

DRAFT SECOND READING SPEECH**HON FELIX ELLIS MP****Firearms Amendment (Strengthening Firearms Security) Bill 2026**

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Madam Speaker, I move that the Bill now be read a second time.

The Tasmanian Government is committed to firearms legislation that is comprehensive, contemporary, fit for purpose, and will make our communities safer.

By way of background, the *Firearms Act 1996* provides for the regulation, registration and control of firearms. The Act was introduced to enact the provisions of the National Firearms Agreement following the tragic events which occurred at Port Arthur on 28 April 1996.

The Act was last amended in 2023 by the Firearms Amendment (Community Safety) Bill 2023 which addressed the emerging problem of 3D printed firearms. Under this government Tasmania was a leader in this legislative reform to address 3D printing of firearms and this remains a challenge that has not yet been addressed by all other jurisdictions. There have been other amendments during the life of this Act, however what the Government is proposing in the Firearms Amendment (Strengthening Firearms Security) Bill 2026 (the Bill) is the most comprehensive legislative reform to the Firearms Act since 1996. Madam Speaker, the reform measures proposed in this Bill demonstrate our strong leadership and commitment to put community safety first.

I would like to start by outlining to members that the proposed reforms fall under four key topical themes of antique firearms, the national firearms register, post Bondi reforms, and strengthening responses to criminal offending with firearms. There is of course more specific detail under each theme, and I will talk to those specific reforms in turn. I think it will aid the house if I outline these reforms under each theme.

1. Antique Firearms

When the National Firearms Agreement was made in 1996 it did not make any provisions for the regulation of antique firearms. Every state sought an approach to exempt antique firearms, with some states making a provision in their legislation that an antique firearm was not a firearm to be regulated.

In the Tasmanian example, Section 155(4) of the Act grants the Commissioner of Police broad discretionary authority to exempt a person or class of persons from a provision of the Act relating to the possession or use of firearms and ammunition. On 14 May 1996 the then Commissioner of Police granted an exemption that operated for antique firearms manufactured before 1 January 1900 that were not designed to discharge

cartridge ammunition, or for which cartridge ammunition was not commercially available.

This exemption was often misunderstood as demonstrated in two cases where persons unfortunately lost their lives. One of these was a murder and the other example was a suicide, in both examples the persons had firearms that were not registered, having acquired them and mistakenly believing they were covered by the antique firearm's exemption.

This exemption operated for almost 30 years, and within Tasmania there is an active antique firearms collection community who have invested significant time and money in collecting and preserving antique firearms that have significant historical value.

Following legal advice, on 18 January 2024 the current Commissioner cancelled the global exemption. Since cancellation of that exemption over 80 applicants have been granted an individual exemption under Section 155(4) of the Act for possessing antique firearms, other persons have registered firearms against an existing firearms licence. The exemptions have been granted and maintained by the Commissioner pending legislative reform.

As part of the 2030 Strong Plan for Tasmania's Future, the Government sought to amend the *Firearms Act 1996* to regulate antiques and support Tasmanians who own these historical firearms.

On 30 October 2024 a consultation paper was released seeking public consultation on three matters regarding antique firearms. Consultation was open between 30 October 2024 and 27 November 2024.

The consultation paper sought comment on three matters regarding antique firearms:

1. The requirement for an owner of an antique firearm to undergo a fit and proper person test in accordance with the *Firearms Act 1996*.
2. The need for tags to be attached to the antique firearm, and whether removal of a tag should be considered an offence.
3. Where an antique firearm is capable of being fired, the need for that firearm to be licensed appropriately under the *Firearms Act 1996*.

13 submissions were received for the initial consultation in 2024.

Government policy and feedback on the consultation paper informed the development of the Firearms Amendment (Antique Firearms) Bill 2025.

Public consultation on this Bill opened 26 February 2026 and closed 2 April 2026. A copy of the consultation version of the Bill along with a supporting question and answer document detailing the purpose of the proposed amendments was available on the Tasmania Police website.

These amendments aim to strike the right balance between keeping Tasmanians safe from firearms crime and supporting law abiding antique firearms owners.

