufacture of the relevant item was completed.

Penalty for this subregulation: a fine of \$5 000.

- (2) A report to the Commissioner under this regulation must be made in the approved manner and approved form.

183. Reporting for Trade Licence: ceasing to possess

- (1) If a firearm or related thing (the *relevant item*) ceases to be possessed under the authority of a Trade Licence, the licensee must report the required information for the relevant item to the Commissioner within 7 days after the day on which the relevant item ceases to be possessed.

Penalty for this subregulation: a fine of \$5 000.

- (2) For the purposes of subregulation (1), the required information is the following —
- (a) a description of the relevant item (including any details required by the approved form for the report);
 - (b) the date on which the relevant item ceases to be possessed;
 - (c) the reason why the relevant item ceases to be possessed;
 - (d) if the relevant item ceases to be possessed because it is being returned to a customer for whom an activity was conducted under the Trade Licence —
 - (i) the name of the customer and any relevant authority number for the relevant item; and
 - (ii) if the relevant item was given by the licensee or an authorised person for the licence to a person other than the customer for the purposes of it being returned to the customer — the name of the person;
 - (e) if paragraph (d) does not apply and the relevant item ceases to be possessed because it is given or sent to a person (the *recipient*) — the name of the recipient and any relevant authority number for the relevant item;
 - (f) if the relevant item was repaired or an approved alteration made while in the licensee's possession —
 - (i) a description of the repair or approved alteration; and

- (ii) the date on which the repair or approved alteration was completed.
- (3) For the purposes of subregulation (2)(d) and (e), a **relevant authority number** for the relevant item is —
 - (a) if a licence or permit (other than the Trade Licence) applies to the relevant item — the authority number for the licence or permit; or
 - (b) if paragraph (a) does not apply but the customer or recipient, or a person for whom the customer or recipient works, holds an equivalent authority for the relevant item — any number or similar given under the law of the relevant jurisdiction for the purpose of the unique identification of the authority.
- (4) For each requirement under subregulation (2)(d) and (e), if there is more than 1 relevant authority number for the relevant item, the licensee only needs to report 1 relevant authority number for the relevant item under subregulation (1).
- (5) This regulation does not apply if the relevant item ceases to be possessed under the authority of the licence in the circumstances described in section 393 or 394 of the Act.
- (6) A report to the Commissioner under this regulation must be made in the approved manner and approved form.

184. Reporting for Trade Licence: trade activity occurs for licensee under Trade Licence and other licence or permit

- (1) In this regulation —
non-Trade authority means a licence or permit other than a Trade Licence.
- (2) This regulation applies in relation to a firearm or related thing (the **relevant item**) if —

- (a) the licensee under a Trade Licence is also the licensee under, or an authorised person for, a non-Trade authority that applies to the relevant item; and
 - (b) any of the following occurs under the authority of the Trade Licence (the *trade activity*) —
 - (i) the relevant item is acquired for the licensee to possess under the authority of the non-Trade authority;
 - (ii) a repair of the relevant item is started for the licensee;
 - (iii) the relevant item is supplied to the licensee for the licensee to possess under the authority of the non-Trade authority;
 - (iv) a repair of the relevant item is completed for the licensee;
 - (v) if the Trade Licence is a Firearm Storage Licence — the relevant item is stored for the licensee;
 - (vi) if the Trade Licence is a Firearm Storage Licence — the relevant item is taken out of storage for the purpose of the relevant item no longer being stored under the authority of the Trade Licence.
- (3) The licensee must report the required information for the relevant item to the Commissioner within 7 days after the day (the *relevant day*) on which the trade activity occurs.
Penalty for this subregulation: a fine of \$5 000.
- (4) For the purposes of subregulation (3), the required information is the following —
- (a) a description of the relevant item (including any details required by the approved form for the report);
 - (b) the relevant day;

- (c) a description of the trade activity.
- (5) A report to the Commissioner under this regulation must be made in the approved manner and approved form.

185. Records for Trade Licence: firearm technology

- (1) A licensee under a Trade Licence must record the following information about firearm technology in the licensee's possession —
 - (a) if the firearm technology was developed or created by the licensee under the authority of the Trade Licence —
 - (i) a description of the firearm technology; and
 - (ii) the date on which the technology was developed or created (the *relevant day*);
 - (b) if the firearm technology came into the licensee's possession (other than in circumstances to which paragraph (a) applies) —
 - (i) a description of the firearm technology; and
 - (ii) the date on which the firearm technology came into the licensee's possession (also the *relevant day*);
 - (c) if the firearm technology ceases to be in the licensee's possession —
 - (i) a description of the firearm technology; and
 - (ii) the date on which the firearm technology ceases to be in the licensee's possession (also the *relevant day*); and
 - (iii) the reason why the firearm technology ceases to be in the licensee's possession;
 - (d) if the licensee gives the firearm technology to another person (other than in circumstances to which paragraph (c) applies) —
 - (i) a description of the firearm technology; and

- (ii) the date on which the firearm technology is given to the other person (also the *relevant day*); and
- (iii) the name of the person to whom the technology is given.

Penalty for this subregulation: a fine of \$5 000.

- (2) For the purposes of subregulation (1)(d), *gives* —
 - (a) means send, supply, transmit or communicate; but
 - (b) does not include an offer to supply.
- (3) Subregulation (1)(c) and (d) do not apply to a licensee who gives firearm technology to —
 - (a) an authorised person for the licence for the purpose of the person conducting an activity authorised by the licence; or
 - (b) a person approved under a firearm technology nomination approval for the purpose of the person conducting an activity authorised under the approval.
- (4) A licensee must keep the information recorded under subregulation (1) for the period of 5 years after the relevant day.
Penalty for this subregulation: a fine of \$5 000.
- (5) A record of information required under this regulation must be made and kept in the approved manner and approved form.

186. Reporting for Trade Licence: giving firearm technology

- (1) A licensee under a Trade Licence who gives firearm technology to another person must report the following information to the Commissioner within 7 days after the day on which the firearm technology is given to the other person —
 - (a) a description of the technology;
 - (b) the date on which the technology was given;

- (c) the name of the person to whom the technology was given.

Penalty for this subregulation: a fine of \$5 000.

- (2) For the purposes of subregulation (1), *gives* —
 - (a) means send, supply, transmit or communicate; but
 - (b) does not include an offer to supply.
- (3) Subregulation (1) does not apply to a licensee who gives technology to —
 - (a) an authorised person for the licence for the purpose of the person conducting an activity authorised by the licence; or
 - (b) a person approved under a firearm technology nomination approval for the purpose of the person conducting an activity authorised under the approval.
- (4) A report to the Commissioner under this regulation must be made in the approved manner and approved form.

Subdivision 5 — Particular approvals relating to Trade Licences

187. Limit on high-risk items (Act s. 89)

- (1) This regulation limits, under section 89(2) of the Act, the things to which a Trade Licence applies.
- (2) A Trade Licence does not apply to either of the following things unless the Commissioner grants a high-risk item approval that applies to the thing —
 - (a) a category D firearm;
 - (b) a major firearm part for a category D firearm or a prohibited firearm.

188. Prohibited firearms or prohibited ammunition permitted under Trade Licence if high-risk item approval granted (Act s. 119 and 120)

- (1) For the purposes of section 119 of the Act, a Trade Licence may be granted to authorise a person to possess, use, manufacture, repair, acquire or supply a prohibited firearm under the Trade Licence, subject to subregulation (2).
- (2) The authority granted under subregulation (1) only applies if, before the person possesses, uses, manufactures, repairs, acquires or supplies the prohibited firearm, the person obtains a high-risk item approval that applies to the possession, use, manufacture, repair, acquisition or supply of the prohibited firearm.
- (3) For the purposes of section 120 of the Act, a Trade Licence that authorises a person to possess, use, manufacture, acquire or supply ammunition authorises the person to possess, use, manufacture, acquire or supply prohibited ammunition, subject to subregulations (4) and (5).
- (4) The authority granted under subregulation (3) only applies if, before the person possesses, uses, manufactures, acquires or supplies the prohibited ammunition, the person obtains a high-risk item approval that applies to the possession, use, manufacture, acquisition or supply of the prohibited ammunition.
- (5) If the high-risk item approval applies to the supply of prohibited ammunition, the licence does not confer the authority to supply the prohibited ammunition other than —
 - (a) to a person to whom the licensee may supply the prohibited ammunition under regulation 294 and in accordance with the requirements imposed under that regulation; or
 - (b) to an authorised person in the circumstances set out in section 116(1) of the Act.

- (6) This regulation does not apply to a Firearm Storage Licence.

189. High-risk item approvals

- (1) The Commissioner may approve of a Trade Licence, other than a Firearm Storage Licence, applying to any of the following things (each a *high-risk item*) —
- (a) a category D firearm or a prohibited firearm;
 - (b) a major firearm part for a category D firearm or a prohibited firearm;
 - (c) prohibited ammunition.
- (2) An approval under subregulation (1) is a *high-risk item approval*.
- (3) A high-risk item approval may relate to —
- (a) high-risk items generally; or
 - (b) either or both of the following —
 - (i) 1 or more types of high-risk item;
 - (ii) a particular high-risk item, or particular high-risk items, specified in the approval.

190. Restriction on grant of high-risk item approval or prohibited accessory approval (Act s. 142)

- (1) This regulation restricts, under section 142 of the Act, the grant of a high-risk item approval or a prohibited accessory approval for a Trade Licence.
- (2) The Commissioner must not grant the approval —
- (a) otherwise than for the purpose of enabling the licensee to supply, repair or manufacture for a specified authorised entity the high-risk items or prohibited accessories to which the approval applies; and
 - (b) unless satisfied that appropriate arrangements are, or will be, in place between the licensee and the specified authorised entity for that purpose.

- (3) In subregulation (2) —
specified means specified in the approval.
- (4) An ***authorised entity*** is —
- (a) an exempt person as defined in section 17(1) of the Act;
or
 - (b) a Government entity who —
 - (i) holds a firearm authority that authorises the entity to possess a high-risk item or prohibited accessory; or
 - (ii) is eligible under the Act to apply for, or has applied for, a firearm authority to authorise the entity to possess a high-risk item or prohibited accessory.
- (5) Also, in relation to a prohibited firearm that is a revolving rifle, an ***authorised entity*** is a person who —
- (a) holds a Collector Licence that applies to the revolving rifle; or
 - (b) is eligible under the Act to apply for, or has applied for, a Collector Licence to authorise possession of the revolving rifle.
- (6) Further, in relation to a prohibited accessory for a revolving rifle, an ***authorised entity*** is a person who —
- (a) holds a Collector Licence that applies to the revolving rifle; and
 - (b) either —
 - (i) holds a prohibited accessory approval that applies to the prohibited accessory; or
 - (ii) is eligible under the Act to apply for, or has applied for, a prohibited accessory approval to authorise possession of the prohibited accessory.

- (7) An application for the grant of a high-risk item approval must —
 - (a) specify the high-risk items that the applicant proposes the approval will relate to, as referred to in regulation 189(3); and
 - (b) include evidence of the arrangements referred to in subregulation (2)(b).
- (8) An application for the grant of a prohibited accessory approval must —
 - (a) specify the prohibited accessories that the applicant proposes the approval will relate to, as referred to in section 98(2) of the Act; and
 - (b) include evidence of the arrangements referred to in subregulation (2)(b).

191. Restriction on grant of prohibited accessory approval: Firearm Storage Licence (Act s. 142)

- (1) This regulation restricts, under section 142 of the Act, the grant of a prohibited accessory approval.
- (2) The Commissioner must not grant a prohibited accessory approval for a Firearm Storage Licence.

192. Application for approval for creation of firearm technology for repairer or manufacturer

- (1) This regulation applies in relation to an approval (a *firearm technology nomination approval*) under section 100 of the Act of a person nominated by a licensee under a Firearm Repair Licence or Firearm Manufacture Licence to provide firearm technology to the licensee.
- (2) An application for the approval must be made by the nominated person and include the following —
 - (a) the name and date of birth of the nominated person;

- (b) details of the firearm technology it is proposed the nominated person create and develop for the licensee, including details of the manufacturing or repair activities authorised under the Trade Licence that the firearm technology will relate to;
- (c) the nomination of the person by the licensee under the Trade Licence.

193. Restriction on grant of approval for firearm technology nomination approval (Act s. 142)

- (1) This regulation restricts, under section 142 of the Act, the grant of a firearm technology nomination approval.
- (2) The Commissioner must not grant a firearm technology nomination approval in relation to a Firearm Repair Licence or Firearm Manufacture Licence unless the Commissioner is satisfied that the licensee genuinely requires the firearm technology to conduct an activity authorised under the licence.

Subdivision 6 — Extension of authority

194. Extension of authority of Firearm Dealer Licence: firearm safety training course (Act s. 122)

- (1) In this regulation —
customer includes a prospective customer.
- (2) This regulation extends, under section 122 of the Act, the authority conferred by a Firearm Dealer Licence if —
 - (a) the licensee's firearm dealer business includes, or will include, providing a firearm safety training course to customers of the licensee incidentally to the licensee's dealing in things to which the licence applies; and
 - (b) the firearm safety training course is or will be taught by the licensee, or an authorised person for the licence, at the premises to which the licence applies; and

- (c) if required by the approval of the firearm safety training course — the licensee or authorised person (as the case requires) is an approved firearms trainer or a person who is approved to teach the firearm safety training course.
- (3) The Firearm Dealer Licence authorises the following possession —
- (a) the licensee is authorised to possess a firearm to which the licence applies for the purposes of the firearm safety training course;
 - (b) a customer (other than a disqualified person or prohibited person) of the licensee is authorised to possess, under the immediate supervision of the licensee or an authorised person for the licence, a firearm to which the licence applies for the purposes of completing the firearm safety training course.

Note for this subregulation:

For the authority conferred on an authorised person for the licence, see section 92 of the Act.

- (4) The authority conferred by a Firearm Dealer Licence for the possession of a firearm under subregulation (3) includes loading the firearm but only with a dummy round.

Division 11 — Government Entity Licences

Subdivision 1 — Preliminary

195. Terms used

In this Division —

amendment application, in relation to a Government Entity Licence, means an application by the licensee under the licence to add a firearm to the licence, or to replace a firearm under the licence, under section 189(1)(a) or (b) of the Act;

animal control has the meaning given in regulation 198(2);

Animal Control Licence has the meaning given in regulation 198(4);

law enforcement has the meaning given in regulation 198(3);

Law Enforcement Licence has the meaning given in regulation 198(5).

196. Purpose of Government Entity Licence

A Government Entity Licence must specify whether the purpose of the licence is animal control, law enforcement or museum activities.

197. Requirements for application for grant of licence

An application for the grant of a Government Entity Licence must include the following —

- (a) the purpose for which the licence is sought;
- (b) an organisational chart for the Government entity making the application;
- (c) any other information required under this Division for a Government Entity Licence for the purpose for which the licence is sought.

Note for this regulation:

See also Part 4 Division 4 of the Act and Part 5 Division 1 of these regulations.

Subdivision 2 — Purposes of licences: animal control and law enforcement

198. Purposes of licence (Act s. 103)

- (1) For the purposes of section 103(1)(b) of the Act, the purposes of animal control and law enforcement are prescribed.
- (2) Each of the following is *animal control* —
 - (a) the marking of animals for identification by means of a firearm;

- (b) the sedation of animals by means of a firearm;
 - (c) the culling, euthanasia or other humane destruction of animals by means of a firearm;
 - (d) the marking of trees or infrastructure incidentally to an activity referred to in paragraph (a), (b) or (c).
- (3) Each of the following is **law enforcement** —
- (a) a court security service or custodial service under the *Court Security and Custodial Services Act 1999* and other functions under that Act;
 - (b) the management, control and security of a prison under the *Prisons Act 1981* and other functions under that Act;
 - (c) the management, control and security of a facility or detention centre under the *Young Offenders Act 1994* and other functions under that Act.
- (4) A Government Entity Licence for the purpose of animal control is an **Animal Control Licence**.
- (5) A Government Entity Licence for the purpose of law enforcement is a **Law Enforcement Licence**.

Subdivision 3 — Animal Control Licence

199. Requirements for application for grant of licence and amendment application

- (1) If an application for the grant of an Animal Control Licence relates to a tranquilliser gun, the application must include information about the matter of which the Commissioner must be satisfied under regulation 202.

Note for this subregulation:

The approved form for the application may also require other information for the grant of the licence such as information about the applicant's intended use of a firearm to which regulation 200 or 201 applies.

- (2) An amendment application must comply with subregulation (1) if applicable.

200. Limit on authority: category D firearm (Act s. 123)

- (1) This regulation limits, under section 123(1) of the Act, the authority conferred by an Animal Control Licence that applies to a category D firearm.
- (2) The authority to use the firearm, conferred by section 103(1)(b) of the Act, is limited to use for the purpose of the aerial culling of animals.

Note for this regulation:

See also section 21 of the Act, which prevents the grant of a licence to authorise the possession of a firearm unless the Commissioner is satisfied of particular matters relevant to the possession of a firearm for a purpose to be authorised by the licence.

201. Limit on authority: prescribed paintball gun (Act s. 123)

- (1) This regulation limits, under section 123(1) of the Act, the authority conferred by an Animal Control Licence that applies to a prescribed paintball gun.
- (2) The authority to use the prescribed paintball gun, conferred by section 103(1)(b) of the Act, is limited to use for an activity referred to in paragraph (a) or (d) of the definition of *animal control* in regulation 198(2).

Note for this regulation:

See also section 21 of the Act, which prevents the grant of a licence to authorise the possession of a firearm unless the Commissioner is satisfied of particular matters relevant to the possession of a firearm for a purpose to be authorised by the licence.

202. Restriction on grant of licence: tranquilliser gun for animal control (Act s. 142)

- (1) This regulation restricts, under section 142 of the Act, the grant of an Animal Control Licence that applies to a tranquilliser gun.

- (2) The Commissioner must not grant the licence to apply to the tranquilliser gun unless the Commissioner is satisfied that there will be an authorised person for the licence who can lawfully administer a tranquilliser by injection to an animal under the *Veterinary Practice Act 2021*.

203. Restriction on grant of licence: category H firearms for animal control (Act s. 124)

- (1) This regulation restricts, under section 124(a) of the Act, the grant of an Animal Control Licence.
- (2) The Commissioner must not grant the licence to apply to a category H firearm.

204. Approval of prohibited accessory for firearm (Act s. 121)

- (1) For the purposes of section 121(1)(b) of the Act, an Animal Control Licence is appropriate to authorise the possession and use of a permitted accessory.
- (2) For the purposes of section 121(1)(a) of the Act, the Commissioner is authorised to approve, as a permitted accessory for an Animal Control Licence, a prohibited accessory that is a sound suppressor.
- (3) For the purposes of section 121(1)(c) of the Act, the Commissioner must not grant the approval unless the Commissioner is satisfied that the Government entity intends the sound suppressor to be used only for animal control.
- (4) An application for the approval of a prohibited accessory that is a sound suppressor must include information about the matter of which the Commissioner must be satisfied under subregulation (3).

Subdivision 4 — Law Enforcement Licence

205. Prohibited firearms permitted (Act s. 119)

- (1) For the purposes of section 119 of the Act, a Law Enforcement Licence may be granted to apply to a firearm that is a prohibited firearm under regulation 12.