The amendments relating to antique firearms have now been included in this Bill. I want to clearly state that the Tasmanian Government supports legitimate collectors of antique firearms. This Bill simplifies the process for possessing, displaying and storing antique firearms, proposing that:

- There will be no licensing requirements, and no requirement to complete a firearms safety course;
- Antique firearms manufactured prior to 1 January 1900 will only need to be registered with Tasmania Police;
- Owners will simply need to provide contact details, information about the type of firearm and where and how it is stored;
- There will be no requirements for engraving or stamping of the antique firearm;
- The registration process will be 100 per cent free;
- If an antique firearm is to be displayed, there will be display requirements including that the firearm must be safely secured in a rack or in a locked display cabinet that is fitted with glass or other material of sufficient strength to prevent theft.
- When an antique firearm is not being displayed then the general storage requirements of Section 84 of the Firearms Act 1996 apply.
- Antique firearms will be registered against either an antique firearm permit or an existing firearms licence, and a certificate issued for each firearm. The intent is to make the process simple and convenient for existing firearms licence holders;
- Where a person wishes to use an antique firearm, they must register it against a firearms licence and relevant category, under the Firearms Act 1996;

During the consultation period a total of 54 submissions were received. Several contributors requested that their submission be confidential and not published.

Madam Speaker it is the position of the Tasmanian Government that antique firearms should be registered, and they should be recorded on the firearms register with Tasmania Police knowing who has possession of antique firearms and where those antique firearms are stored.

The Tasmanian Government proposes the new definition of an antique to be a firearm that:

- Was manufactured before 1 January 1900; and

- Is not designed to discharge and is not capable of discharging ammunition that –
 - Consists of a cartridge case fitted with a primer, whether or not it also contains a projectile or propelling charge; or
 - Is loaded in the breach end of the barrel of the firearm.

Madam Speaker this new definition will make it absolutely clear that a firearm that was manufactured prior to 1 January 1900 and is capable of firing modern ammunition or being breach loaded will not be registered as an antique firearm. In such cases collectors will need to demonstrate a genuine reason for possessing such a firearm and register the firearm against a firearms licence. This will mean that collectors with such firearms will be subject to the normal checks and licence holder obligations.

Reform in this Bill will require that antique firearms are transacted through the agency of a firearms dealer as is the case for all other firearms. Those intending to purchase an antique firearm will, in addition to requiring a firearms licence or antique firearms permit, need to obtain a permit to acquire.

These changes will ensure that the future transacting of antique firearms is accurately recorded in the firearms register and will provide consistency in the registration process.

This Bill proposes several important and sensible protections for the community relating to antique firearms. This Bill will require that to apply for an antique firearms permit a person must;

- ordinarily reside in Tasmania; and
- have attained the age of 18 years; and
- is not currently, and has not been at any time in the 5-year period immediately before lodging the application, subject to –
 - a restraint order or interim restraint order; or
 - a family violence order, interim family violence order or police family violence order; or
 - a firearms prohibition order; or
 - a recognised domestic violence order from another jurisdiction; and
 - is not currently and has not been at any time in the 5-year period immediately before lodging the application, been declared a serial family violence perpetrator within the meaning of the *Family Violence Act 2004*.

Madam Speaker, the above protections for the community are significant, however this Bill also proposes further significant protections in granting the Commissioner discretion to not approve an application for an antique firearms permit and may refuse to grant a permit where in the Commissioner's opinion it would be contrary to the public interest to grant the permit.

2. National Firearms Register (NFR)

Madam Speaker, I now turn to the creation of a National Firearm Register (NFR).

The NFR is a significant project, and this Government is committed to supporting its implementation. This project involves the Commonwealth and all other states and territories in Australia.

In 2023 following concerns about firearms information sharing between jurisdictions, including issues highlighted after the December 2022 Wieambilla murders in Queensland, National Cabinet agreed to proceed with implementation of the National Firearms Register (Register). The Commonwealth subsequently committed to establish the Register to upgrade firearms management systems across Australia.

Tasmania maintains its own firearms registry through Tasmania Police. As a signatory jurisdiction to the National Firearms Agreement, Tasmania is participating in the development of the Register. The Tasmanian Government supports improved national information sharing through the Register, recognising the benefits of a nationally connected firearms intelligence capability.

Madam Speaker, the Register is intended to provide law enforcement agencies with near real-time access to accurate information about registered firearms, firearm licences, permits and other relevant records across Australia. Rather than requiring police agencies to make inquiries with multiple jurisdictions, the Register will provide a single national view of a firearm's lifecycle, from manufacture or importation through to transfer, surrender, destruction or export. This will improve the ability of police to trace firearms, identify risks associated with firearm ownership, investigate firearm trafficking and theft, and ensure regulatory decisions are based on complete and current information.