Note for this subregulation:

See also Part 2 Division 11 of the Act for additional authority conferred by a licence that authorises the possession and use of a firearm.

- (2) For the purposes of the application of section 105 of the Act in relation to a Law Enforcement Licence, a firearm that is a prohibited firearm under regulation 12 is a category D firearm if, apart from this subregulation, it would be in no category.

206. Approval for prohibited ammunition (Act s. 120)

- (1) For the purposes of section 120 of the Act, a licensee under, or a person making an application for, a Law Enforcement Licence may apply to the Commissioner for approval to possess, use, acquire or supply prohibited ammunition.
- (2) The Commissioner must not grant the approval unless the Commissioner is satisfied that the use of the prohibited ammunition is suitable and appropriate, having regard to the law enforcement purpose for which, and the circumstances in which, the prohibited ammunition will be authorised to be used.
- (3) If the approval is granted, the licence confers the authority to —
 - (a) possess, use and acquire prohibited ammunition as specified in the approval; and
 - (b) supply prohibited ammunition as specified in the approval, subject to subregulation (4).
- (4) If the approval specifies the licensee may supply prohibited ammunition, the licence does not confer the authority to supply the prohibited ammunition other than —

- (a) to a person to whom the licensee may supply the prohibited ammunition under regulation 294 and in accordance with the requirements imposed under that regulation; or
- (b) to an authorised person in the circumstances set out in section 116(1) of the Act.

Subdivision 5 — Purpose of licence: museum activities

**207. Government Entity Licence for museum activities
(Act s. 103, 119 and 122)**

- (1) In this regulation —
museum activity means either of the following when conducted as part of the operation of a museum —
 - (a) studying, preserving, collecting or exhibiting firearms or related things;
 - (b) educating the public about firearms or related things.
- (2) For the purposes of section 103(1)(b) of the Act, the purpose of museum activities is prescribed.
- (3) Subregulations (4) to (7) extend, under section 122 of the Act, the authority conferred by a Government Entity Licence.
- (4) The Commissioner may grant a Government Entity Licence to a Government entity to authorise the licensee, and each authorised person for the licence, to possess any of the following things for the purpose of museum activities conducted by the Government entity in respect of a museum operated by the Government entity —
 - (a) a firearm;
 - (b) a related thing other than prohibited ammunition;
 - (c) prohibited ammunition approved for the licence under regulation 208.

- (5) A Government Entity Licence under subregulation (4) authorises the use of a firearm to which the licence applies under section 103(1)(b) of the Act, and its corresponding possession under section 103(1)(a) of the Act, if (and only if) the Commissioner approves in a particular case that the firearm may be used.
- (6) The Commissioner must not approve the use of a firearm unless satisfied that —
 - (a) the use is appropriate for furthering the objective of the museum activities in question; and
 - (b) the firearm is suitable and appropriate for the use to be authorised having regard to the purposes for which, and the circumstances in which, the firearm will be authorised to be used.
- (7) Section 109 of the Act does not apply to a Government Entity Licence under subregulation (4) except in respect of a firearm the use of which is authorised under subregulation (5).
- (8) For the purposes of section 119 of the Act, a firearm to which a Government Entity Licence applies under subregulation (4)(a) may be a firearm that is a prohibited firearm under regulation 12.
- (9) For the purposes of the application of section 105 of the Act in relation to a Government Entity Licence under subregulation (4), a firearm that is a prohibited firearm under regulation 12 is a category D firearm if, apart from this subregulation, it would be in no category.

208. Approval for prohibited ammunition (Act s. 120)

- (1) For the purposes of section 120 of the Act, a licensee under, or a person making an application for, a Government Entity Licence under regulation 207(4) may apply to the Commissioner for approval to possess, use, acquire or supply prohibited ammunition.

- (2) The Commissioner must not grant the approval unless the Commissioner is satisfied that the possession or use of the prohibited ammunition is for the purpose of museum activities.
- (3) If the approval is granted, the licence confers the authority to —
 - (a) possess, use and acquire prohibited ammunition for the purpose of museum activities as specified in the approval; and
 - (b) supply prohibited ammunition as specified in the approval, subject to subregulation (4).
- (4) If the approval specifies the licensee may supply prohibited ammunition, the licence does not confer the authority to supply the ammunition other than —
 - (a) to a person to whom the licensee may supply the ammunition under regulation 294 and in accordance with the requirements imposed under that regulation; or
 - (b) to an authorised person in the circumstances set out in section 116(1) of the Act.

Subdivision 6 — Miscellaneous

209. Record-keeping requirements for licence

- (1) In this regulation —

required information, for a firearm or related thing, means —

 - (a) for a firearm — the serial number of the firearm; or
 - (b) for a major firearm part — a serial number on the part or, if there is no serial number, the type of part; or
 - (c) for ammunition — the quantity and type of the ammunition and whether the ammunition is live or blank ammunition; or
 - (d) for a prohibited accessory — a serial number on the accessory, or if there is no serial number, the type of accessory.

- (2) The licensee under a Government Entity Licence must record the following information about the withdrawal of a firearm or related thing from compliant storage —
- (a) the required information for the firearm or related thing;
 - (b) the name of the authorised person making the withdrawal;
 - (c) the reason for the withdrawal;
 - (d) the date and time of the withdrawal.

Penalty for this subregulation: a fine of \$5 000.

- (3) The licensee must keep the information recorded under subregulation (2) for the period of 5 years after the day of the withdrawal.

Penalty for this subregulation: a fine of \$5 000.

- (4) The licensee under a Government Entity Licence must record the following information about the return of a firearm or related thing to compliant storage —

- (a) the required information for the firearm or related thing;
- (b) the name of the authorised person returning the item;
- (c) the date and time of the return;
- (d) for ammunition, if the quantity of ammunition returned differs from the quantity of ammunition withdrawn from compliant storage — the reason why;
- (e) for a firearm authorised under a Government Entity Licence for the purpose of law enforcement — any firing of the firearm outside a licensed firearm range.

Penalty for this subregulation: a fine of \$5 000.

- (5) The licensee must keep the information recorded under subregulation (4) for the period of 5 years after the day of the return.

Penalty for this subregulation: a fine of \$5 000.

- (6) A record of information required under this regulation must be made and kept in the approved manner and approved form.

210. Extension of authority of Government Entity Licence: firearms training at licensed firearm range (Act s. 122)

- (1) This regulation extends, under section 122 of the Act, the authority conferred by a Government Entity Licence for the purposes of animal control or law enforcement.
- (2) A government worker (other than a disqualified person or prohibited person) of the licensee is authorised to use a firearm to which the licence applies for the purposes of firearms training at a licensed firearm range under the immediate supervision of an authorised person for the licence who is an approved firearms trainer.
- (3) An authorised person for the licence who is an approved firearms trainer is authorised to use a firearm to which the licence applies for the purposes of firearms training under subregulation (2).

211. Extension of authority of Government Entity Licence: firearm safety training course (Act s. 122)

- (1) This regulation extends, under section 122 of the Act, the authority conferred by a Government Entity Licence for the purposes of animal control or law enforcement if —
- (a) the licensee provides, or will provide, a firearm safety training course to government workers of the licensee who are proposed as authorised persons for the licence; and
- (b) the firearm safety training course is or will be taught by an authorised person for the licence; and
- (c) if required by the approval of the firearm safety training course — the authorised person is an approved firearms trainer or a person who is approved to teach the firearm safety training course.

- (2) The Government Entity Licence authorises the following possession —
- (a) the licensee, and an authorised person for the licence, is authorised to possess a firearm to which the licence applies for the purposes of the firearm safety training course;
 - (b) a government worker (other than a disqualified person or prohibited person) of the licensee is authorised to possess, under the immediate supervision of an authorised person for the licence, a firearm to which the licence applies for the purposes of completing the firearm safety training course.
- (3) The authority conferred by a Government Entity Licence for the possession of a firearm under subregulation (2) includes loading the firearm but only with a dummy round.

Part 4 — Permits

212. Term used: permit holder

In this Part —

permit holder includes, for a permit held by a body corporate, partnership or Government entity, the responsible person for the permit.

213. Permits for holders of equivalent authorities (Act s. 134)

The Commissioner may grant a permit to authorise the holder of an equivalent authority to do in the State any of the following things that the holder is authorised to do in the other State or country, or in the Territory, by the equivalent authority —

- (a) the possession or use of a firearm or related thing;
- (b) the acquisition or supply of a firearm or related thing;
- (c) the creation, development, possession or dissemination of firearm technology.

214. Condition of permit for holder of equivalent authority (Act s. 186 and 187)

- (1) This regulation imposes, under sections 186(1)(a) and 187(1)(a) of the Act, limitations or restrictions on the authority conferred by a permit under regulation 213.
- (2) The permit does not authorise the permit holder to do in the State any of the following things that the permit holder is not authorised to do in the other State or country, or in the Territory, by the equivalent authority —
 - (a) the possession or use of a firearm or related thing;
 - (b) the acquisition or supply of a firearm or related thing;
 - (c) the creation, development, possession or dissemination of firearm technology.

215. Extension of authority conferred by permit for holder of equivalent authority: supervision of young persons' participation in competition shooting and paintball (Act s. 122)

- (1) This regulation extends, under section 122 of the Act, the authority conferred by a permit under regulation 213.
- (2) This regulation applies if —
 - (a) a permit under regulation 213 authorises the permit holder —
 - (i) to use a firearm to which the permit applies for the purpose of participating in shooting competitions conducted at a licensed firearm range by a licensed firearm club; or
 - (ii) to use a prescribed paintball gun to which the permit applies for the purpose of participating in games of paintball conducted under the authority of a Paintball Business Licence;
 - and
 - (b) the permit holder —
 - (i) has held an equivalent authority, that is equivalent to an Individual Licence, for a continuous period of not less than 5 years; and
 - (ii) is endorsed by the Commissioner as having suitable experience to immediately supervise the use of the firearm, or prescribed paintball gun, by a young person.
- (3) The permit also authorises the same use of the firearm, or prescribed paintball gun, by a young person under the immediate supervision of the permit holder.

216. Miscellaneous possession permits (Act s. 134)

- (1) The Commissioner may grant a person a permit to authorise the possession of a firearm or related thing if the Commissioner is satisfied that the person could not be granted a licence that authorises possession of the firearm or related thing.
- (2) Without limiting subregulation (1), if the Commissioner is satisfied that the person could not be granted such a licence, the Commissioner may grant a permit to authorise —
 - (a) the possession, by an executor or administrator of a deceased estate, of a firearm or related thing that is part of the estate; or
 - (b) the possession of a firearm or related thing for the purposes of, or in connection with, the transport or temporary storage of the firearm or related thing; or
 - (c) the possession of a firearm or major firearm part for the purpose of obtaining, from a person approved by the Commissioner under section 167(3) of the Act, a serviceability certificate for the firearm or major firearm part; or
 - (d) the possession of a firearm in the performance of the functions of an enforcement officer.
- (3) In subregulation (2) —
enforcement officer has the meaning given in the *Civil Judgments Enforcement Act 2004* section 3.

217. Limit on authority: permit to possess firearm does not authorise possession of ammunition or magazine (Act s. 123 and 127)

- (1) This regulation limits, under sections 123(1) and 127 of the Act, the authority conferred by a permit under regulation 216.
- (2) Section 109 of the Act does not apply to the permit.

218. Application on behalf of responsible person for permit

- (1) An application for the approval of a person as the responsible person for a permit is taken to be an application for approval made by that person even if the application is made by another person who nominates the person for approval.
- (2) The approval of a person as the responsible person for a permit is taken to be the grant of an approval to that person (and that person is taken to be the holder of the approval) even if the application for approval is made by another person.

219. Part does not limit Act

This Part does not limit or override any provision of the Act.

Example for this regulation:

Section 137 of the Act —

- (a) prevents the grant of a permit to authorise the possession of a firearm unless the Commissioner is satisfied that the person has a genuine reason for the permit; and
- (b) prevents the grant of a permit to authorise the use of a firearm unless the Commissioner is satisfied that the firearm is suitable and appropriate for the use to be authorised.

Part 5 — Firearm authority procedures and other matters

Division 1 — Applying for grant or renewal of firearm authorities

Subdivision 1 — Matters relevant for requirements under Part 4 Divisions 2, 3 and 4 of Act

220. Failure to notify Commissioner about change of information in application (Act s. 142 and 193)

- (1) This regulation applies if —
 - (a) a person provides information to the Commissioner in, or in relation to, an application of the person for the grant or renewal of a firearm authority; and
 - (b) that information changes after the application is made but before the application is decided.
- (2) This regulation states, under sections 142 and 193(2) of the Act, a discretionary ground for refusing to grant, cancelling or refusing to renew the firearm authority.
- (3) The Commissioner may refuse to grant, cancel or refuse to renew the firearm authority if the person fails, within a reasonable time after the person becomes aware that the information has changed, to give the Commissioner a written notice stating —
 - (a) that the information has changed; and
 - (b) the new information.

221. Firearm authority health standards (Act s. 5)

For the purposes of the definition of *firearm authority health standards* in section 5 of the Act, the health standards a person must meet to be considered a fit and proper person to hold a

firearm authority are that the person must be mentally and physically capable of —

- (a) continuously, safely and responsibly possessing and using a firearm; and
- (b) continuously complying with the conditions of the firearm authority; and
- (c) continuously complying with the other requirements imposed on the person under the Act in relation to the firearm authority, including the requirements relating to security and storage of a firearm or related thing.

222. Matters to have regard to in determining whether firearm authority health standards are met (Act s. 401)

- (1) In this regulation —
health practitioner has the meaning given in section 148(1) of the Act;
health profession has the meaning given in the *Health Practitioner Regulation National Law (Western Australia)* section 5;
medical practitioner has the meaning given in the *Health Practitioner Regulation National Law (Western Australia)* section 5.
- (2) For the purposes of section 401(2)(b) of the Act, in determining whether a person meets firearm authority health standards the Commissioner must have regard to information in relation to the person that is provided by a medical practitioner and that is relevant to the standards.
- (3) For the purposes of section 401(2)(b) of the Act, in determining whether a person meets firearm authority health standards, the Commissioner may have regard to —
 - (a) the person's permanent or temporary mental or physical condition, illness or disability; and

- (b) the person's use of medications or the medical treatment they receive; and
- (c) the person's use of an intoxicating substance; and
- (d) information in relation to the person relevant to a standard provided by a health practitioner who practises 1 or more of the following health professions that is relevant to the standard —
 - (i) nursing;
 - (ii) occupational therapy;
 - (iii) optometry;
 - (iv) osteopathy;
 - (v) paramedicine;
 - (vi) pharmacy;
 - (vii) physiotherapy;
 - (viii) psychology.

223. Granting licences or approvals to particular non-citizen residents (Act s. 159)

- (1) For the purposes of section 159(1)(c) of the Act, an individual who is resident in Australia but is not an Australian citizen or permanent resident may be granted a licence, or approved as a responsible person for a licence, if —
 - (a) the individual holds 1 of the following visas granted under the *Migration Act 1958* (Commonwealth) —
 - (i) Subclass 187 (Regional Sponsored Migration Scheme) visa;
 - (ii) Subclass 190 (Skilled—Nominated) visa;
 - (iii) Subclass 407 (Training) visa;
 - (iv) Subclass 482 (Skills in Demand) visa;

- (v) Subclass 494 (Skilled Employer Sponsored Regional (Provisional)) visa;
- or
- (b) the individual —
 - (i) holds a Subclass 489 (Skilled—Regional (Provisional)) visa, or Subclass 491 (Skilled Work Regional (Provisional)) visa, granted under the *Migration Act 1958* (Commonwealth); and
 - (ii) is nominated for the visa by a government agency of the State.
- (2) For the purposes of section 159(1)(c) of the Act, an individual who is resident in Australia but is not an Australian citizen or permanent resident may be approved as an authorised person for a licence if —
- (a) the individual may be granted a licence under subregulation (1); or
 - (b) the individual holds 1 of the following visas granted under the *Migration Act 1958* (Commonwealth) —
 - (i) Subclass 417 (Working Holiday) visa;
 - (ii) Subclass 462 (Work and Holiday) visa;
 - (iii) Subclass 485 (Temporary Graduate) visa;
 - (iv) Subclass 500 (Student) visa;
- or
- (c) all of the following apply —
 - (i) the individual holds a Subclass 408 (Temporary Activity) visa granted under the *Migration Act 1958* (Commonwealth);
 - (ii) the individual holds the visa because the individual participates in the sport of competitive shooting (including by participating as a sportsperson, coach, instructor or adjudicator);

- (iii) the firearm the subject of the licence is necessary for the individual to participate in the sport.

224. Firearm safety training courses (Act s. 166)

- (1) In this regulation —
 - partial exemption*, in relation to part of a firearm safety training course, means an exemption granted under regulation 225(1)(a) in relation to the part of the firearm safety training course;
 - pre-application period*, in relation to an application, means the 12-month period ending on the day on which the application is made;
 - total exemption*, in relation to a firearm safety training course, means an exemption granted under regulation 225(1)(b) in relation to the firearm safety training course.
- (2) This regulation applies to an applicant for the grant of a firearm authority other than an applicant who —
 - (a) held a licence (of any kind) under the Act in the period of 3 years before the application is made; or
 - (b) was an authorised person or a responsible person for a licence (of any kind) under the Act in the period of 3 years before the application is made; or
 - (c) applies for a firearm technology nomination approval as defined in regulation 192(1).
- (3) For the purposes of section 166(1) of the Act, the applicant is required to successfully complete a firearm safety training course (a *relevant firearm safety training course*) that relates to the firearm authority or the firearm or position to which the firearm authority relates, unless —
 - (a) the applicant holds a total exemption in relation to the relevant firearm safety training course; or

- (b) the applicant —
 - (i) holds a partial exemption in relation to a part of the relevant firearm safety training course; and
 - (ii) has completed, within the pre-application period, the other parts of the relevant firearm safety training course.

225. Commissioner may exempt persons from requirement under r. 224 to complete firearm safety training course

- (1) The Commissioner may exempt a person from the requirement under regulation 224(3) to successfully complete —
 - (a) part of a firearm safety training course; or
 - (b) all of a firearm safety training course.
- (2) The Commissioner may exempt the person on —
 - (a) the request of the person; or
 - (b) the Commissioner's own initiative.
- (3) A request under subregulation (2)(a) must —
 - (a) be in writing; and
 - (b) state the training or experience the person has in relation to the subject matter of the firearm safety training course.
- (4) The Commissioner may exempt a person under subregulation (1)(a) only if the Commissioner is satisfied that the person has sufficient training or experience in relation to the subject matter of the part of the course.
- (5) The Commissioner may exempt a person under subregulation (1)(b) only if the Commissioner is satisfied that the person has sufficient training or experience in relation to the subject matter of the course.

- (6) The Commissioner must give the person written notice of a decision made under subregulation (1) if —
 - (a) the Commissioner exempts the person from all or part of the firearm safety training course; or
 - (b) the person made a request under subregulation (2)(a) and the Commissioner refuses to exempt the person.

226. Safety standards and tests (Act s. 167)

For the purposes of section 167(1)(b) of the Act, the safety standards and tests are those set out in the *Customs (Prohibited Imports) Regulations 1956* (Commonwealth) Schedule 6 Part 3 item 1.6 to 1.11.

Subdivision 2 — Additional requirements for applications for grant or renewal of firearm authorities

227. Applications for grant or renewal of firearm authority: declarations by individual applicants

- (1) An application for the grant or renewal of a firearm authority made by an individual must include a declaration made by the individual that complies with this regulation.
- (2) The declaration must state that the individual has no close associate —
 - (a) who the individual knows is a disqualified person or prohibited person; or
 - (b) who the individual believes may pose a risk to public safety, or the safety of the individual, the close associate or another person, if the close associate were to obtain access to a firearm through their association with the individual.
- (3) For the purposes of this regulation, a person is a *close associate* of the individual if the person is a close associate of the individual under section 152 of the Act.

- (4) The declaration may be expressed to be subject to an exception in respect of a person (the *relevant person*) who is a close associate of the individual.
- (5) The exception must be included in the declaration and state the following —
 - (a) the name of the relevant person;
 - (b) the nature of the individual's relationship with the relevant person;
 - (c) the reason why the exception is necessary.
- (6) The declaration must be made on the same day as the day on which the application for the grant or renewal of the firearm authority is made.
- (7) Subregulation (8) applies if —
 - (a) an application for the approval of a person as the responsible person for a licence or an authorised person for a licence is made, under section 174(1) of the Act, by another person who nominates the person for approval; or
 - (b) an application for the approval of a person as the responsible person for a permit is made, under regulation 218(1), by another person who nominates the person for approval.
- (8) Despite the application being made by the other person, the person who is nominated for approval must give the declaration under this regulation.

228. Applications for grant or renewal of firearm authority: declarations relating to body corporate applicants

- (1) An application for the grant or renewal of a firearm authority made by a body corporate must include declarations that comply with this regulation.

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- (2) Each declaration must state that, after making reasonable inquiries —
- (a) there is no person (a ***position holder***) holding a relevant management position in the body corporate —
 - (i) who the declarant knows is a disqualified person or prohibited person; or
 - (ii) who the declarant believes may pose a risk to public safety, or the safety of the declarant, the position holder or another person, if the position holder were to obtain access to a firearm through their association with the body corporate;
- and
- (b) the body corporate has no close associate —
 - (i) who the declarant knows is a disqualified person or prohibited person; or
 - (ii) who the declarant believes may pose a risk to public safety, or the safety of the declarant, the close associate or another person, if the close associate were to obtain access to a firearm through their association with the body corporate.
- (3) A declaration must be made by each person required to do so by the approved form for the application.
- (4) For the purposes of this regulation, a person is a ***close associate*** of a body corporate if the person is a close associate of the body corporate under section 152 of the Act.
- (5) A declaration may be expressed to be subject to an exception in respect of a person (the ***relevant person***) who —
- (a) is a position holder; or
 - (b) is a close associate of the body corporate.

- (6) The exception must be included in the declaration and state the following —
 - (a) the name of the relevant person;
 - (b) the nature of the body corporate's relationship with the relevant person;
 - (c) the reason why the exception is necessary.
- (7) Each declaration must be made on the same day as the day on which the application for the grant or renewal of the firearm authority is made.

229. Applications for grant or renewal of firearm authority: declarations relating to partnership applicants

- (1) An application for the grant or renewal of a firearm authority made by a partnership must include declarations that comply with this regulation.
- (2) Each declaration must state that, after making reasonable inquiries —
 - (a) the partnership has no member —
 - (i) who the declarant knows is a disqualified person or prohibited person; or
 - (ii) who the declarant believes may pose a risk to public safety, or the safety of the declarant, the member or another person, if the member were to obtain access to a firearm through their association with the partnership;
 - and
 - (b) the partnership has no close associate —
 - (i) who the declarant knows is a disqualified person or prohibited person; or
 - (ii) who the declarant believes may pose a risk to public safety, or the safety of the declarant, the close associate or another person, if the close

associate were to obtain access to a firearm through their association with the partnership;

and

- (c) no member of the partnership has a close associate —
 - (i) who the declarant knows is a disqualified person or prohibited person; or
 - (ii) who the declarant believes may pose a risk to public safety, or the safety of the declarant, the close associate or another person, if the close associate were to obtain access to a firearm through their association with the member of the partnership.
- (3) A declaration must be made by each member of the partnership.
- (4) For the purposes of this regulation, a person is a *close associate* of a partnership or a member of a partnership if the person is a close associate of the partnership or member under section 152 of the Act.
- (5) A declaration may be expressed to be subject to an exception in respect of a person (the *relevant person*) who is —
 - (a) a member of the partnership; or
 - (b) a close associate of the partnership; or
 - (c) a close associate of a member of the partnership.
- (6) The exception must be included in the declaration and state the following —
 - (a) the name of the relevant person;
 - (b) the nature of the relationship between the relevant person and the partnership or a member of the partnership (as the case requires);
 - (c) the reason why the exception is necessary.

- (7) Each declaration must be made on the same day as the day on which the application for the grant or renewal of the firearm authority is made.

230. Requirements for applications for grant or renewal of licence or permit: relevant management positions

- (1) An application for the grant of a licence or permit made by a body corporate or partnership must include the following information for each person who holds a relevant management position in the body corporate or partnership —
- (a) the person's name and date of birth;
 - (b) the name of the position held;
 - (c) a brief description of the nature of the position.
- (2) An application for the renewal of a licence or permit held by a body corporate or partnership must include information about any changes to the persons who hold relevant management positions in the body corporate or partnership since the Commissioner was last notified about the relevant management positions in the body corporate or partnership in relation to any firearm authority.
- (3) The information must include —
- (a) which persons, if any, no longer hold a relevant management position or hold a different relevant management position; and
 - (b) for each new person who holds a relevant management position or person who holds a different relevant management position —
 - (i) the person's name and date of birth; and
 - (ii) the name of the position held; and
 - (iii) a brief description of the nature of the position.

231. Requirements for applications for grant of licence or permit: responsible person

An application for the grant of a licence or permit made by a body corporate, partnership or Government entity must be accompanied by or, if the approved form permits, include as part of the application, an application for the approval of a person as the responsible person for the licence or permit.

Note for this regulation:

See also section 174 of the Act and regulation 218.

Subdivision 3 — Other matters for applications relating to firearm authorities

232. Discretionary grounds for refusing to grant licence or permit: firearms with different characteristics or use covered by other firearms (Act s. 142)

- (1) This regulation states, under section 142 of the Act, discretionary grounds for refusing to grant a licence or permit to authorise the use of a firearm (the *relevant firearm*).
- (2) The Commissioner may refuse to grant the licence or permit to authorise the use of the relevant firearm if the Commissioner is satisfied that —
 - (a) a firearm with characteristics or features that are different to those of the relevant firearm would be more suitable and appropriate than the relevant firearm for the use to be authorised by the licence or permit; and
 - (b) the licence or permit could be granted to authorise the use of a firearm with those different characteristics or features.
- (3) For the purposes of subregulation (2), examples of a characteristic or feature of a firearm are its power, calibre, magazine capacity and loading function.

- (4) The Commissioner may refuse to grant the licence or permit to authorise the use of the relevant firearm if the Commissioner is satisfied that the reason for authorising the use of the relevant firearm is covered by 1 or more other firearms the use of which is authorised by the licence or permit.

Division 2 — Miscellaneous

233. Authority number

The Commissioner must ensure that —

- (a) each firearm authority is given a number (an *authority number*) for the purpose of the unique identification of the authority; and
- (b) the authority number is given or made available to the holder of the authority as soon as practicable after the authority is granted.

234. Regulations made under s. 142 of Act

- (1) In these regulations, a regulation expressed to be under section 142 of the Act does not apply in relation to the renewal of a firearm authority, other than regulation 220.
- (2) Subregulation (1) is subject to section 193 of the Act.

Note for this subregulation:

See, in particular, section 193(1)(d) of the Act, under which the Commissioner may refuse to renew a firearm authority if the Commissioner is satisfied that the holder of the firearm authority would not, because of a provision of these regulations, be granted the firearm authority if the person were then applying for it. (The reference to “this Act” in section 193(1)(d) of the Act includes these regulations — see the *Interpretation Act 1984* section 46.)

Part 6 — Restrictions, requirements and offences relating to firearm authorities

Division 1 — Matters relating to firearm authority offences

235. Large sum of money (Act s. 218)

For the purposes of section 218(1) of the Act, the amount is \$10 000.

236. Circumstances in which persons outside State taken to be authorised by licence or permit (Act s. 226, 229, 235, 238, 245 to 248, 254, 255, 260 and 261)

- (1) A person outside the State is taken, for the purposes of section 226 of the Act, to be authorised by a licence or permit to acquire a firearm or major firearm part if the supply of the firearm or major firearm part, and the person's acquisition of the firearm or major firearm part pursuant to the supply, contravenes no external firearms law that applies to the supply or acquisition (or both).
- (2) A person outside the State is taken, for the purposes of sections 229, 238, 245 to 248, 254, 255, 260 and 261 of the Act, to be authorised by a licence or permit to possess a firearm or related thing if the person's possession of the firearm or related thing contravenes no external firearms law that applies to the possession.
- (3) A person outside the State is taken, for the purposes of section 235 of the Act, to be authorised by a licence or permit to supply a firearm or major firearm part if the person's supply of the firearm or major firearm part, and the acquisition of the firearm or major firearm part pursuant to the supply, contravenes no external firearms law that applies to the supply or acquisition (or both).

Division 2 — Other provisions

Subdivision 1 — Preliminary

237. Term used: unverified person

In this Division —

unverified person means a person who does not hold a firearm authority.

Subdivision 2 — Requirements to report

238. Requirement to report safety incident

- (1) The holder of a licence or permit must report a safety incident to the Commissioner in the approved manner and approved form within 14 days after the day on which the incident occurs.
Penalty for this subregulation: a fine of \$5 000.
- (2) For the purposes of subregulation (1), a *safety incident* is an incident that —
 - (a) occurs when a person is using a firearm to conduct an activity authorised under the licence or permit; and
 - (b) involves, in the conduct of the activity, either of the following occurring —
 - (i) injury to the person or another person that requires medical treatment;
 - (ii) damage to a thing other than excluded damage.
- (3) For the purposes of subregulation (2)(b)(ii), *excluded damage* is —
 - (a) damage to a thing that is made for the purpose of incurring damage by a firearm; or
 - (b) damage to a thing made for the purpose of use with a firearm and that is damaged in the course of the use; or

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Division 2 Other provisions

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- (c) damage to a thing if the licence or permit authorises the use of the firearm to damage the thing.

Examples for this subregulation:

1. For the purposes of paragraph (a), a target or bullet barrier at a firearm range is an example of a thing that is made for the purpose of incurring damage by a firearm.
2. For the purposes of paragraph (b), a firearm tether that becomes damaged with repeated use is an example of a thing that is made for the purpose of use with a firearm and is damaged in the course of use.
3. For the purposes of paragraph (c), the death of an animal caused by the use of a firearm under the authority of a Hunting Licence is an example of damage to a thing that a licence authorises the use of a firearm to do.

239. Requirement to report if firearm taken out of State

- (1) Before a firearm to which a licence or permit applies is taken out of the State, the holder of the licence or permit must report to the Commissioner, in the approved manner and approved form, that the firearm will be taken out of the State.

Penalty for this subregulation: a fine of \$5 000.

- (2) The report must state —
- (a) the other State, the Territory or the other country to which the firearm will be taken; and
 - (b) why the firearm is being taken out of the State; and
 - (c) the approximate period for which the firearm will be out of the State.
- (3) If, while the licence or permit still applies to the firearm, the firearm is brought back into the State, the holder of the licence or permit must, as soon as possible, report that fact to the Commissioner in the approved manner and approved form.

Penalty for this subregulation: a fine of \$5 000.

- (4) This regulation does not apply to a Trade Licence.

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- (5) A person does not commit an offence under subregulation (1) if —
- (a) the person did not know, and could not reasonably be expected to have known, that the firearm was taken out of the State; and
 - (b) if the person finds out that the firearm was taken out of the State other than from a police officer (including the Commissioner or a person acting on behalf of the Commissioner) — the person notifies the Commissioner of this fact in the approved manner and approved form as soon as possible.

240. Notification and reporting obligations

- (1) In this regulation —
holder, of a firearm authority, includes, for a licence or permit held by a body corporate, partnership or Government entity, the responsible person for the firearm authority.
- (2) The holder of a firearm authority must notify the Commissioner, in the approved manner and approved form, of any change in the personal particulars of the holder within 14 days after the day of the change.
Penalty for this subregulation: a fine of \$5 000.
- (3) The **personal particulars** of the holder are the following —
- (a) name;
 - (b) residential address and (if different from residential address) postal address;
 - (c) work, home or mobile phone number;
 - (d) email address.
- (4) The holder of a licence or permit for a firearm must, as soon as practicable, notify the Commissioner, in the approved manner

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Division 2 Other provisions

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and approved form, of any change in the place at which the firearm is stored.

Penalty for this subregulation: a fine of \$5 000.

Subdivision 3 — Conditions, limits and extension on or of authority

241. Condition of particular licences: declarations for unverified persons (Act s. 186 and 187)

(1) This regulation imposes, under sections 186(1)(b) and (d) and 187(1)(a) of the Act, a condition on the following licences —

- (a) a designated Agriculture/aquaculture Business Licence (as defined in regulation 82);
- (b) a Club Licence;
- (c) a Firearm Dealer Licence;
- (d) a Firearms Training Business Licence;
- (e) a Government Entity Licence;
- (f) a Range Licence;
- (g) a Theatrical Firearm Business Licence.

(2) The licensee under the licence must ensure that a declaration that complies with subregulation (3) is obtained from an unverified person before any of the following occurs (each a *relevant activity*) —

- (a) the licensee, or an authorised person for the licence, gives possession of a firearm to the unverified person for the purposes of the person possessing or using the firearm under the immediate supervision of an authorised person for the licence;
- (b) for a designated Agriculture/aquaculture Business Licence, a Firearms Training Business Licence or a Firearm Dealer Licence — the licensee, or an authorised person for the licence, starts teaching a firearm safety training course to the unverified person in connection

with the carrying on of a business for which the licence is granted;

- (c) for a Government Entity Licence —an authorised person for the licence starts teaching a firearm safety training course to an unverified person who is a government worker of the licensee;
- (d) for a Range Licence — the unverified person uses a firearm at the licensed firearm range to which the licence applies.

Note for this subregulation:

The approval of a firearm safety training course can require that the course be taught by particular persons. See section 166(2) of the Act.

- (3) The declaration —
 - (a) must be made by the unverified person; and
 - (b) must state that the unverified person is not a disqualified person or prohibited person; and
 - (c) must be made in the approved manner and no earlier than the day before the day on which the relevant activity occurs, subject to subregulation (4).
- (4) A declaration provided by an unverified person for a relevant activity may be used to satisfy the requirement under subregulation (2) for any other relevant activity that occurs within the period of 7 days after the day on which the declaration is obtained.
- (5) If the relevant activity is a firearm safety training course that is not completed within 7 days after the day on which the declaration is obtained, the licensee must ensure that a new declaration is obtained from the unverified person.
- (6) An unverified person commits an offence if the unverified person makes a declaration under this regulation that they know is false or misleading in a material particular.

Penalty for this subregulation: a fine of \$5 000.

242. Record-keeping requirement for licences: declaration obtained under r. 241

A licensee who obtains a declaration under regulation 241(2) must keep the declaration for the period of 5 years after the day on which the declaration is obtained.

Penalty: a fine of \$2 000.

243. Condition of approval as approved firearms trainer: declaration for firearm safety training course (Act s. 186 and 187)

- (1) This regulation imposes, under sections 186(1)(b) and 187(1)(a) of the Act, a condition on the approval of an approved firearms trainer if the trainer teaches a firearm safety training course.

Note for this subregulation:

See section 166(2) of the Act.

- (2) Before starting to teach the firearm safety training course to an unverified person, the approved firearms trainer must obtain from the person a declaration that complies with subregulation (3).
- (3) The declaration —
- (a) must be made by the unverified person; and
 - (b) must state that the unverified person is not a disqualified person or prohibited person; and
 - (c) must be made in the approved manner and no earlier than the day before the day on which the firearm safety training course starts.
- (4) If the firearm safety training course is not completed within 7 days after the day on which the declaration is obtained, the approved firearms trainer must obtain a new declaration from the unverified person.

- (5) This regulation does not apply if —
- (a) the approved firearms trainer is a licensee or authorised person for a licence referred to in regulation 241(1); and
 - (b) a declaration is obtained from the unverified person for the firearm safety training course in accordance with regulation 241(2).
- (6) An unverified person commits an offence if the unverified person makes a declaration under this regulation that they know is false or misleading in a material particular.
- Penalty for this subregulation: a fine of \$5 000.

244. Record-keeping requirement for approval: declaration obtained under r. 243

An approved firearms trainer who obtains a declaration under regulation 243(2) must keep the declaration for the period of 5 years after the day on which the declaration is obtained.

Penalty: a fine of \$2 000.

245. Record-keeping requirements: firearm safety training course in connection with particular licences

- (1) This regulation applies if —
- (a) the licensee under, or an authorised person for, a designated Agriculture/aquaculture Business Licence (as defined in regulation 82), a Firearms Training Business Licence or a Firearm Dealer Licence teaches all or part of a firearm safety training course to a person (the *trainee*) in connection with the carrying on of a business for which the licence is granted; or
 - (b) an authorised person for a Government Entity Licence teaches all or part of a firearm safety training course to a person (also the *trainee*) who is a government worker of the licensee.

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- (2) The licensee must record the following information —
- (a) the name and date of birth of the trainee;
 - (b) whether the trainee successfully completed or failed the course;
 - (c) if an authorised person was involved in providing the course to the trainee — the name of the authorised person;
 - (d) if the trainee holds a firearm authority — the authority number for the authority;
 - (e) if the trainee is an applicant for a firearm authority and has received an application number for the trainee's application — the application number.

Penalty for this subregulation: a fine of \$2 000.

- (3) The licensee must keep the information recorded under subregulation (2) for the period of 5 years after the day on which the trainee completed the course or the trainee's participation in the course otherwise ended.

Penalty for this subregulation: a fine of \$2 000.

- (4) A record of information required under this regulation must be made and kept in the approved manner and approved form.

246. Record-keeping requirements: firearm safety training course taught by training provider

- (1) If an approved firearms trainer or other person (the **training provider**) teaches all or part of a firearm safety training course to a person (the **trainee**), the training provider must record the following information —
- (a) the name and date of birth of the trainee;
 - (b) whether the trainee successfully completed or failed the course;
 - (c) if the trainee holds a firearm authority — the authority number for the authority;

- (d) if the trainee is an applicant for a firearm authority and has received an application number for the trainee's application — the application number.

Penalty for this subregulation: a fine of \$2 000.

- (2) The training provider must keep the information recorded under subregulation (1) for the period of 5 years after the day on which the trainee completed the course or the trainee's participation in the course otherwise ended.

Penalty for this subregulation: a fine of \$2 000.

- (3) A record of information required under this regulation must be made and kept in the approved manner and approved form.

- (4) This regulation does not apply if —

- (a) the training provider is a licensee under, or an authorised person for, a licence referred to in regulation 245(1); and
- (b) a record is made for the trainee's participation in the course under regulation 245(2).

247. Limit on authority: supervised persons (Act s. 123)

- (1) This regulation limits, under section 123(1) of the Act, any authority conferred by a licence or permit on a person to possess or use a firearm under the supervision of another person.
- (2) The supervised person is not authorised to possess or use a firearm if the person is a disqualified person or prohibited person.