From a community safety perspective, the Register will strengthen both public and police safety. It will assist in preventing firearms from being diverted into illicit markets, improve the identification of firearms linked to criminal activity, enhance intelligence sharing between jurisdictions, and provide frontline police with better information when responding to incidents involving firearms.

By delivering a consistent and reliable national picture of lawful firearm ownership and firearm movements, the Register is intended to reduce opportunities for regulatory gaps between jurisdictions and improve Australia's overall firearms management framework.

Madam Speaker, the Act needs to be amended to be ready for the implementation of the Register. The changes in this Bill will enhance police visibility of who has firearms and where those firearms are stored. The Register will reduce opportunities for firearms to be lost or go missing and increase the opportunity of police identifying stolen firearms and returning them to their rightful owner when recovered from offenders.

For the Register to work as intended the information contained on the register must be accurate, and the information must be updated regularly and in a timely manner. An objective of the Register is to provide near real time accurate information; this will necessitate some new obligations for firearms dealers and firearms owners. These amendments are balanced, sensible and necessary to keep the Tasmanian community safe.

These reforms impose additional obligations on dealers when transacting firearms and ammunition and will impose new reporting obligations and limitations on firearms owners when loaning a firearm to another licence holder, or when changing the storage location of a firearm, or changing personal particulars.

We recognise that these changes and new obligations will place an administrative burden on dealers and licence holders, so they will be supported by an information technology solution that provides a portal where certain information can be verified and other particulars updated.

The specific changes to implement the National Firearms Register are as follows;

Firearms Dealers

Firearms dealers are currently required to sight a firearms licence, or sight a firearms permit before transacting in a firearm or ammunition. This Bill will amend the current obligation to also include the requirement to verify that licence or permit. To enable the real time verification a Licence and Permit Verification Service will be provided.

The Licence and Permit Verification Service will ensure that when firearms licence holders are travelling interstate, dealers can verify that the interstate licence presented by a licence holder remains valid.

Importantly, in circumstances where a firearms licence may have been suspended or cancelled but the physical licence not recovered by police [from anywhere in Australia], that licence will not be able to be used to purchase a firearm or ammunition. The Licence and Permit Verification Service maintain confidentiality of licence holders by not revealing other information held on the register, but it will verify to a dealer that a licence number or permit number obtained from a customer and entered into the verification service is valid and not expired, suspended or cancelled.

Madam speaker, this is an important community safety amendment to ensure persons who might claim to have a valid licence when in fact they do not, cannot access firearms or ammunition from dealers.

Currently firearms dealers are required by the Act to keep a record of dealings and are obligated to update the record within 24 hours of a transaction. The Act requires records be submitted to Tasmania Police quarterly. The amendments will require dealings are entered into the Register within 24 hours using an online portal. In recognition of the fact that firearms dealers will be reporting transactions in 'near real time' the current quarterly reporting obligations will no longer be required. This is important for removing unnecessary red tape.

This Bill will increase the scope for firearms dealer employees to possess and handle firearms and firearm parts, as well as purchase and sell firearms in the absence of the holder of the firearms dealer licence. This is another important step in removing red tape and supporting industry. Firearms dealer employees will have the same obligations to verify and report transactions as the dealer.

Firearms Licence Holders

Madam speaker, there are several proposed amendments in the Bill that will increase the obligations on firearms licence holders and require the timely reporting of information to Tasmania Police. These amendments are measured, sensible, and necessary for the proper functioning of the Register.

The Bill includes amendments that will require a firearms licence holder to report the storage address for all firearms, for this information to be contained in the register, and to be updated. This government understands that sometimes family members may store firearms in a centralised secure location, such as a family farming property rather than storing the firearms in each individual licence holders' home.

This Bill will require that when the storage address of a firearm changes for more than 24 hours then a licence holder will be required to update Tasmania Police either before the change occurs or within 24 hours of the change. This will ensure the Register maintains a near real time record of the locations of all firearms. To facilitate the change firearms licence holders will be provided with a portal where they will be able to electronically notify Tasmania Police.

Madam speaker, it is important to clarify the intent of this clause as it was a point that raised some confusion during the consultation process. A firearms licence holder will not be required to update Tasmania Police when a firearm is in use, when it is in the licence holder's possession, or being transported.

What this amendment means is that where a licence holder may go hunting for several days and have that firearm in their possession because it is being used, there is no need to provide an updated storage address – this amendment is targeted at updating

Tasmania Police when the storage location is changed. Police knowing where firearms are stored, and when they may expect to encounter firearms when responding to incidents will enhance everyone's safety.