Note for this subregulation:

See also offences relevant for prohibited persons in Part 8 Division 4 of the Act.

- (3) This regulation does not apply to the extent that the Act (including these regulations) already limits the authority conferred to exclude a disqualified person or prohibited person.

Example for this subregulation:

See sections 74(1)(c) and 80(2)(c) of the Act.

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248. Limit on authority: licences and permits that authorise use at licensed firearm range (Act s. 123)

- (1) This regulation limits, under section 123(1) of the Act, any authority conferred by a licence or permit on a person to use a firearm at a licensed firearm range.
- (2) The person is not authorised to use the firearm at a licensed firearm range that is a shooting gallery.
- (3) This regulation does not apply to a Range Licence for a shooting gallery.

249. Limit on authority: licences and permits that authorise use of prescribed paintball gun at licensed firearm range (Act s. 123)

- (1) This regulation limits, under section 123(1) of the Act, the authority conferred by a licence or permit, under section 110 of the Act, on a person to use a firearm at a licensed firearm range.
- (2) The person is not authorised to use a firearm that is a prescribed paintball gun at the licensed firearm range.

250. Extension of authority for authorised persons: possession of firearms (Act s. 122)

- (1) This regulation extends, under section 122 of the Act, the authority conferred by a Business Licence, a Primary Producer Licence, a Club Licence, a Range Licence or a Government Entity Licence.
- (2) An authority to possess a firearm conferred by the licence on the licensee is also conferred on each authorised person for the licence (to the extent that that would not otherwise be the case).

Subdivision 4 — Discretionary grounds for cancellation and refusal to renew

251. Discretionary ground for cancellation of, or refusal to renew, licence or relevant approval: authorised person contravenes condition (Act s. 193)

- (1) This regulation states, under section 193(2) of the Act, a ground on which the Commissioner may cancel or refuse to renew —
- (a) a licence; or
 - (b) an approval (a *relevant approval*) that —
 - (i) is held by the licensee under a licence; and
 - (ii) applies to a thing; and
 - (iii) results in the licence conferring authority in relation to the thing.

Examples for this paragraph:

An approval under section 50(4), 98(1) or 99(1) of the Act and a high-risk item approval under regulation 189.

- (2) The Commissioner may cancel or refuse to renew a licence if the Commissioner is satisfied that an authorised person for the licence has contravened —
- (a) a condition to which the licence is subject; or
 - (b) a condition imposed under these regulations on the person's approval as an authorised person for the licence.
- (3) The Commissioner may cancel or refuse to renew a relevant approval if the Commissioner is satisfied that an authorised person for the licence has contravened a condition to which the relevant approval is subject.

252. Discretionary ground for cancellation of, or refusal to renew, firearm authority: failure to reclaim after restraining order ceases (Act s. 193)

- (1) This regulation states, under section 193(2) of the Act, a ground on which the Commissioner may cancel or refuse to renew a firearm authority.
- (2) The Commissioner may cancel or refuse to renew the firearm authority if —
 - (a) by reason of the holder of the firearm authority being bound by a restraining order under the *Restraining Orders Act 1997*, each firearm and related thing to which the firearm authority applies is being held in safe custody by the Commissioner under the *Restraining Orders Regulations 1997* regulation 5(1); and
 - (b) when the restraining order ceases to be in force, the holder of the firearm authority —
 - (i) is entitled to lawful possession of each firearm and related thing referred to in paragraph (a); but
 - (ii) does not reclaim each firearm and related thing within 1 month after the restraining order ceases to be in force.

Subdivision 5 — Requests for information and production of records of information, declarations and documents

253. Request for information about, or production of, records of information, declarations or documents

- (1) This regulation applies to a person who is in possession of a record of information, declaration or document required to be kept under these regulations.
- (2) The Commissioner may require the person to provide to the Commissioner a copy of, or specified information about, the record of information, declaration or document.

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- (3) A requirement made under this regulation must —
- (a) be made in writing; and
 - (b) specify the manner in which, and the time (not less than 28 days after the day on which the requirement is made) within which, the requirement must be complied with; and
 - (c) state that a failure to comply with the requirement is an offence.
- (4) A person must comply with a requirement made of the person under this regulation, in the specified manner and within the specified time, unless the person has a reasonable excuse not to.
Penalty for this subregulation: a fine of \$2 000.
- (5) A person commits an offence if, in response to a requirement made under this regulation, they provide information that they know is false or misleading in a material particular.
Penalty for this subregulation: a fine of \$5 000.

254. Requirement to keep record of information, declaration or document continues despite cancellation or ending of firearm authority

- (1) This regulation applies in relation to a requirement to keep a record of information, declaration or document for a period that is imposed under these regulations on a person as the holder of a firearm authority.
- (2) The requirement to keep the record of information, declaration or document continues to apply to the person for the period referred to in subregulation (1) even if the firearm authority is cancelled, the term of the firearm authority ends without the firearm authority being renewed or the person ceases to hold the firearm authority for any other reason.

255. Request for information: information about continuing to hold firearm authority and other matters

(1) In this regulation —

relevant information means information that the Commissioner considers necessary for a determination as to whether —

- (a) a person should continue to hold a firearm authority, other than because the person may not be a fit and proper person to hold a firearm authority; or
- (b) a firearm authority should continue to confer authority in relation to a thing.

Note for this definition:

See also section 194 of the Act.

(2) For the purpose of investigating whether a person should continue to hold a firearm authority or a firearm authority should continue to confer authority in relation to a thing, the Commissioner may request that the holder of the firearm authority provide specified relevant information to the Commissioner.

(3) A request made under this regulation must —

- (a) be made in writing; and
- (b) specify the manner in which, and the time (not less than 28 days after the day on which the request is made) within which, the request must be complied with; and
- (c) state that a failure to comply with the request may result in —
 - (i) the cancellation of, or refusal to renew, the firearm authority; or
 - (ii) other action being taken under the Act in respect of the firearm authority.

(4) Subregulation (5) applies if a request under this regulation is not complied with in the specified manner and within the specified time.

- (5) The Commissioner has, under section 193(2) of the Act, a ground to cancel or refuse to renew the firearm authority.
- (6) A person commits an offence if, in response to a request under this regulation, they provide information that they know is false or misleading in a material particular.

Penalty for this subregulation: a fine of \$5 000.

Part 7 — Exceptions to offences relating to remote use devices

256. Terms used

In this Part —

authorised net cannon user means a person who is authorised under a licence or permit to possess a net cannon;

exempt person has the meaning given in section 17(1) of the Act;

net cannon means a firearm that —

- (a) is made to throw a net for the purpose of catching animals; and
- (b) requires the discharge of blank ammunition to operate;

remote use device has the meaning given in section 290 of the Act.

257. Exception to offence of possession of remote use device (Act s. 294)

For the purposes of section 294 of the Act, section 291 of the Act does not apply in respect of possession of a remote use device for a firearm by the following persons —

- (a) a person who is an exempt person in possession of the remote use device in the ordinary course of their duties as an exempt person;
- (b) a person who is an authorised net cannon user if the remote use device is for a net cannon that the user is authorised to possess under a licence or permit;
- (c) a licensee under a Trade Licence, or an authorised person for a Trade Licence, in possession of the remote use device in the course of —

- (i) manufacturing, dealing in or repairing the remote use device for the purposes of it being used by an exempt person or for a net cannon; or
- (ii) storing the remote use device for an exempt person or an authorised net cannon user;
- (d) a person who is a commercial carrier, or an employee of a commercial carrier, in possession of the remote use device for the purpose of transporting the device for a person referred to in paragraph (a), (b) or (c) in the ordinary course of the business of the commercial carrier;
- (e) a person who is a commercial warehouse operator, or an employee of a commercial warehouse operator, in possession of the remote use device for the purpose of storing the device for a person referred to in paragraph (a), (b) or (c) in the ordinary course of the business of the commercial warehouse operator.

258. Exception to offence of using remote use device (Act s. 294)

For the purposes of section 294 of the Act, section 292 of the Act does not apply in respect of the use of a remote use device for a firearm by the following persons —

- (a) a person who is an exempt person using the remote use device in the ordinary course of their duties as an exempt person;
- (b) a person who is an authorised net cannon user using the remote use device in the course of using a net cannon under the authority of a licence or permit;
- (c) a licensee under a Trade Licence, or an authorised person for a Trade Licence, using the remote use device in the course of manufacturing or repairing the device for the purposes of it being used by an exempt person or for a net cannon.

**259. Exception to offence of manufacturing remote use device
(Act s. 294)**

For the purposes of section 294 of the Act, section 293 of the Act does not apply in respect of the manufacture of a remote use device for a firearm by —

- (a) a person who is an exempt person manufacturing the remote use device in the ordinary course of their duties as an exempt person;
- (b) a licensee under a Trade Licence, or an authorised person for a Trade Licence, manufacturing the remote use device for the purposes of it being used by an exempt person or for a net cannon.

Part 8 — Storage

Division 1 — Preliminary

260. Application of Part

This Part does not apply to a firearm or related thing that is —

- (a) in the possession of a commercial carrier for the purposes of engaging in a commercial firearm transport activity as defined in section 315(1) of the Act; or
- (b) in commercial firearm warehousing.

Note for this regulation:

See generally Part 9.

261. Level 1 storage

- (1) A person stores a firearm or related thing in *level 1 storage* if the person stores the firearm or thing —
 - (a) in 1 of the following (a *level 1 container*) —
 - (i) a locked compliant container that has a face that is at least 3 mm thick and a door that is at least 6 mm thick;
 - (ii) a locked Grade V safe;
 - or
 - (b) in accordance with the compliant secure room requirements or the compliant strongroom requirements.
- (2) However, if the person stores ammunition and a firearm in the locked level 1 container, the person stores the ammunition in *level 1 storage* only if the person —
 - (a) stores the ammunition in a locked compliant accessory compartment within the level 1 container; and
 - (b) does not store anything else in the compliant accessory compartment other than the following —
 - (i) an unloaded external magazine;

- (ii) a firearm part that is a major firearm part or a part of a firearm that, when the part is removed, renders the firearm inoperable;
- (iii) a prohibited accessory.

262. Level 2 storage

- (1) A person stores a firearm or related thing in *level 2 storage* if the person stores the firearm or thing —
 - (a) in 1 of the following (a *level 2 container*) —
 - (i) in a locked compliant container that has a face that is at least 6 mm thick and a door that is at least 10 mm thick;
 - (ii) in a locked Grade V safe;
 - or
 - (b) in accordance with the compliant secure room requirements or the compliant strongroom requirements.
- (2) However, if the person stores ammunition and a firearm in the locked level 2 container, the person stores the ammunition in *level 2 storage* only if the person —
 - (a) stores the ammunition in a locked compliant accessory compartment within the level 2 container; and
 - (b) does not store anything else in the compliant accessory compartment other than the following —
 - (i) an unloaded external magazine;
 - (ii) a major firearm part, or another part of a firearm that, when the part is removed, renders the firearm inoperable;
 - (iii) a prohibited accessory.

263. Level 3 storage

- (1) A person stores a firearm or related thing in *level 3 storage* if the person stores the firearm or thing —
 - (a) in a locked Grade V safe; or
 - (b) in accordance with the compliant secure room requirements or the compliant strongroom requirements.

- (2) However, if the person stores ammunition and a firearm in the locked Grade V safe, the person stores the ammunition in *level 3 storage* only if the person —
 - (a) stores the ammunition in a locked compliant accessory compartment within the safe; and
 - (b) does not store anything else in the compliant accessory compartment other than the following —
 - (i) an unloaded external magazine;
 - (ii) a major firearm part, or another part of a firearm that, when the part is removed, renders the firearm inoperable;
 - (iii) a prohibited accessory.

264. Compliant display requirements

- (1) In this regulation —

compliant display unit means a glass display unit that —

 - (a) has laminated glass that is at least 7 mm thick; and
 - (b) is locked with a compliant lock.

- (2) A person displays a firearm, major firearm part or prohibited accessory in accordance with the *compliant display requirements* if the person —
 - (a) stores the firearm, part or accessory in a drawer rack in a locked compliant display unit; or

- (b) stores the firearm, part or accessory —
 - (i) on a rack made of solid timber or steel that is fixed and securely anchored to a structural part of the place in which the rack is located; and
 - (ii) so that the firearm, part or accessory is secured to the rack by a steel cable or steel bar lock that is at least 6 mm in diameter.
- (3) A person displays ammunition in accordance with the ***compliant display requirements*** if the person stores the ammunition —
 - (a) in a locked compliant display unit; or
 - (b) on a rack made of solid timber or steel that is fixed and securely anchored to a structural part of the place in which the rack is located.

265. Compliant secure room requirements

A person stores a firearm or related thing in accordance with the ***compliant secure room requirements*** if the person stores the firearm or related thing in accordance with Schedule 5.

266. Compliant strongroom requirements

A person stores a firearm or related thing in accordance with the ***compliant strongroom requirements*** if the person stores the firearm or related thing in a locked strongroom that has a resistance grading of at least XI as determined in accordance with AS/NZS 3809:1998.

267. Operational level 1 alarm systems and operational level 2 alarm systems

- (1) In this regulation —
AS/NZS 2201.1:2007 means the Australian/New Zealand Standard 2201.1:2007 *Intruder alarm systems, Part 1: Client's premises—Design, installation, commissioning and*

maintenance jointly published by Standards Australia and Standards New Zealand.

- (2) An **operational level 1 alarm system**, in relation to a storage place for a firearm or related thing, is a security alarm system that —
- (a) meets or exceeds the following requirements when armed —
 - (i) the system has motion sensors that can detect movement in the storage place;
 - (ii) the motion sensors do not have a light that displays when movement is detected by the sensor;
 - (iii) the system sounds an alarm when motion is detected by the motion sensors;
 - (iv) at least 1 person who stores firearms at the storage place is notified when motion is detected by the motion sensors;
 - (v) the system otherwise substantially complies with the recommendations, requirements or other provisions that apply to alarm systems under AS/NZS 2201.1:2007;
- and
- (b) operates in relation to the storage place in accordance with subregulation (4).
- (3) An **operational level 2 alarm system**, in relation to a storage place for a firearm or related thing, is a security alarm system that —
- (a) meets or exceeds the following requirements when armed —
 - (i) the system meets or exceeds the requirements under subregulation (2)(a);

- (ii) the system has seismic sensors to detect whether a firearm repository within the storage place is the subject of a physical attack, or an attempt to move the firearm repository from the storage place;
 - (iii) the system sounds an alarm when the seismic sensors detect a physical attack on a firearm repository or an attempt to move the firearm repository;
 - (iv) at least 1 person who stores firearms at the storage place is notified when the seismic sensors detect a physical attack on a firearm repository or an attempt to move the firearm repository;
 - (v) the system has a duress alarm that allows a person to activate the system or the alarm by, for example, pressing a button;
 - (vi) the control panel for the system is in a part of the storage place that is not accessible to the public;
- and
- (b) operates in relation to the storage place in accordance with subregulation (4).
- (4) An operational level 1 alarm system or operational level 2 alarm system operates in relation to a storage place for a firearm or related thing if the system operates in —
- (a) the entirety of the storage place; and
 - (b) the areas outside the storage place from which the place can be accessed.

268. Operational video surveillance system

- (1) In this regulation —
- AS 4806:2006** means the Australian Standard 4806:2006 *Closed circuit television (CCTV)* published by Standards Australia;

AS 4806.2:2006 means the Australian Standard 4806.2:2006 *Closed circuit television (CCTV): Application guidelines* published by Standards Australia.

- (2) An **operational video surveillance system**, in relation to a storage place for a firearm or related thing, is a surveillance system that —
- (a) takes and records video in a way that meets or exceeds the requirements set out in subregulation (3); and
 - (b) operates in relation to the storage place in accordance with subregulation (4).

Note for this subregulation:

See regulation 285 in relation to a document to be given to the Commissioner about the installation of an operational video surveillance system.

- (3) The following are the requirements for the purposes of subregulation (2)(a) —
- (a) the video cameras included in the surveillance system have a frame rate of 12.5 frames per second;
 - (b) the surveillance system displays the date and time the video is taken on the video, but not so that the date and time cover a firearm repository or the entrance points to the storage place;
 - (c) the surveillance system is connected to an uninterruptible power supply;
 - (d) if the surveillance system ceases to take or record video, at least 1 person who stores firearms at the place where the system takes video is notified;
 - (e) access to the surveillance system, and the recorded video, is protected by a password;
 - (f) the surveillance system is accessible remotely by at least 1 person who stores firearms at the place where the system takes video;

- (g) the surveillance system keeps a record of each time the system is accessed;
 - (h) the surveillance system retains the recorded video for at least the period of 30 days beginning on the day on which the video is recorded;
 - (i) the surveillance system is able to export uncompressed images from video, or export the video in its native format, while the system still takes and records video;
 - (j) the surveillance system is able to take video that captures a person's face consistently with the recommendations of AS 4806.2:2006 in relation to facial recognition;
 - (k) the surveillance system otherwise substantially complies with the recommendations, requirements or other provisions that apply to video surveillance systems under AS 4806:2006.
- (4) An operational video surveillance system operates in relation to a storage place for a firearm or related thing if the surveillance system —
- (a) records video in —
 - (i) the entirety of the storage place; and
 - (ii) the areas outside the storage place from which the place can be accessed;
- and
- (b) includes multiple video cameras so that more than 1 camera records video in the same area.

Division 2 — Storage regulations for general storers

269. Purpose of Division (Act s. 312)

For the purposes of section 312 of the Act, this Division makes provision for or with respect to the storage by a person (a *general storer*) of a firearm or related thing that is not a firearm

or related thing that the person is authorised to possess under a Trade Licence.

270. Storage requirements for firearms and related things in Schedule 6

Schedule 6 applies to a general storer who stores a firearm.

271. General storers storing class 1 accessories and prohibited accessories in firearm repositories

- (1) Despite Schedule 6, if a general storer stores only class 1 accessories in a firearm repository, the firearm repository must be —
 - (a) a locked compliant container that has a face that is at least 2 mm thick and a door that is at least 2 mm thick;
or
 - (b) a locked Grade V safe.
- (2) Despite Schedule 6, if a general storer stores only prohibited accessories with class 1 accessories in a firearm repository, the storer must store all of the accessories in a locked level 1 container.
- (3) A general storer does not contravene this regulation if the storer stores a class 1 accessory or prohibited accessory in accordance with the compliant secure room requirements or the compliant strongroom requirements.

272. Commissioner may exempt general storers from requirement of this Division or Schedule 6

- (1) A general storer may request, in the approved manner and approved form, that the Commissioner exempt, in whole or in part, the general storer from a requirement of this Division or Schedule 6 in relation to a firearm or related thing.

- (2) The Commissioner may exempt the general storer from a requirement of this Division or Schedule 6 in relation to the firearm or related thing if the Commissioner is satisfied that —
- (a) the general storer cannot, or cannot reasonably, meet the requirement in relation to the firearm or related thing, whether because —
 - (i) of the size of the firearm or related thing; or
 - (ii) the nature of the possession or use of the firearm or related thing is inconsistent with its storage in accordance with this Division or Schedule 6;and
 - (b) without the requirement —
 - (i) the firearm or related thing will be secured so that it cannot easily be stolen; and
 - (ii) the risk to public safety will be minimised to the extent possible.
- Examples for this subregulation:
1. For the purposes of paragraph (a)(i), a large cannon that weighs over 500 kg is on public display and cannot be stored in level 1 storage.
 2. For the purposes of paragraph (a)(ii), a firearm that is on display for the purpose of museum activities.
- (3) The Commissioner may grant the exemption subject to conditions.
- (4) Without limiting subregulation (3), the Commissioner may impose a condition that the general storer must —
- (a) ensure that an operational level 1 alarm system or operational level 2 alarm system is installed in relation to the storage place for the firearm or related thing; or
 - (b) ensure that an operational video surveillance system is installed in relation to the storage place for the firearm or related thing; or

- (c) store the firearm or related thing in different places at different times.

Example for this subregulation:

For the purposes of paragraph (c), a firearm that is on display for the purpose of museum activities must be installed behind glass of a certain thickness during the open hours of the museum and be stored in level 1 storage outside the open hours of the museum.

- (5) If the Commissioner makes a decision under subregulation (2), the Commissioner must give the general storer a written notice setting out —
 - (a) the decision; and
 - (b) if the decision is to refuse to grant the exemption — the reasons for the decision; and
 - (c) if the decision is to grant the exemption subject to conditions under subregulation (3) — the conditions.

273. Effect of exemption granted under r. 272

- (1) This regulation applies if the Commissioner exempts under regulation 272(2) a general storer from a requirement of this Division or Schedule 6 in relation to a firearm or related thing.
- (2) If the general storer complies with any conditions to which the exemption is subject under regulation 272(3), the requirement does not apply to the extent of the inconsistency with the exemption.

Division 3 — Storage regulations for trade storers

274. Purpose of Division (Act s. 312)

For the purposes of section 312 of the Act, this Division makes provision for or with respect to the storage of a firearm or related thing by a trade storer.

275. Trade storers storing category A, B, C and E firearms

- (1) This regulation applies to a trade storer who stores a category A, B, C or E firearm.
- (2) The trade storer must store the firearm —
 - (a) if the trade storer is a firearms seller and the firearm is on display in a place in the course of the firearms seller's business — in accordance with the compliant display requirements in a part of the place that is not accessible to the public; or
 - (b) otherwise — in accordance with the compliant secure room requirements or the compliant strongroom requirements.

Example for this subregulation:

For the purposes of paragraph (a), a part of a store that is not accessible to the public is the part of the store that is behind a counter where only employees of the store are permitted to enter.

- (3) The trade storer must ensure that —
 - (a) an operational level 1 alarm system or operational level 2 alarm system is installed in relation to the storage place for the firearm; and
 - (b) an operational video surveillance system is installed in relation to the storage place for the firearm.

276. Trade storers storing category D firearms or uncategorised prohibited firearms

- (1) This regulation applies to a trade storer who stores —
 - (a) a category D firearm; or
 - (b) a prohibited firearm that is in no category.
- (2) The trade storer must store the firearm in accordance with the compliant secure room requirements or the compliant strongroom requirements.

- (3) The trade storer must ensure that —
 - (a) an operational level 2 alarm system is installed in relation to the storage place for the firearm; and
 - (b) an operational video surveillance system is installed in relation to the storage place for the firearm.

277. Trade storers storing category H firearms

- (1) This regulation applies to a trade storer who stores a category H firearm.
- (2) If the trade storer is a firearms seller, the trade storer must store the firearm —
 - (a) during the open hours of the firearms seller's business —
 - (i) if the firearm is on display in a place in the course of the firearms seller's business — in accordance with the compliant display requirements in a part of the place that is not accessible to the public; or
 - (ii) otherwise — in accordance with the compliant secure room requirements or the compliant strongroom requirements;
 - or
 - (b) outside the open hours of the firearms seller's business — in accordance with the compliant secure room requirements or the compliant strongroom requirements.

Example for this subregulation:

For the purposes of paragraph (a)(i), a part of a store that is not accessible to the public is the part of the store that is behind a counter where only employees of the store are permitted to enter.

- (3) If the trade storer is not a firearms seller, the trade storer must store the firearm in accordance with the compliant secure room requirements or the compliant strongroom requirements.

- (4) The trade storer must ensure that —
 - (a) an operational level 2 alarm system is installed in relation to the storage place for the firearm; and
 - (b) an operational video surveillance system is installed in relation to the storage place for the firearm.

278. Trade storers storing class 1 accessories or prohibited accessories

- (1) A trade storer who stores a class 1 accessory (other than ammunition) or prohibited accessory must store the accessory in accordance with the compliant secure room requirements or the compliant strongroom requirements.
- (2) A trade storer who stores ammunition must store the ammunition in accordance with the compliant secure room requirements or the compliant strongroom requirements.
- (3) Subregulation (4) applies if the trade storer is a firearms seller.
- (4) The trade storer may store ammunition (other than prohibited ammunition) in the course of the firearms seller's business as follows (instead of complying with subregulation (2)) —
 - (a) if the ammunition is on display in a place — in accordance with the compliant display requirements in a part of the place that is not accessible to the public;
 - (b) otherwise —
 - (i) in a locked compliant container that has a face that is at least 2 mm thick and a door that is at least 2 mm thick; or
 - (ii) in a locked Grade V safe.

Division 4 — Other storage regulations

279. Purpose of Division (Act s. 312)

For the purposes of section 312 of the Act, this Division makes provision for or with respect to the storage of a firearm or related thing by a general storer or a trade storer (a *storer*).

280. Magazines to be stored unloaded

A storer must ensure that a magazine that is not within a firearm is only stored in a firearm repository if it is unloaded.

281. Key and access card storage requirements

- (1) This regulation applies if a storer stores a firearm or related thing in a firearm repository or compliant accessory compartment in a repository that is locked with a key or access card.
- (2) The storer must ensure that —
 - (a) the key or access card is stored in a locked cabinet or container so that it is not visible; and
 - (b) the key or access card is not stored in a place from which the firearm repository can be accessed.

282. Access to firearms and related things within firearm repositories

- (1) A storer must ensure that another person (a *visitor*) does not have access to a firearm or related thing (a *stored item*) stored within a firearm repository.
- (2) Subregulation (1) does not apply if the visitor —
 - (a) is authorised to access the stored item; or

- (b) is engaged, or works for a person who is engaged, to provide a service or other thing for the storer and —
 - (i) the visitor needs to access the stored item for the purpose of providing the service or other thing; and
 - (ii) the visitor is immediately supervised by the storer, or another person who is authorised to access the stored item, while providing the service or other thing;
 - or
 - (c) is performing a function under the Act or another law.
- (3) Subregulation (1) does not apply if —
- (a) the visitor —
 - (i) has access because the stored item is in shared compliant storage as defined in section 311(1) of the Act; and
 - (ii) has lawful possession of another firearm or related thing in the shared compliant storage;
 - and
 - (b) if the stored item is a firearm — the stored item is stored in a way that does not contravene regulation 284; and
 - (c) if the stored item is a related thing — the stored item is secured against unauthorised use.

283. Storers to have maintenance schedule for operational level 1 alarm systems and operational level 2 alarm systems

- (1) This regulation applies if a storer must comply with a requirement that an operational level 1 alarm system or an operational level 2 alarm system be installed in relation to a storage place for a firearm or related thing under this Part or Schedule 6.

- (2) The Commissioner may, by written notice, request that the storer give either or both of the following documents to the Commissioner within 28 days after the day on which the storer receives the notice —
- (a) a schedule for maintenance of the operational level 1 alarm system or operational level 2 alarm system;
 - (b) a record showing work carried out maintaining the alarm system within the previous 5 years from the date of the notice.
- (3) The notice must —
- (a) state the documents required by the Commissioner; and
 - (b) state that, if the storer does not provide the documents within 28 days after receiving the notice, the storer may be committing an offence under this regulation.
- (4) A storer who receives a written notice under subregulation (2) must comply with the notice.
Penalty for this subregulation: a fine of \$2 000.
- (5) A storer who, in response to a written notice under subregulation (2), provides information that the storer knows is false or misleading in a material particular commits an offence.
Penalty for this subregulation: a fine of \$5 000.

Division 5 — Shared compliant storage

284. Requirements for shared compliant storage (Act s. 311)

For the purposes of section 311(3) of the Act, a person must not store a firearm in shared compliant storage unless —

- (a) the firearm is rendered temporarily inoperable, including, for example, by —
 - (i) using a trigger or action lock; or

(ii) removing a bolt, firing pin or major firearm part from the firearm;

and

- (b) if paragraph (a)(i) applies and the lock uses a key or code and the key or code is or will be stored with the firearm — ensure that the key or code is stored in a different firearm repository to the firearm; and
- (c) if paragraph (a)(ii) applies and the removed bolt, pin or part is or will be stored with the firearm — ensure that the removed bolt, pin or part is stored in a different firearm repository to the firearm.

Penalty: a fine of \$5 000.

Division 6 — Giving information about operational video surveillance systems

285. Discretionary ground for refusal to grant firearm authority for failing to give document to Commissioner about operational video surveillance system (Act s. 142)

- (1) This regulation states, under section 142 of the Act, a discretionary ground for refusing to grant a firearm authority.
- (2) The Commissioner may refuse to grant the firearm authority if —
 - (a) the applicant for the grant of the firearm authority is required to install an operational video surveillance system in relation to the storage place for the firearm or related thing under this Part or Schedule 6; and
 - (b) the applicant does not give to the Commissioner a document given by the person who installed the operational video surveillance system certifying that the system meets or exceeds the requirements set out in regulation 268(3).

- (3) The applicant commits an offence if they give a document referred to in subregulation (2)(b) to the Commissioner that they know is false or misleading in a material particular.

Penalty for this subregulation: a fine of \$5 000.

Part 9 — Transport and commercial warehousing

Division 1 — Transporting firearms and related things

286. Requirements for firearms and related things in transit (Act s. 307 and 308)

- (1) For the purposes of section 307(1)(b) of the Act, the requirements are that —
 - (a) the firearm is rendered temporarily inoperable, including, for example, by —
 - (i) using a trigger or action lock; or
 - (ii) removing a bolt, firing pin or major firearm part from the firearm;
 - and
 - (b) if paragraph (a)(i) applies and the lock uses a key or code and the key or code is or will be in transit with the firearm — the key or code is in transit in a different package to the firearm; and
 - (c) if paragraph (a)(ii) applies and the removed bolt, pin or part is or will be in transit with the firearm — the removed bolt, pin or part is in transit in a different package to the firearm.
- (2) For the purposes of section 307(1)(e) of the Act, the requirements that a person in possession of a firearm and ammunition for the firearm that are in transit and not in use must comply with are that the person must ensure that the firearm and ammunition are not in transit in the same firearm repository unless —
 - (a) the ammunition is in transit in a locked compartment within the repository that is separated from where the firearm is in transit; and
 - (b) the compartment is securely fixed to the repository so that it cannot be easily removed.

- (3) For the purposes of section 308(1)(d) of the Act, a firearm in transit in a vehicle that is a motor cycle (as defined in the *Road Traffic Act 1974* section 49AAA) must be in transit in a locked hard case that is designed for transporting firearms on motor cycles.

287. Requirements for making arrangements with commercial carriers for transporting firearms or related things (Act s. 315)

For the purposes of section 315(2) of the Act, the requirements that a person who makes arrangements with a commercial carrier for the transport of a firearm or related thing by the commercial carrier must comply with are that —

- (a) the person must be satisfied that the commercial carrier is suitable to transport the firearm or related thing, having regard to —
- (i) the size of the commercial carrier's business; and
 - (ii) the commercial carrier's capacity to safely transport the firearm or related thing; and
 - (iii) the commercial carrier's ability to transport the firearm or related thing in accordance with regulation 288(2);
- and
- (b) the arrangements must —
- (i) be in writing; and
 - (ii) if the person holds a firearm authority for the firearm or related thing — state the authority number;
- and
- (c) if the arrangements are for a firearm — the arrangements must state —
- (i) the number of firearms that are being transported; and

- (ii) the category of each firearm; and
 - (iii) the serial number of each firearm;
- and
- (d) if the arrangements are for a major firearm part that has a serial number — the arrangements must state the serial number of the major firearm part.

288. Requirements for other commercial firearm transport activities (Act s. 315)

- (1) For the purposes of section 315(2) of the Act, a person must comply with the requirements in subregulation (2) when —
 - (a) giving possession of a firearm or related thing to a commercial carrier for the purpose of its being transported by the commercial carrier; or
 - (b) taking possession of a firearm or related thing as a commercial carrier or as an employee of a commercial carrier; or
 - (c) transporting a firearm or related thing as a commercial carrier or as an employee of a commercial carrier.
 - (2) The requirements are that the person must —
 - (a) make arrangements in relation to the firearm or related thing under regulation 287(b) to (d); and
 - (b) ensure that the firearm or related thing is transported in a package; and
 - (c) in relation to a firearm that is or will be transported — ensure that the firearm is rendered temporarily inoperable, including, for example, by —
 - (i) using a trigger or action lock; or
 - (ii) removing a bolt, firing pin or major firearm part from the firearm;
- and

- (d) if paragraph (c)(i) applies and the lock uses a key or code and the key or code is or will be transported with the firearm — ensure that the key or code is transported in a different package to the firearm; and
- (e) if paragraph (c)(ii) applies and the removed bolt, pin or part is or will be transported with the firearm — ensure that the removed bolt, pin or part is transported in a different package to the firearm; and
- (f) if a related thing for a firearm is or will be transported with the firearm — ensure that the related thing is transported in a different package to the firearm; and
- (g) ensure that the package referred to in paragraph (b), (d), (e) or (f) —
 - (i) is made of a material, such as metal or plastic, that prevents accidental loss of the firearm or related thing inside the package; and
 - (ii) does not state or otherwise indicate what is in the package; and

Example for this subparagraph:

The name of the business or words such as “firearm” or “gun” are not visible from outside the package.

- (iii) is of such a nature that the contents of the package are not identifiable from outside the package; and
 - (iv) is able to be tracked by the person;
- and
- (h) if the firearm is a category D or H firearm — ensure that a tracking device is attached to the firearm so it is able to be separately tracked by the person.

289. Requirements for sending items by post (Act s. 392 and 401)

- (1) For the purposes of section 401(2)(k) of the Act, a person who is not a licensee under a Firearm Dealer Licence must not send a firearm or related thing by post unless a licensee under a

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Part 9 Transport and commercial warehousing

Division 2 Commercial warehousing for firearms and related things

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Firearm Dealer Licence sends the firearm or related thing by post on the person's behalf.

Penalty for this subregulation: a fine of \$5 000.

- (2) For the purposes of section 392(2)(c) of the Act, the following requirements apply for a firearm, major firearm part or prohibited accessory —
 - (a) the requirements set out in regulation 288(2);
 - (b) the person must include a return address that is premises at which the business of a dealer in firearms is lawfully carried on.
- (3) For the purposes of section 392(3) of the Act, for any other related thing the following requirements apply —
 - (a) the person must address the related thing to premises at which the business of a dealer in firearms is lawfully carried on;
 - (b) the requirements set out in regulation 288(2);
 - (c) the person must include a return address that is premises at which the business of a dealer in firearms is lawfully carried on.

Division 2 — Commercial warehousing for firearms and related things

290. Requirements for persons engaging commercial warehouse operators in relation to commercial firearm warehousing (Act s. 316)

For the purposes of section 316(3) of the Act, the requirements that a person who engages a commercial warehouse operator to engage in commercial firearm warehousing of a firearm or related thing must comply with are that —

- (a) the person must be satisfied that the commercial warehouse operator is suitable to store the firearm or related thing, having regard to —
 - (i) the size of the commercial warehouse operator’s business; and
 - (ii) the commercial warehouse operator’s capacity to safely store the firearm or related thing; and
 - (iii) the commercial warehouse operator’s ability to store the firearm or related thing in accordance with regulation 291;and
- (b) the person must make an agreement with the commercial warehouse operator that —
 - (i) is in writing; and
 - (ii) if the person holds a firearm authority in relation to the firearm or related thing — states the authority number;and
- (c) if the agreement is for a firearm — the agreement must state —
 - (i) the number of firearms that are being stored; and
 - (ii) the category of each firearm; and
 - (iii) the serial number of each firearm;and
- (d) if the agreement is for a major firearm part that has a serial number — the agreement must state the serial number of the major firearm part.

291. Requirements for commercial warehouse operators in relation to commercial firearm warehousing (Act s. 316)

For the purposes of section 316(2) of the Act, the requirements that a person who engages in commercial firearm warehousing

of a firearm or related thing must comply with are that the person must —

- (a) make an agreement in relation to the firearm or related thing under regulation 290(b) to (d); and
- (b) ensure that the firearm or related thing is stored in a package; and
- (c) if a firearm is or will be stored — ensure that the firearm is rendered temporarily inoperable, including, for example, by —
 - (i) using a trigger or action lock; or
 - (ii) removing a bolt, firing pin or major firearm part from the firearm;

and

- (d) if paragraph (c)(i) applies and the lock uses a key or code and the key or code is or will be stored with the firearm — ensure that the key or code is stored in a different package to the firearm; and
- (e) if paragraph (c)(ii) applies and the removed bolt, pin or part is or will be stored with the firearm — ensure that the removed bolt, pin or part is stored in a different package to the firearm; and
- (f) if a related thing for a firearm is or will be stored with the firearm — ensure that the related thing is stored in a different package to the firearm; and
- (g) ensure that the package referred to in paragraph (b), (d), (e) or (f) —
 - (i) is made of a material, such as metal or plastic, that prevents accidental loss of the firearm or related thing inside the package; and

- (ii) does not state or otherwise indicate what is in the package; and

Example for this subparagraph:

The name of the business or words such as “firearm” or “gun” are not visible from outside the package.

- (iii) is of such a nature so that the contents of the package are not identifiable from outside the package; and
 - (iv) is able to be tracked by the person;
- and
- (h) if the firearm is a category D or H firearm — ensure that a tracking device is attached to the firearm so it is able to be separately tracked by the person.

Part 10 — Firearms prohibition orders

292. Reinstatement of firearm authorities (Act s. 326)

For the purposes of section 326(2) of the Act, if the Commissioner revokes a firearms prohibition order, the Commissioner may grant to the person to whom the order relates a firearm authority of the kind that was cancelled when the order came into force.

293. Corresponding firearms prohibition orders (Act s. 333)

For the purposes of the definition of *corresponding firearms prohibition orders* in section 333(1) of the Act, each of the following is a corresponding firearms prohibition order —

- (a) a firearms prohibition order as defined in the *Firearms Act 1996* (NSW) section 4(1);
- (b) a firearm prohibition order as defined in the *Firearms Act 1997* (NT) section 49B;
- (c) a firearms prohibition order as defined in the *Firearms Act 2015* (SA) section 4(1);
- (d) a firearms prohibition order as defined in the *Firearms Act 1996* (Tasmania) section 3;
- (e) a firearm prohibition order as defined in the *Firearms Act 1996* (Victoria) section 3(1).