Madam Speaker, another amendment that will maintain community safety and the accuracy of information recorded in the Register is amending firearms licence holder obligations around the lending of firearms. The Act does not currently prohibit the lending of firearms from one licence holder to another licence holder, so long as the person receiving the loan of a firearm has a licence of an appropriate category. Occasionally Tasmania Police encounter situations where licence holders do not know the location of a firearm because they have lent that firearm to a person, and that person has on lent the firearm to another person.

This Bill will prohibit the on-lending of loaned firearms from the second person who is not the owner to a third person. This will ensure that where a firearm is lent from an owner to a second person, the owner can have confidence that the firearm will remain only with that second person. Where there might be a request by a third person to loan a firearm, the firearm can be returned to the owner to then make that determination. To facilitate these changes there are several new definitions including 'lend', 'borrow', 'on-lend' and 'verify'.

The Bill will also require new obligations on a licence holder when considering if they will lend a firearm to another person. The Act currently requires that a licence holder must not allow a firearm, firearm part, or ammunition to come into the possession of a person who is not authorised to possess it. This Bill will implement requirements for the person loaning a firearm to ensure that they have seen and verified that the other person holds a valid licence or permit, and to do this they will need to sight the licence and then use the Licence and Permit Verification Service, to confirm a licence is valid.

Further, where the firearm is being loaned for more than 24 hours, in addition to updating Tasmania Police on the new storage location of the firearm the person loaning the firearm will have an obligation to ensure that the other person has the means to comply with the safe storage requirements. These measures will reduce opportunities for firearms to go missing and ensure details are updated on the Register.

There are further updates to support the proper functioning of the Register. Currently a firearms owner is required to update Tasmania Police within 14 days after a change of name or change of address, this Bill will require the change of name or address or any other particulars to be notified at least 24 hours prior to the change of name or address, or if not notified prior, then as soon as practicable and not more than 24 hours after the change. The same time limits will apply to updating other particulars in a firearms

licence. Timeframes are being kept consistent to avoid confusion and licence holders will be able to use a portal to notify Tasmania Police of these updates.

National Consistency

Madam speaker, the Bill will introduce several changes to support national consistency, and administrative decision making. Several definitions are to be amended for national consistency, such as 'pistol' amended to 'handgun' and 'firearm sound suppressor' to 'suppressor'. Based on receipt of expert advice the definition of a firearm part is also to be updated. Other definitions are created where I have already discussed relevant amendments.

Any person in possession of a firearm (whether or not they are the owner) must produce the firearm for inspection when requested to do so by a police officer. This requirement currently only applies to the owners of registered firearms, and it should apply to all persons in possession of firearms regardless of whether they hold a firearms licence or permit or if the firearm is registered.

3. Post Bondi Reforms and Reclassification

Madam Speaker, in the wake of the tragic events at Bondi on 14 December 2025, the Tasmanian Government announced further measures to improve community safety. These measures include the reclassification of straight pull centre-fire rifles and shotguns to the more restrictive category C licence and establishing Australian citizenship as a default eligibility requirement for firearm licencing with appropriate exemptions.

During the tragic events in Bondi terrorists used firearms that might be described as having an assisted repeating action. These firearms can sustain a high rate of fire as the firearm uses the energy from the discharge of the firearm to eject a used casing and ready the firearm for the loading of the next cartridge. When these types of firearms fall into the hands of terrorists and criminals they represent a danger to the community.

The Commonwealth has already imposed import restrictions on these types of firearms.

This Bill will recategorize these types of centrefire firearms and shotguns into category C. To do this the Bill creates definitions for a button or lever release firearm and a straight pull action firearm.

The definition of a button or lever release firearm will apply to centre-fire firearms or shotguns that;

- have a self-ejecting mechanism to eject a cartridge case after the firearm has discharged; and

- requires the manual operation of a button, lever or other mechanism to rechamber a new cartridge following the self-ejection of the cartridge following the self-ejection of the cartridge case; and
- uses the energy of the firearm discharge to perform all, or part, of the cycle of operation of the firearm.