Part 11 — Supply, advertising and reporting

294. Authority for supply of firearm or related thing (Act s. 113)

- (1) A licence or permit that authorises the possession of a firearm or related thing also authorises the licensee or permit holder (the *supplier*) to supply the firearm or related thing to a person (the *recipient*) who is authorised by a licence or permit to acquire the firearm or related thing pursuant to the supply.
- (2) A licence or permit that authorises the possession of a firearm or related thing also authorises the licensee or permit holder (the *supplier*) to supply the firearm or related thing to a person (the *recipient*) outside the State if the supply of the firearm or related thing, and the recipient's acquisition of the firearm or related thing pursuant to the supply, contravenes no external firearms law that applies to the supply or acquisition (or both).
- (3) Subregulations (1) and (2) apply only if —
 - (a) at the time of supply, the supplier gives the recipient a serviceability certificate for the firearm or (if the related thing is a major firearm part) related thing; and
 - (b) in the case of a related thing other than a major firearm part, the supplier complies with the requirements of section 395 of the Act as if that section applied to a related thing other than a major firearm part.
- (4) In the case of a supply under subregulation (1), the recipient must, as soon as practicable —
 - (a) report the supply to the Commissioner in the approved manner and approved form; and
 - (b) include in the report the information referred to in regulation 297(a) to (g).

Penalty for this subregulation: a fine of \$2 000.

**295. Particulars of firearms to be included in advertisements
(Act s. 389 and 390)**

For the purposes of sections 389(1)(a) and 390(2)(c) of the Act, the particulars of a firearm are —

- (a) the magazine capacity of the firearm; and
- (b) the category of the firearm.

**296. Particulars of ammunition to be included in advertisements
(Act s. 389 and 390)**

For the purposes of sections 389(1)(c) and 390(3) of the Act, the particulars of ammunition are the calibre and gauge of the ammunition.

297. Supply of firearm or major firearm part: information to be reported (Act s. 395)

For the purposes of section 395(1)(b) of the Act, a report of the supply of a firearm or major firearm part must include the following information —

- (a) the names of the supplier and the recipient;
- (b) the address of the recipient;
- (c) the date of the supply;
- (d) the authority number of the licence or permit under the authority of which the supplier supplies the firearm or major firearm part;
- (e) if the recipient acquires or takes possession of the firearm or major firearm part under the authority of a licence or permit — the authority number of the licence or permit;
- (f) for a firearm — the type, category, make, serial number, magazine size and calibre of the firearm;
- (g) for a major firearm part — a description, and the serial number, of the major firearm part.

298. Exception to s. 395 of Act: Trade Licence (Act s. 395)

For the purposes of section 395(2) of the Act, section 395(1) of the Act does not apply to a person who supplies, under the authority of a Trade Licence, a firearm or major firearm part.

Note for this regulation:

See regulation 183.

Part 12 — Miscellaneous

Division 1 — Infringement notices

299. Prescribed offences and modified penalties (*Criminal Procedure Act 2004 s. 5*)

- (1) For the purposes of the *Criminal Procedure Act 2004* section 5(1), the offences specified in Schedule 7 are offences for which an infringement notice may be issued under the *Criminal Procedure Act 2004* Part 2.
- (2) For the purposes of the *Criminal Procedure Act 2004* section 5(3), the modified penalty specified opposite a prescribed offence in Schedule 7 is the modified penalty for that offence.

300. Approved officers and authorised officers (*Criminal Procedure Act 2004 s. 6*)

For the purposes of the *Criminal Procedure Act 2004* section 6(a) and (b), the Commissioner may, in writing, appoint a person employed in the Department to be an approved officer or authorised officer.

301. Identification for authorised officers (*Criminal Procedure Act 2004 s. 6*)

For the purposes of the *Criminal Procedure Act 2004* section 6(c), the Commissioner must issue to each authorised officer a certificate, badge or identity card identifying the officer as a person authorised to issue infringement notices.

302. Forms of infringement notices and withdrawal notices (*Criminal Procedure Act 2004 s. 6 and 15*)

- (1) For the purposes of the *Criminal Procedure Act 2004* section 6(d), the prescribed form for an infringement notice is set out in Schedule 8.

- (2) For the purposes of the *Criminal Procedure Act 2004* section 15(2), the prescribed form stating that an infringement notice has been withdrawn is set out in Schedule 9.

Division 2 — Fees

303. Fees (Act s. 179 and 400)

- (1) For the purposes of section 179(4) of the Act, the fee is set out in Schedule 10 item 47.
- (2) For the purposes of section 400(1) of the Act —
- (a) if a fee for the grant of a firearm authority is listed in Schedule 10, the person who applies for the grant is required to pay the applicable fee for the grant of the authority; and
 - (b) if a fee for the renewal of a firearm authority is listed in Schedule 10, the person who applies for the renewal is required to pay the applicable fee for the renewal of the authority; and
 - (c) if a fee for an application is listed in Schedule 10, the person who makes the application is required to pay the applicable fee for the application.
- (3) For the purposes of section 400(1) of the Act, if the Commissioner decides to issue a licence card to a licensed person, the person is required to pay the fee set out in Schedule 10 item 55 before the card is issued.

304. Pro rata calculation of fee for firearm authorities granted or renewed for term other than 1, 3 or 5 years

- (1) This regulation applies if —
- (a) a fee is listed in Schedule 10 for the grant or renewal of a firearm authority for a term of 1, 3 or 5 years; and
 - (b) a particular firearm authority is granted or renewed for a term other than 1, 3 or 5 years.

- (2) If the term for which the firearm authority is granted or renewed is less than 1 year, the fee is calculated by using the following formula (rounded down to the nearest whole dollar) —

$$\frac{A}{365} \times B$$

where —

A is the fee listed in Schedule 10 for the grant or renewal of the firearm authority for a 1-year term;

B is the number of days for which the firearm authority is granted or renewed.

- (3) If the term for which the firearm authority is granted or renewed is more than 1 year but less than 3 years, the fee is calculated by using the following formula (rounded down to the nearest whole dollar) —

$$\frac{A}{1\,095} \times B$$

where —

A is the fee listed in Schedule 10 for the grant or renewal of the firearm authority for a 3-year term;

B is the number of days for which the firearm authority is granted or renewed.

- (4) If the term for which the firearm authority is granted or renewed is more than 3 years, the fee is calculated by using the following formula (rounded down to the nearest whole dollar) —

$$\frac{A}{1\,825} \times B$$

where —

A is the fee listed in Schedule 10 for the grant or renewal of the firearm authority for a 5-year term;

B is the number of days for which the firearm authority is granted or renewed.

Division 3 — Miscellaneous

305. Replacing licence card

- (1) If a licence card (the *original card*) issued to a person is destroyed, lost or stolen, the person may apply to the Commissioner for a replacement licence card.
- (2) The application must be —
 - (a) made in the approved manner and approved form; and
 - (b) accompanied by the fee set out in Schedule 10 item 56.
- (3) If the Commissioner is satisfied the original card is destroyed, lost or stolen, the Commissioner may issue a replacement licence card to the person.
- (4) If the person finds or recovers their original card, the person must return the original card to an employee of the Department within the period of 14 days beginning on —
 - (a) if the person finds or recovers the original card on or before the day on which the person receives the replacement licence card — the day on which the person receives the replacement licence card; or
 - (b) otherwise — the day on which the person finds or recovers the original card.

Penalty for this subregulation: a fine of \$2 000.

Part 13 — Transitional provisions

Division 1 — Preliminary

306. Terms used

In this Part —

1973 Act has the meaning given in section 403 of the Act;

1973 Act authority has the meaning given in section 403 of the Act;

1973 Act exemption has the meaning given in section 421(1) of the Act;

commencement day means the day on which this regulation comes into operation;

transitional authority has the meaning given in section 413(1) of the Act.

Division 2 — Exemptions from training requirements for persons authorised under 1973 Act

307. Persons who held licence under 1973 Act exempt from training requirements under r. 224

A reference in regulation 224(2)(a) to a licence under the Act includes a reference to a licence under the 1973 Act.

308. Persons who will be granted replacement authority under s. 419 of Act exempt from training requirements

(1) In this regulation —

total exemption, in relation to a firearm safety training course, has the meaning given in regulation 224(1).

- (2) A person is taken to hold a total exemption in relation to a firearm safety training course if —
- (a) the person holds a transitional authority; and
 - (b) the Commissioner intends to grant, under section 419(1) of the Act, a firearm authority that will replace the transitional authority; and
 - (c) the person is required, under regulation 224, to successfully complete the firearm safety training course that relates to the firearm authority or to the firearm or position to which the firearm authority relates.

Division 3 — Storage regulations for firearms and related things held before commencement day

309. Storage regulations for persons possessing category A, B, C, E or H firearms before commencement day (Act s. 312)

- (1) Subregulation (2) applies if —
- (a) a person —
 - (i) possesses 5 or fewer category A, B, C or H firearms or 1 or more category E firearms; and
 - (ii) does not possess a category D firearm or a prohibited firearm that is in no category;
- and
- (b) the person possessed those firearms under a 1973 Act authority or a 1973 Act exemption in force immediately before commencement day.

Note for this subregulation:

The Commissioner may impose alternative storage requirements under regulation 311 that prevail over this regulation to the extent of any inconsistency.

- (2) For the purposes of section 312 of the Act, on and from commencement day until the person acquires another firearm or a prohibited accessory, the person must store the firearms and

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Part 13 Transitional provisions

Division 3 Storage regulations for firearms and related things held before commencement day

r. 310

any related things in a locked cabinet or container that meets or exceeds the specifications described in the repealed *Firearms Regulations 1974* Schedule 4.

- (3) Subregulation (4) applies if the person —
 - (a) acquires 1 or more category E firearms after commencement day; but
 - (b) does not acquire a prohibited accessory or another firearm of a different category.
- (4) For the purposes of section 312 of the Act, until the person acquires a firearm of another category or a prohibited accessory —
 - (a) Part 8 and Schedule 6 do not apply to the storage of the firearms or any related things; and
 - (b) the person must store the person's firearms and any related things in level 1 storage.
- (5) However, a person does not contravene subregulation (2) or (4) if the person stores the firearms or any related things in accordance with —
 - (a) if the 1973 Act authority under or in respect of which the person possessed the firearms or related things was a Dealer's Licence, Repairer's Licence or Manufacturer's Licence — Part 8 Divisions 3 and 4; or
 - (b) if the person is a trade storer — Part 8 Divisions 3 and 4; or
 - (c) otherwise — Part 8 Divisions 2 and 4 and Schedule 6.

310. Storage regulations for firearms possessed under transitional authorities and 1973 Act exemptions (Act s. 312)

- (1) This regulation applies if —
 - (a) a person possesses a firearm under a transitional authority or a 1973 Act exemption; and

(b) regulation 309 does not apply.

Note for this subregulation:

The Commissioner may impose alternative storage requirements under regulation 311 that prevail over this regulation to the extent of any inconsistency.

- (2) On and from commencement day until the person's transitional authority or the 1973 Act exemption ceases to have effect, the person must store the firearm and any related things —
- (a) in a locked cabinet or container that meets or exceeds the specifications described in the repealed *Firearms Regulations 1974* Schedule 4; and
 - (b) if the Commissioner imposes a condition under subregulation (4) — in accordance with the condition.
- (3) However, a person does not contravene subregulation (2)(a) if the person stores the firearm and any related things in accordance with —
- (a) if the 1973 Act authority under or in respect of which the person possessed the firearm or related thing was a Dealer's Licence, Repairer's Licence or Manufacturer's Licence — Part 8 Divisions 3 and 4; or
 - (b) if the person is a trade storer — Part 8 Divisions 3 and 4; or
 - (c) otherwise — Part 8 Divisions 2 and 4 and Schedule 6.
- (4) The Commissioner may impose a condition on the person in relation to the storage if the Commissioner is satisfied that, in the absence of the condition, the requirements under subregulation (2)(a) are not sufficient to ensure that —
- (a) the firearm or related thing will be secured so that it cannot easily be stolen; and
 - (b) the risk to public safety will be minimised to the extent possible.

- (5) If the Commissioner imposes the condition, the Commissioner must give the person a written notice setting out —
 - (a) the condition; and
 - (b) the reasons for the decision.

311. Alternative storage requirements for persons to whom Division applies

- (1) This regulation applies if a firearm or related thing is stored under regulation 309 or 310.
- (2) The Commissioner may impose alternative storage requirements for the firearm or related thing if the Commissioner is satisfied that the storage requirements under regulation 309 or 310 are not sufficient to ensure that —
 - (a) the firearm or related thing will be secured so that it cannot easily be stolen; and
 - (b) the risk to public safety will be minimised to the extent possible.
- (3) If the Commissioner imposes alternative storage requirements under subregulation (2), the Commissioner must give the person a written notice setting out —
 - (a) the reasons for the decision; and
 - (b) the alternative storage requirements for the firearm or related thing; and
 - (c) the day on which the requirements start to apply, which must not be earlier than the day on which the person receives the notice.
- (4) If the alternative storage requirements imposed under subregulation (2) are inconsistent with the requirements that apply under regulation 309 or 310 —
 - (a) the regulation does not apply to the extent of the inconsistency; and

- (b) the person must comply with the alternative storage requirements for the firearm or related thing.

312. Approval of storage place not required if firearm or related thing stored under transitional authority or 1973 Act exemption (Act s. 404)

- (1) This regulation applies if —
 - (a) any of the following applies to a person —
 - (i) the person holds a transitional authority;
 - (ii) the person is an employee or partner of a person (the *licensed person*) who holds a transitional authority and the employee or partner could lawfully act under the licensed person’s 1973 Act authority;
 - (iii) the person otherwise lawfully acts under a transitional authority;
 - (iv) a 1973 Act exemption applies to the person;and
 - (b) the Commissioner has not approved under section 302 of the Act a place as an approved storage place for the firearm or related thing to which the authority or exemption relates.
- (2) The reference to an approved storage place in relation to the firearm or related thing in the definition of *compliant storage* in section 301 of the Act includes —
 - (a) if the person gave, under the *Firearms Regulations 1974* regulation 11C, an address of the place where the storage facilities for the firearm or related thing were located — a reference to that place; or
 - (b) otherwise — a reference to the place where the person primarily stored the firearm or related thing immediately before commencement day.

Schedule 1 — Prohibited ammunition

[r. 11 and 12(b)]

1. ammunition for a mortar
2. ammunition for a bazooka
3. ammunition for a firearm designed to discharge tear gas
4. ammunition the missile from which includes any high explosive, smoke, chemical, lachrymatory agent, or flechettes
5. tracer ammunition
6. incendiary ammunition
7. armour piercing (hard steel core) ammunition
8. imprint free (accelerator) ammunition
9. frangible ammunition
10. ammunition the missile from which has a calibre of 20 mm or more
11. a beanbag round
12. .340 Weatherby Magnum
13. .28 Nosler
14. .330 Dakota
15. .338 Lapua
16. .300 Lapua Magnum
17. .338-404 Jeffery
18. .338 Norma Magnum
19. .338-378 Weatherby Magnum
20. .338 Edge
21. .30-378 Weatherby Magnum
22. .300 Norma Magnum
23. .375 A-Square
24. .375 Gibbs

- 25. .460 Steyr
- 26. .375 CheyTac
- 27. .416 Barrett
- 28. .408 CheyTac
- 29. .50 BMG
- 30. .55 Boys

Schedule 2 — Prohibited firearms

[r. 12]

Division 1 — Prohibited firearms

1. a machine gun
2. a hand grenade
3. a mortar
4. a bazooka
5. a fully automatic firearm
6. a firearm designed to discharge tear gas
7. a firearm commonly known as a gauss gun
8. a firearm commonly known as a rail gun
9. a firearm, commonly known as a rapid-release action firearm, which automatically ejects a spent cartridge after firing and has a button, lever or similar mechanism to reload the firearm with a new cartridge
10. a “forward venting” blank firing imitation firearm
11. a revolving rifle

Division 2 — Prohibited firearms (cartridged)

Table

Item	Make	Model
1.	Accuracy International	AXMC
2.	APRS	Target
3.	ArmaLite	AR-30
4.	ArmaLite	AR-50
5.	Badger Ordnance	2013

Item	Make	Model
6.	Barnard	GP
7.	Barnard	P-CHEY
8.	Barnard	PL
9.	Barrett	98B
10.	BAT Machine	HR
11.	BAT Machine	M
12.	Blaser	R8
13.	Blaser	R93 Tactical
14.	Browning	X-Bolt
15.	CheyTac	M200
16.	Defiance	Deviant Tactical
17.	Desert Tech	HTI
18.	Gunwerks	Verdict LR1500
19.	Howa	1500
20.	H-S Precision	HTR
21.	McMillan	G30
22.	McMillan	MCRT
23.	McMillan	TAC-338
24.	McMillan	TAC-416

Firearms Regulations 2024**Schedule 2** Prohibited firearms**Division 2** Prohibited firearms (cartridged)

Item	Make	Model
25.	McMillan	TAC-50
26.	Nesika	MT
27.	Pierce Engineering	Titanium
28.	Remington	40 X TARGET
29.	Remington	700
30.	Sako	M995
31.	Sako	TRG M10
32.	Sako	TRG 42
33.	Sako	85 LONG RANGE
34.	Savage	10
35.	Savage	110
36.	Savage	111 Long Range Hunter
37.	Savage	112 Magnum Target
38.	Serbu	BFG-50
39.	Steyr	CL II
40.	Steyr	HS-460
41.	Steyr	HS-50
42.	Steyr	SSG 08-A1

Item	Make	Model
43.	Stiller Precision Firearms	APRS
44.	Stiller Precision Firearms	Predator
45.	Stiller Precision Firearms	TAC 338
46.	Stiller Precision Firearms	TAC 408
47.	Surgeon Rifles	XL Remedy
48.	Victrix	Corvo
49.	Victrix	Scorpio
50.	Victrix	Tormento
51.	Voere	M2
52.	Weatherby	Mark V

Schedule 3 — Categories of firearms

[r. 15]

Column 1 Category	Column 2 Firearm
A	<p>an air rifle that has a calibre of not more than 0.25 inches and that is not self-loading</p> <p>a bolt action or break action shotgun with a magazine capacity of not more than 5 rounds</p> <p>a rim-fire rifle that has a magazine capacity of not more than 10 rounds and that is not self-loading</p> <p>a combination firearm made up of a shotgun and a rifle, each of which would individually be a category A firearm</p>
B	<p>an air rifle that has a calibre of more than 0.25 inches and that is not self-loading</p> <p>a centrefire rifle that has a magazine capacity of not more than 10 rounds and that is not self-loading</p> <p>a lever action shotgun with a magazine capacity of not more than 5 rounds</p> <p>a muzzle loading firearm, other than a handgun</p> <p>a combination firearm, not of category C or D, made up of a shotgun and a rifle, at least one of which would individually be a category B firearm</p>
C	<p>a self-loading air rifle with a magazine capacity of not more than 10 rounds</p> <p>a self-loading rim-fire rifle with a magazine capacity of not more than 10 rounds</p> <p>a self-loading shotgun with a magazine capacity of not more than 5 rounds</p> <p>a pump action shotgun with a magazine capacity of not more than 5 rounds</p>

Column 1 Category	Column 2 Firearm
	a combination firearm that is made up of at least 1 category C firearm and that does not include a category D firearm
D	<p>a self-loading air rifle with a magazine capacity of more than 10 rounds</p> <p>a self-loading centrefire rifle</p> <p>a firearm that substantially duplicates the design or function of a self-loading centrefire rifle that is designed for military use</p> <p>a self-loading rim-fire rifle with a magazine capacity of more than 10 rounds</p> <p>a pump action shotgun with a magazine capacity of more than 5 rounds</p> <p>a self-loading shotgun with a magazine capacity of more than 5 rounds</p> <p>a lever action shotgun with a magazine capacity of more than 5 rounds</p> <p>a combination firearm made up of at least 1 category D firearm</p>
E	<p>a cannon</p> <p>a kiln gun</p> <p>a prescribed paintball gun</p> <p>a tranquilliser gun</p> <p>an underwater explosive device</p>
H	a handgun

Schedule 4 — Compliant containers

[r. 3]

1. Construction of cabinet or container

- (1) If a joint between 2 faces of the cabinet or container is butt welded, there must be a continuous weld along the full length of the joint.
- (2) If a joint between 2 faces of the cabinet or container is created by folding the edge of 1 face over the other, the joint must be stitch welded, with welds of at least 20 mm in length at intervals of not more than 100 mm between welds.
- (3) Spot welding must not be used on the joints between the faces of the cabinet or container.
- (4) The cabinet or container must be designed to prevent a firearm or ammunition being removed from it while the cabinet or container is locked.

2. Doors of cabinet or container

- (1) The doors of the cabinet or container must be recessed into the surrounding frame with margins of at least 3 mm thick.
- (2) The door frame of the cabinet or container must be internally supported so that —
 - (a) it has a return of at least 10 mm; and
 - (b) it is welded and supported with solid steel in a way that prevents the frame from being deformed from an external lever or pressure attack that would cause the locking pins to come free from the frame.
- (3) The doors of the cabinet or container must have protected hinges.
- (4) The cabinet or container must have an internal stop of at least 10 mm against which each edge of the door closes, other than the edge of the door on which the hinges are placed.

3. Locks and locking points of cabinet or container

- (1) The edge of the door of the cabinet or container on which the hinges are placed must have a locking mechanism consisting of static locking pins unless the edge of the door of the cabinet or container on which the hinges are placed recesses behind the frame plate.
- (2) There must be sufficient points at which the locking mechanisms are placed to prevent the doors of the cabinet or container from being deformed if the doors are attacked with a jemmy, crowbar or other external lever.
- (3) Each lock on the cabinet or container must —
 - (a) involve an internal locking mechanism activated using a compliant lock; and
 - (b) be protected against kinetic attacks.
- (4) The cabinet or container must not have a mechanism or process that overrides the locks on the cabinet or container.

4. Anchoring cabinets and containers weighing less than 500 kg

- (1) In this clause —

permanent, in relation to a wall or floor, means that the wall or floor is —

 - (a) a structural part of a place; and
 - (b) made of masonry, concrete, steel or other similar material.
- (2) This clause applies to a cabinet or container that weighs less than 500 kg.
- (3) The cabinet or container must be anchored to a permanent wall or floor of the place in which the cabinet or container is located —
 - (a) by at least 4 anchor points that are bolts or coach screws that —
 - (i) fix the cabinet or container to the wall or floor; and
 - (ii) are reinforced with fixings fitted between the surface of the cabinet or container and the head of the bolt or coach screw; and

cl. 4

- (iii) are attached to the cabinet or container so that at least 2 anchors are placed on a face of the cabinet or container and at least 2 anchors are placed on at least 1 other face of the cabinet or container; and
 - (iv) are of such a strength that they are capable of withstanding 100 kN of force;
 - or
 - (b) by a process of chemical bonding that —
 - (i) fixes the cabinet or container to the wall or floor; and
 - (ii) occurs on at least 2 different faces of the cabinet or container; and
 - (iii) creates a bond that it is capable of withstanding 100 kN of force;
 - or
 - (c) in accordance with subclause (4).
- (4) For the purposes of subclause (3)(c), the cabinet or container must be anchored to a permanent wall or floor of the place in which the cabinet or container is located —
 - (a) by a process of chemical bonding that —
 - (i) fixes the cabinet or container to the wall or floor; and
 - (ii) occurs on at least 1 face of the cabinet or container;and
 - (b) by at least 2 anchor points that are bolts or coach screws that —
 - (i) fix the cabinet or container to the wall or floor; and
 - (ii) are reinforced with fixings fitted between the surface of the cabinet or container and the head of the bolt or coach screw; and
 - (iii) are attached to the cabinet or container so that the anchors are placed on at least 1 face of the cabinet or container other than the face on which the chemical bonding occurs;and

- (c) so that the bonding and anchor points create a bond that is capable of withstanding 100 kN of force.

Schedule 5 — Compliant secure room requirements

[r. 265]

1. Compliant secure rooms

- (1) In this Schedule, a *compliant secure room* is —
- (a) a room that —
 - (i) is in a building; and
 - (ii) meets or exceeds the requirements set out in subclause (2);
 - or
 - (b) a shipping container or other similar storage that —
 - (i) is in a building; and
 - (ii) meets or exceeds the requirements set out in subclause (3).
- (2) For the purposes of subclause (1)(a)(ii), the requirements are that the room is —
- (a) constructed of 1 or more of the following —
 - (i) compressed cement sheets that are at least 24 mm thick;
 - (ii) steel that is at least 2 mm thick;
 - (iii) steel mesh that is at least 2 mm thick and of galvanised expanded or welded mesh construction with gaps that are no greater than 100 mm in size;
 - and
 - (b) only accessible from a door within the building that has been strengthened against external attack (including with the use of tools), including that the door —
 - (i) opens inwardly or outwardly; and

- (ii) is either a solid core door or a door clad in 2 mm mild or stainless steel; and
 - (iii) has protected hinges; and
 - (iv) is locked by a compliant padlock or a double locking mechanism that uses either a deadbolt or a bi-lock security key.
- (3) For the purposes of subclause (1)(b)(ii), the requirements are that the storage —
 - (a) is locked by at least 1 compliant padlock; and
 - (b) has doors with protected hinges; and
 - (c) if the storage is less than 3 metres in length —
 - (i) is placed in a part of the building where there is a concrete floor; and
 - (ii) is anchored to the concrete floor by at least 3 steel anchors that are embedded into the floor and are capable of withstanding 100 kN of force.

2. Storing firearms and related things in accordance with compliant secure room requirements

- (1) This clause applies if —
 - (a) a person is required to store firearms in accordance with the compliant secure room requirements; and
 - (b) the person stores the firearms listed in column 1 of the Table in the circumstances listed in that column.
- (2) The person must store the firearms, and any related things, in accordance with the requirements set out opposite the firearms in column 2 of the Table.

cl. 2

Table

<p style="text-align: center;">Column 1</p> <p style="text-align: center;">Firearms and circumstances in which they are stored</p>	<p style="text-align: center;">Column 2</p> <p style="text-align: center;">Storage requirements</p>
<p>Only category A, B or E firearms are stored at the storage place for the firearms.</p> <p>15 or fewer firearms are stored —</p> <p>(a) 1 of which is a category C firearm; and</p> <p>(b) none of which is a category D or H firearm.</p>	<p>The firearms and related things must be stored —</p> <p>(a) in a locked level 1 container in a locked compliant secure room; or</p> <p>(b) in a locked compliant secure room in accordance with the compliant display requirements.</p> <p>If a class 1 accessory (other than a major firearm part) is stored in the same locked level 1 container as a firearm, the accessory must be stored in a locked compliant accessory compartment in the level 1 container in the locked compliant secure room.</p> <p>A major firearm part must not be stored in a compliant accessory compartment in a level 1 container in the compliant secure room unless —</p> <p>(a) only class 1 accessories are stored in the compartment; and</p> <p>(b) all of the firearm parts that constitute a complete firearm are not stored in the compartment.</p>

<p align="center">Column 1</p> <p align="center">Firearms and circumstances in which they are stored</p>	<p align="center">Column 2</p> <p align="center">Storage requirements</p>
<p>More than 15 firearms are stored —</p> <ul style="list-style-type: none"> (a) 1 of which is a category C firearm; and (b) none of which is a category D or H firearm. <p>1 or more category D firearms (and no category H firearms) are stored.</p> <p>15 or fewer firearms are stored, 1 of which is a category H firearm.</p> <p>More than 15 firearms are stored, 1 of which is a category H firearm, in an occupied place.</p>	<p>The firearms and related things must be stored —</p> <ul style="list-style-type: none"> (a) in a locked level 2 container in a locked compliant secure room; or (b) in a locked compliant secure room in accordance with the compliant display requirements. <p>If a class 1 accessory (other than a major firearm part) is stored in the same locked level 2 container as a firearm, the accessory must be stored in a locked compliant accessory compartment in the level 2 container in the locked compliant secure room.</p> <p>A major firearm part must not be stored in the compliant accessory compartment in a level 2 container in the compliant secure room unless —</p> <ul style="list-style-type: none"> (a) only class 1 accessories are stored in the compartment; and (b) all of the firearm parts that constitute a complete firearm are not stored in the compartment.

cl. 2

<p style="text-align: center;">Column 1</p> <p style="text-align: center;">Firearms and circumstances in which they are stored</p>	<p style="text-align: center;">Column 2</p> <p style="text-align: center;">Storage requirements</p>
<p>More than 15 firearms are stored, 1 of which is a category H firearm, in an unoccupied place.</p>	<p>The firearms and related things must be stored —</p> <ul style="list-style-type: none"> (a) in a locked Grade V safe in a locked compliant secure room; or (b) in a locked compliant secure room in accordance with the compliant display requirements. <p>Class 1 accessories (other than major firearm parts) that are stored in the same locked Grade V safe as a firearm must be stored in a locked compliant accessory compartment in the Grade V safe in the locked compliant secure room.</p> <p>A major firearm part must not be stored in the compliant accessory compartment in a Grade V safe in the compliant secure room unless —</p> <ul style="list-style-type: none"> (a) only class 1 accessories are stored in the compartment; and (b) all of the firearm parts that constitute a complete firearm are not stored in the compartment.

3. Storing class 1 accessories and prohibited accessories in accordance with compliant secure room requirements

- (1) This clause applies if —
 - (a) a person is required to store class 1 accessories or prohibited accessories in accordance with the compliant secure room requirements in a compliant secure room; and
 - (b) the person stores the accessories in a compliant secure room in which no firearms are stored.
- (2) If only class 1 accessories are stored, the class 1 accessories must be stored in either —
 - (a) a locked compliant container that —
 - (i) has a face that is at least 2 mm thick and a door that is at least 4 mm thick; and
 - (ii) is in a locked compliant secure room;
 - or
 - (b) a locked Grade V safe in a locked compliant secure room.
- (3) If a prohibited accessory is stored with a class 1 accessory, the prohibited accessory and class 1 accessory must be stored in a locked level 1 container in a locked compliant secure room.

4. Reference to category D firearm in Schedule includes reference to unclassified prohibited firearm

In this Schedule, a reference to a category D firearm includes a reference to a prohibited firearm that is in no category.

Schedule 6 — General storer storage requirements

[r. 270]

1. General storers storing 5 or fewer firearms but no category D firearms

- (1) This clause applies if —
- (a) a general storer stores 5 or fewer firearms at a storage place; and
 - (b) none of the firearms is a category D firearm.
- (2) If the general storer stores the firearms in the circumstances specified in column 1 of the Table, the general storer must comply with the requirements set out opposite the circumstances in column 2 of the Table.

Table

Column 1 Circumstances in which 5 or fewer firearms are stored	Column 2 Storage requirements
Only category A, B or E firearms are stored at the storage place. At least 1 category C firearm (and no category H firearm) is stored at the occupied storage place.	The firearms, and any related things, must be stored in level 1 storage.
At least 1 category C firearm (and no category H firearm) is stored at the unoccupied storage place.	The firearm, and any related things, must be stored in level 1 storage. An operational level 1 alarm system or operational level 2 alarm system must be installed in relation to the storage place

Column 1 Circumstances in which 5 or fewer firearms are stored	Column 2 Storage requirements
	for the firearm and any related things.
At least 1 category H firearm is stored at the occupied storage place.	The firearm, and any related things, must be stored in level 2 storage.
The general storer holds a Business Licence or a Government Entity Licence and stores at least 1 category H firearm at the unoccupied storage place.	The firearm, and any related things, must be stored in level 2 storage. An operational level 2 alarm system must be installed in relation to the storage place for the firearm and any related things.
The general storer does not hold a Business Licence or a Government Entity Licence and stores at least 1 category H firearm at the unoccupied storage place.	The firearm, and any related things, must be stored in level 2 storage. An operational level 1 alarm system or operational level 2 alarm system must be installed in relation to the storage place for the firearm and any related things.

2. General storers storing 6 to 15 firearms but no category D firearms

- (1) This clause applies if —
- (a) a general storer stores more than 5 but fewer than 16 firearms at a storage place; and
 - (b) none of the firearms is a category D firearm.

cl. 2

- (2) If the general storer stores the firearms in the circumstances specified in column 1 of the Table, the general storer must comply with the requirements set out opposite the circumstances in column 2 of the Table.

Table

Column 1 Circumstances in which 6 to 15 firearms are stored	Column 2 Storage requirements
<p>Only category E firearms are stored at the storage place.</p> <p>Only category A or B firearms are stored at the occupied storage place.</p> <p>Only category E firearms and category A or B firearms are stored at the occupied storage place.</p>	<p>The firearms, and any related things, must be stored in level 1 storage.</p>
<p>Only category A or B firearms are stored at the unoccupied storage place.</p> <p>Only category E firearms and category A or B firearms are stored at the unoccupied storage place.</p> <p>At least 1 category C firearm (and no category H firearm) is stored at the occupied storage place.</p>	<p>The firearms, and any related things, must be stored in level 1 storage.</p> <p>An operational level 1 alarm system or operational level 2 alarm system must be installed in relation to the storage place for the firearms and any related things.</p>
<p>At least 1 category C firearm (and no category H firearm) is stored at the unoccupied storage place.</p>	<p>The firearms, and any related things, must be stored in level 1 storage.</p>

<p align="center">Column 1</p> <p align="center">Circumstances in which 6 to 15 firearms are stored</p>	<p align="center">Column 2</p> <p align="center">Storage requirements</p>
	<p>An operational level 1 alarm system or operational level 2 alarm system must be installed in relation to the storage place for the firearms and any related things.</p> <p>An operational video surveillance system must be installed in relation to the storage place for the firearms and any related things.</p>
<p>The general storer holds a Business Licence or a Government Entity Licence and stores at least 1 category H firearm at the occupied storage place.</p>	<p>The firearms, and any related things, must be stored in level 2 storage.</p> <p>An operational level 2 alarm system must be installed in relation to the storage place for the firearms and any related things.</p>
<p>The general storer does not hold a Business Licence or a Government Entity Licence and stores at least 1 category H firearm at the occupied storage place.</p>	<p>The firearms, and any related things, must be stored in level 2 storage.</p> <p>An operational level 1 alarm system or operational level 2 alarm system must be installed in relation to the storage place for the firearms and any related things.</p>

cl. 2

<p style="text-align: center;">Column 1</p> <p style="text-align: center;">Circumstances in which 6 to 15 firearms are stored</p>	<p style="text-align: center;">Column 2</p> <p style="text-align: center;">Storage requirements</p>
<p>The general storer holds a Business Licence or a Government Entity Licence and stores at least 1 category H firearm at the unoccupied storage place.</p>	<p>The firearms, and any related things, must be stored in level 2 storage.</p> <p>An operational level 2 alarm system must be installed in relation to the storage place for the firearms and any related things.</p> <p>An operational video surveillance system must be installed in relation to the storage place for the firearms and any related things.</p>
<p>The general storer does not hold a Business Licence or a Government Entity Licence and stores at least 1 category H firearm at the unoccupied storage place.</p>	<p>The firearms, and any related things, must be stored in level 2 storage.</p> <p>An operational level 1 alarm system or operational level 2 alarm system must be installed in relation to the storage place for the firearms and any related things.</p> <p>An operational video surveillance system must be installed in relation to the storage place for the firearms and any related things.</p>

3. General storers storing more than 15 firearms but no category D firearms

- (1) This clause applies if —
- (a) a general storer stores more than 15 firearms at a storage place; and
 - (b) none of the firearms is a category D firearm.
- (2) If the general storer stores the firearms in the circumstances specified in column 1 of the Table, the general storer must comply with the requirements set out opposite the circumstances in column 2 of the Table.

Table

Column 1 Circumstances in which more than 15 firearms are stored	Column 2 Storage requirements
Only category E firearms are stored at the storage place.	The firearms, and any related things, must be stored in level 1 storage.
Only category A or B firearms are stored at the occupied storage place.	The firearms, and any related things, must be stored in level 1 storage. An operational level 1 alarm system or operational level 2 alarm system must be installed in relation to the storage place for the firearms and any related things.
Only category A or B firearms are stored at the unoccupied storage place. At least 1 category C firearm (and no category H firearm) is	The firearms, and any related things, must be stored in level 1 storage. An operational level 1 alarm system or operational level 2 alarm system must be installed

cl. 3

<p align="center">Column 1</p> <p align="center">Circumstances in which more than 15 firearms are stored</p>	<p align="center">Column 2</p> <p align="center">Storage requirements</p>
<p>stored at the occupied storage place.</p>	<p>in relation to the storage place for the firearm and any related things.</p> <p>An operational video surveillance system must be installed in relation to the storage place for the firearms and any related things.</p>
<p>At least 1 category C firearm (and no category H firearm) is stored at the unoccupied storage place.</p> <p>The general storer does not hold a Business Licence or a Government Entity Licence and stores at least 1 category H firearm at the occupied storage place.</p>	<p>The firearms, and any related things, must be stored in level 2 storage.</p> <p>An operational level 1 alarm system or operational level 2 alarm system must be installed in relation to the storage place for the firearms and any related things.</p> <p>An operational video surveillance system must be installed in relation to the storage place for the firearms and any related things.</p>
<p>The general storer holds a Business Licence or a Government Entity Licence and stores at least 1 category H firearm at the occupied storage place.</p>	<p>The firearms, and any related things, must be stored in level 2 storage.</p> <p>An operational level 2 alarm system must be installed in relation to the storage place for the firearms and any related things.</p>

<p align="center">Column 1</p> <p align="center">Circumstances in which more than 15 firearms are stored</p>	<p align="center">Column 2</p> <p align="center">Storage requirements</p>
	<p>An operational video surveillance system must be installed in relation to the storage place for the firearms and any related things.</p>
<p>The general storer holds a Business Licence or a Government Entity Licence and stores at least 1 category H firearm at the unoccupied storage place.</p>	<p>The firearms, and any related things, must be stored in level 3 storage.</p> <p>An operational level 2 alarm system must be installed in relation to the storage place for the firearms and any related things.</p> <p>An operational video surveillance system must be installed in relation to the storage place for the firearms and any related things.</p>
<p>The general storer does not hold a Business Licence or a Government Entity Licence and stores at least 1 category H firearm at the unoccupied storage place.</p>	<p>The firearms, and any related things, must be stored in level 3 storage.</p> <p>An operational level 1 alarm system or operational level 2 alarm system must be installed in relation to the storage place for the firearms and any related things.</p> <p>An operational video surveillance system must be installed in relation to the</p>

cl. 4

Column 1	Column 2
Circumstances in which more than 15 firearms are stored	Storage requirements
	storage place for the firearms and any related things.

4. General storers storing category D firearms

- (1) This clause applies to a general storer who stores at least 1 category D firearm at a storage place.
- (2) The general storer must —
 - (a) store the firearm, and any related things, in accordance with the compliant secure room requirements or the compliant strongroom requirements; and
 - (b) ensure that an operational level 2 alarm system is installed in relation to the storage place for the firearm and any related things; and
 - (c) ensure that an operational video surveillance system is installed in relation to the storage place for the firearm and any related things.

5. Reference to category D firearm in Schedule includes reference to unclassified prohibited firearm

In this Schedule, a reference to a category D firearm includes a reference to a prohibited firearm that is in no category.

Schedule 7 — Prescribed offences and modified penalties

[r. 299]

Division 1 — Offences under Act

Offence under the Act		Modified penalty
s. 39(6)	Charging fee for hunting permission	\$1 000
s. 131	Failing to notify that person ceased to be eligible to be responsible person	\$1 000
s. 197(1)	Failing to notify of disqualifying event	\$400
s. 208	Failing to possess and produce licence card	\$400
s. 210	Parting with possession of licence card for use by another person; using licence card of another person; fraudulently obtaining, possessing or using licence card	\$1 000
s. 211(2)	Failing to surrender physical licence card	\$400
s. 332	Failing to notify of new address	\$1 000
s. 362(4)	Failing to comply with requirement of police officer under s. 362 of the Act	\$1 000
s. 363(4)	Failing to comply with compliance direction	\$10 000
s. 371	Misleading or attempting to mislead police officer	\$1 000
s. 376(1)	Failing to notify when person ceases to be member of approved society of firearm collectors	\$1 000

Firearms Regulations 2024**Schedule 7** Prescribed offences and modified penalties**Division 2** Offences under regulations

Offence under the Act		Modified penalty
s. 389(1)	Advertising the sale of firearm or related thing without required particulars	\$1 000
s. 390(1)	Advertising the sale of firearm or related thing under Trade Licence without required particulars	\$1 000
s. 391	Advertising the sale of prohibited accessory	\$1 000
s. 392(1)	Sending firearm or related thing by post not in accordance with requirements	\$1 000

Division 2 — Offences under regulations

Offence under these regulations		Modified penalty
r. 37(2)	Failing to notify when person ceases to be authorised person within 28 days	\$400
r. 39	Failing to notify when hunting permission revoked within 28 days	\$400
r. 41(2)	Failing to comply with order given under r. 41(1)	\$400
r. 48(2)	Licensee under Business Licence failing to record particular information about withdrawal of business firearm, major firearm part of business firearm or ammunition from compliant storage	\$1 000
r. 48(3)	Licensee under Business Licence failing to keep information recorded under r. 48(2) for period of 5 years	\$1 000

Offence under these regulations		Modified penalty
r. 48(4)	Licensee under Business Licence failing to record information about return of business firearm, major firearm part of business firearm or ammunition to compliant storage	\$1 000
r. 48(5)	Licensee under Business Licence failing to keep information recorded under r. 48(4) for period of 5 years	\$1 000
r. 55(2)	Course provider failing to give authorised person document confirming person completed training course	\$400
r. 55(4)	Authorised person failing to keep document received under r. 55(2) for period of 3 years	\$400
r. 55(5)	Authorised person failing to give the licensee under Security Agent Business Licence document received under r. 55(2) within 28 days	\$400
r. 55(6)	Licensee under Security Agent Business Licence failing to keep document received from authorised person under r. 55(5) for 3 years	\$400
r. 71(1)	Licensee under Paintball Business Licence failing to record information about paintball game	\$400
r. 71(2)	Licensee under Paintball Business Licence failing to keep information recorded under r. 71(1) for period of 5 years	\$400
r. 81(2)	Licensee under Professional Shooter Business Licence failing to record information about shooting activity	\$400

Firearms Regulations 2024**Schedule 7** Prescribed offences and modified penalties**Division 2** Offences under regulations

Offence under these regulations		Modified penalty
r. 81(3)	Licensee under Professional Shooter Business Licence failing to keep information recorded under r. 81(2) for period of 5 years	\$400
r. 128(1)	Licensee under Collector Licence failing to record information about ammunition	\$1 000
r. 128(2)	Licensee under Collector Licence failing to keep information recorded under r. 128(1) for required period	\$1 000
r. 130(1)	Approved society of firearm collectors failing to record information about its members	\$400
r. 130(2)	Approved society of firearm collectors failing to keep information recorded under r. 130(1) for the required period	\$400
r. 148(1)	Licensed firearm club failing to record and keep information about its current members	\$400
r. 157(2)	Licensee under Range Licence failing to report required information for visitor who attends licensed firearm range within 7 days	\$400
r. 164(2)	Interfering with particular items that are part of, or contribute to the safe operation of, shooting gallery	\$1 000
r. 165(1)	Licensee under Range Licence for shooting gallery failing to report location and name of event for which shooting gallery is being operated	\$400

Offence under these regulations		Modified penalty
r. 165(2)	Licensee under Range Licence for shooting gallery failing to report required details for each authorised person for licence who supervised person using range firearm within 28 days	\$400
r. 181(1)	Trade Licensee failing to report required information for relevant item within 7 days after accepting possession of firearm or related thing	\$1 000
r. 182(1)	Licensee under Firearm Manufacture Licence failing to report particular information within 7 days after relevant item manufactured	\$1 000
r. 183(1)	Licensee under Trade Licence failing to report required information for relevant item within 7 days after day on which possession of relevant item ceases	\$1 000
r. 184(3)	Licensee under Trade Licence failing to report required information for relevant item within 7 days after day on which trade activity occurs	\$1 000
r. 185(1)	Licensee under Trade Licence failing to record information about firearm technology in licensee's possession	\$1 000
r. 185(4)	Licensee under Trade Licence failing to keep information recorded under r. 185(1) for 5 years	\$1 000
r. 186(1)	Licensee under Trade Licence failing to report information after giving firearm technology to person	\$1 000

Firearms Regulations 2024**Schedule 7** Prescribed offences and modified penalties**Division 2** Offences under regulations

Offence under these regulations		Modified penalty
r. 209(2)	Licensee under Government Entity Licence failing to record information about withdrawal of firearm or related thing from compliant storage	\$1 000
r. 209(3)	Licensee under Government Entity Licence failing to keep information recorded under r. 209(2) for 5 years	\$1 000
r. 209(4)	Licensee under Government Entity Licence failing to record information about return of firearm or related thing to compliant storage	\$1 000
r. 209(5)	Licensee under Government Entity Licence failing to keep information recorded under r. 209(4) for 5 years	\$1 000
r. 238(1)	Holder of licence or permit failing to report safety incident within 14 days after day on which incident occurs	\$1 000
r. 239(1)	Holder of licence or permit failing to report that firearm will be taken out of the State before it is taken out of the State	\$1 000
r. 240(2)	Holder of firearm authority failing to notify change in personal particulars of firearm authority within 14 days of the change	\$1 000
r. 240(4)	Holder of licence or permit failing to notify change in place where firearm stored as soon as practicable	\$1 000
r. 242	Licensee failing to keep declaration obtained under r. 241(2) for 5 years	\$400

Offence under these regulations		Modified penalty
r. 244	Approved firearms trainer failing to keep declaration obtained under r. 243(2) for 5 years	\$400
r. 245(2)	Licensee failing to record particular information about trainee's participation in firearm safety training course	\$400
r. 245(3)	Licensee failing to keep information recorded under r. 245(2) for 5 years	\$400
r. 246(1)	Training provider failing to record particular information about trainee's participation in all or part of firearm safety training course	\$400
r. 246(2)	Training provider failing to keep information recorded under r. 246(1) for 5 years	\$400
r. 253(4)	Failing to comply with requirement under r. 253 in specified manner and within specified time	\$400
r. 283(4)	Failing to comply with written notice received under r. 283(2)	\$400
r. 284	Storing firearm in shared compliant storage in non-compliance with r. 284	\$1 000
r. 289(1)	Person other than licensee under Firearms Dealer Licence sending firearm or related thing by post	\$1 000
r. 294(4)	Failing to report in accordance with r. 294(4)	\$400
r. 305(4)	Failing to return original card to employee of Department within 14 days	\$400

Schedule 8 — Form of infringement notice

[r. 302(1)]

<i>Firearms Act 2024</i>		Infringement notice no.
Infringement Notice		
Alleged offender	Surname	
	Given names	
	Date of birth	
	Address	
Firearm authority details	Type	
	No.	
	Expiry (if applicable)	
Alleged offence	Description of offence	
	Provision contravened	
	Date	/ /20
	Time	
	Place	
	Modified penalty	\$
Authorised officer issuing notice	Name	
	Office held	
	Registered number	

	Police station/squad	
Date of issue	/ /20	
Notice to alleged offender	<p>It is alleged that you have committed the above offence.</p> <p>If you do not want to be prosecuted in court for the offence, pay the modified penalty above to an approved officer within 28 days after the date of issue of this notice. See below for how and where to pay the modified penalty.</p> <p>Paying the modified penalty will not be regarded as an admission for the purposes of any civil or criminal court case.</p> <p>If you do not pay the modified penalty within 28 days, you may be prosecuted in court for the alleged offence or enforcement action may be taken under the <i>Fines, Penalties and Infringement Notices Enforcement Act 1994</i>. Under that Act, some or all of the following action may be taken — your driver’s licence may be suspended, your vehicle licence may be suspended or cancelled, you may be disqualified from holding or obtaining a driver’s licence or vehicle licence, your vehicle may be immobilised or have its number plates removed, your details may be published on a website, your earnings or bank accounts may be garnished, and your property may be seized and sold.</p> <p>If you want this matter to be dealt with by prosecution in court, sign and date here:</p> <p style="text-align: right;">_____ / /20</p> <p>and post this notice to an approved officer at the address below within 28 days after the date of this notice.</p>	
How to pay	In person	<i>[Insert details for paying in person]</i>
	By post	<p>Post this notice, with a cheque or money order made payable to <i>[insert payee]</i>, to:</p> <p><i>[Insert address]</i></p> <p>Do not send cash in the mail.</p>

Firearms Regulations 2024

Schedule 8 Form of infringement notice

	Online	<i>[Insert details for paying online]</i>
	By telephone	<i>[Insert details for paying by telephone]</i>

Schedule 9 — Form of withdrawal notice

[r. 302(2)]

<i>Firearms Act 2024</i>		Withdrawal of infringement notice no.
Withdrawal of infringement notice		
Alleged offender	Surname	
	Given names	
	Date of birth	
	Address	
Firearm authority details	Type	
	No.	
	Expiry (if applicable)	
Infringement notice	Infringement notice no.	
	Date of issue	/ /20
Alleged offence	Description of offence	
	Provision contravened	
	Date	/ /20
	Time	
	Place	
	Name	

Firearms Regulations 2024

Schedule 9 Form of withdrawal notice

Approved officer withdrawing notice	Office held	
	Signature	
	Registered number	
	Police station/squad	
Date of withdrawal	/ /20	
Withdrawal of infringement notice	The above infringement notice, which was issued for the above alleged offence, has been withdrawn. If you have already paid the modified penalty for the alleged offence in accordance with the infringement notice, the amount will be refunded to you.	

Schedule 10 — Fees

[r. 303 and 305(2)(b)]

Item	Fee description	\$
Hunting Licences		
1.	Grant of Hunting Licence for —	
	(a) a 1-year term	345
	(b) a 3-year term	398
	(c) a 5-year term	434
	(d) another term	see r. 304
2.	Renewal of Hunting Licence for —	
	(a) a 1-year term	38
	(b) a 3-year term	78
	(c) a 5-year term	114
	(d) another term	see r. 304
3.	Application to have Hunting Licence apply to 1 or more additional firearms	232
Competition Licences		
4.	Grant of Competition Licence for —	
	(a) a 1-year term	345
	(b) a 3-year term	398
	(c) a 5-year term	434
	(d) another term	see r. 304
5.	Renewal of Competition Licence for —	
	(a) a 1-year term	38
	(b) a 3-year term	78
	(c) a 5-year term	114
	(d) another term	see r. 304

Firearms Regulations 2024
Schedule 10 Fees

Item	Fee description	\$
6.	Application to have Competition Licence apply to 1 or more additional firearms	232
Paintball Licences		
7.	Grant of Paintball Licence for —	
	(a) a 1-year term	345
	(b) a 3-year term	398
	(c) a 5-year term	434
	(d) another term	see r. 304
8.	Renewal of Paintball Licence for —	
	(a) a 1-year term	38
	(b) a 3-year term	78
	(c) a 5-year term	114
	(d) another term	see r. 304
9.	Application to have Paintball Licence apply to 1 or more additional firearms	232
Individual Licences (multi-purpose licence under s. 28(3) of the Act)		
10.	Grant of multi-purpose licence with 2 purposes for —	
	(a) a 1-year term	674
	(b) a 3-year term	779
	(c) a 5-year term	851
	(d) another term	see r. 304
11.	Renewal of multi-purpose licence with 2 purposes for —	
	(a) a 1-year term	77
	(b) a 3-year term	157
	(c) a 5-year term	229
	(d) another term	see r. 304

Item	Fee description	\$
12.	Grant of multi-purpose licence with 3 purposes for — (a) a 1-year term (b) a 3-year term (c) a 5-year term (d) another term	 838 996 1 104 see r. 304
13.	Renewal of multi-purpose licence with 3 purposes for — (a) a 1-year term (b) a 3-year term (c) a 5-year term (d) another term	 115 236 344 see r. 304
14.	Application to have multi-purpose licence apply to 1 or more additional firearms	232
Business Licences		
15.	Grant of Business Licence for — (a) a 1-year term (b) a 3-year term (c) a 5-year term (d) another term	 520 624 715 see r. 304
16.	Renewal of Business Licence for — (a) a 1-year term (b) a 3-year term (c) a 5-year term (d) another term	 60 154 246 see r. 304
17.	Application to have Business Licence apply to 1 or more additional firearms	382

Firearms Regulations 2024
Schedule 10 Fees

Item	Fee description	\$
Primary Producer Licences		
18.	Grant of Primary Producer Licence for —	
	(a) a 1-year term	520
	(b) a 3-year term	624
	(c) a 5-year term	715
	(d) another term	see r. 304
19.	Renewal of Primary Producer Licence for —	
	(a) a 1-year term	60
	(b) a 3-year term	154
	(c) a 5-year term	246
	(d) another term	see r. 304
20.	Application to have Primary Producer Licence apply to 1 or more additional firearms	382
Collector Licences		
21.	Grant of Collector Licence for firearms for —	
	(a) a 1-year term	424
	(b) a 3-year term	467
	(c) a 5-year term	505
	(d) another term	see r. 304
22.	Renewal of Collector Licence for firearms for —	
	(a) a 1-year term	24
	(b) a 3-year term	64
	(c) a 5-year term	102
	(d) another term	see r. 304
23.	Grant of Collector Licence for ammunition for —	
	(a) a 1-year term	424

Item	Fee description	\$
	(b) a 3-year term	467
	(c) a 5-year term	505
	(d) another term	see r. 304
24.	Renewal of Collector Licence for ammunition for —	
	(a) a 1-year term	24
	(b) a 3-year term	64
	(c) a 5-year term	102
	(d) another term	see r. 304
25.	Grant of dual-purpose licence under s. 65(3) of the Act for —	
	(a) a 1-year term	656
	(b) a 3-year term	820
	(c) a 5-year term	968
	(d) another term	see r. 304
26.	Renewal of dual-purpose licence under s. 65(3) of the Act for —	
	(a) a 1-year term	93
	(b) a 3-year term	245
	(c) a 5-year term	394
	(d) another term	see r. 304
27.	Application to have Collector Licence apply to 1 or more additional firearms	382
Club Licences		
28.	Grant of Club Licence for —	
	(a) a 1-year term	520
	(b) a 3-year term	624
	(c) a 5-year term	715

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Item	Fee description	\$
	(d) another term	see r. 304
29.	Renewal of Club Licence for —	
	(a) a 1-year term	60
	(b) a 3-year term	154
	(c) a 5-year term	246
	(d) another term	see r. 304
30.	Application to have Club Licence apply to 1 or more additional firearms	382
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31.	Grant of Range Licence for —	
	(a) a 1-year term	608
	(b) a 3-year term	1 120
	(c) a 5-year term	1 631
	(d) another term	see r. 304
32.	Renewal of Range Licence for —	
	(a) a 1-year term	276
	(b) a 3-year term	767
	(c) a 5-year term	1 251
	(d) another term	see r. 304
33.	Application to have Range Licence apply to 1 or more additional firearms	382
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34.	Grant of Firearm Dealer Licence for —	
	(a) a 1-year term	864
	(b) a 3-year term	1 266
	(c) a 5-year term	1 384
	(d) another term	see r. 304

Item	Fee description	\$
35.	Renewal of Firearm Dealer Licence for — (a) a 1-year term (b) a 3-year term (c) a 5-year term (d) another term	413 602 721 see r. 304
36.	Grant of Firearm Manufacture Licence for — (a) a 1-year term (b) a 3-year term (c) a 5-year term (d) another term	864 1 266 1 384 see r. 304
37.	Renewal of Firearm Manufacture Licence for — (a) a 1-year term (b) a 3-year term (c) a 5-year term (d) another term	413 602 721 see r. 304
38.	Grant of Firearm Repair Licence for — (a) a 1-year term (b) a 3-year term (c) a 5-year term (d) another term	864 1 266 1 384 see r. 304
39.	Renewal of Firearm Repair Licence for — (a) a 1-year term (b) a 3-year term (c) a 5-year term (d) another term	413 602 721 see r. 304

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Schedule 10 Fees

Item	Fee description	\$
40.	Grant of Firearm Storage Licence for — (a) a 1-year term (b) a 3-year term (c) a 5-year term (d) another term	864 1 266 1 384 see r. 304
41.	Renewal of Firearm Storage Licence for — (a) a 1-year term (b) a 3-year term (c) a 5-year term (d) another term	413 602 721 see r. 304
42.	Grant of multi-purpose licence under s. 88(3) of the Act for — (a) a 1-year term (b) a 3-year term (c) a 5-year term (d) another term	1 874 2 966 3 288 see r. 304
43.	Renewal of multi-purpose licence under s. 88(3) of the Act for — (a) a 1-year term (b) a 3-year term (c) a 5-year term (d) another term	1 125 1 639 1 960 see r. 304
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44.	Grant of Government Entity Licence for — (a) a 1-year term (b) a 3-year term (c) a 5-year term	520 624 715

Item	Fee description	\$
	(d) another term	see r. 304
45.	Renewal of Government Entity Licence for —	
	(a) a 1-year term	60
	(b) a 3-year term	154
	(c) a 5-year term	246
	(d) another term	see r. 304
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	(b) if the term of the approval is a 3-year term	78
	(c) if the term of the approval is a 5-year term	114
	(d) another term	see r. 304
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50.	Grant of approval of body corporate as an approved society of firearm collectors for —	
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	(b) a 3-year term	624
	(c) a 5-year term	715
	(d) another term	see r. 304

Item	Fee description	\$
51.	Renewal of approval of body corporate as an approved society of firearm collectors —	
	(a) if the term of the approval is a 1-year term	60
	(b) if the term of the approval is a 3-year term	154
	(c) if the term of the approval is a 5-year term	246
	(d) another term	see r. 304
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K. COLLERAN, Clerk of the Executive Council

Defined terms

[This is a list of terms defined and the provisions where they are defined.

The list is not part of the law.]

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