The definition of a straight pull action firearm will apply to centre fire firearms or shotguns where;

- the pull action of the firearm is cycled, using a linear motion on a handle, bolt or other part of the firearm; and
- that does not require any rotation of the handle, bolt or similar part of the firearm during the unlocking and locking of the firearm, such as in the cycling action of a traditional bolt action repeating firearm;

Madam Speaker, this government supports Tasmanian firearms owners, and for this reason the Bill inserts a grandfathering clause for current firearms licence holders who have demonstrated a genuine reason to possess a button or lever release action firearm, or a straight pull action firearm. This grandfathering clause will apply for the life of that firearm only. A licence holder will not be able to obtain a permit to acquire for a new firearm of this category unless they hold a category C licence, and further, should they allow their firearms licence to expire, or should the licence be cancelled for any reason and their firearms seized, then the grandfathering clause will lapse and not be available to any future issue of a new licence.

In the wake of the tragic events at Bondi the Tasmanian Government has agreed with the Commonwealth and other jurisdictions to establish Australian citizenship as a default eligibility requirement for firearms licensing, with provisions for limited exemptions in defined circumstances.

For this reason, the Bill amends the requirements for applicants for firearms licences to be an Australian citizen, or a New Zealand citizen, or for permanent residents whose genuine reason is work-related for primary production, animal population control, animal welfare, business or employment, or another prescribed reason. As applies to sections of the Act, there will also be a provision for the Commissioner to exercise discretion in relation to the citizenship requirement where it is reasonable in the circumstances for the requirement to not apply.

Madam Speaker, this government supports Tasmanian firearms licence holders and acknowledges that not all residents in Tasmania are Australian citizens. For this reason, the Bill inserts a grandfathering clause for current firearms licence holders who are not Australian citizens and who have demonstrated genuine reasons for obtaining a firearms licence.

Like the grandfathering clause that will apply to the reclassification of firearms, where a non-Australian citizen leaves Tasmania, allows their licence to expire, or the licence is

cancelled for any reason, then the grandfathering clause will lapse. New arrivals to Tasmania will as a default be required to obtain citizenship before they can apply for a firearms licence.

4. Increasing community safety by responding to firearms crime.

Madam speaker, any conversation about firearms and community safety must of course turn to firearms crime. The reforms discussed so far relate to antique firearms, dealers, licence holders, new requirements to stand up the Register, and post Bondi reforms. The amendments discussed so far will improve community safety, however we must be careful to not blame law abiding firearms owners for the actions of criminals. For this reason, reforms must consider what measures can be taken to prosecute or impose a deterrent for criminals who represent the real risk to the Tasmanian community.

This Bill introduces several measures to target firearms offenders. Too often we read about persons committing crimes with stolen or illegally manufactured firearms, therefore several changes are being made to target this type of offending.

Possessing firearms parts when not the holder of a license or permit currently attracts a maximum fine of 50 penalty units and no ability to impose a term of imprisonment. The penalty provision for this section is being amended to a term of imprisonment of up to 2 years to be considered alongside the existing penalty unit provision.

Possession of stolen firearms currently attracts a maximum fine of 100 penalty units or a term of imprisonment not exceeding 5 years. The penalty provision for this section is being amended to raise the maximum fine that a court may consider to 300 penalty units. Further, based on advice from the Director of Public Prosecutions, further amendment is made to clarify when this offence can be tried upon indictment or when it can be tried summarily.

The Bill also makes amendments to existing provisions around unlawful trafficking in firearms and adds possession of stolen firearms as an alternative conviction. This means that where a court does not find a person guilty of unlawful trafficking in firearms, they may be convicted of possessing stolen firearms if the alternate charge is proven.

Further, the Act requires that unlawful trafficking in firearms must be dealt with in the Supreme Court; there is no ability to try less serious examples before a Magistrate. Consequently, this Bill amends the relevant section of the Act to ensure that where appropriate a charge under this section may be tried summarily. This will speed up the administration of justice and holding offenders accountable when a matter does not warrant being dealt with in the Supreme Court.

A crime already exists in the Criminal Code for the stealing of a firearm or firearm part; however the Act does not have a mirror summary offence. The Bill will insert a new summary offence of stealing a firearm or firearm part into the Act and to mirror the

indictable crime. The new summary offence will attract a maximum of 300 penalty units or imprisonment for a term not exceeding 5 years, or both.

This bill further targets persons who are subject to firearms prohibition orders. The Act currently only allows the Commissioner of Police to issue a firearms prohibition order in respect of a firearm, this bill will amend the scope of a prohibition order to include a firearm, firearms parts, ammunition, or a suppressor.

Likewise, a similar approach is taken to the authority of police to search and arrest persons who are suspected of having committed, committing, or about to commit an offence under the Act. Currently the Act affords powers to police only in respect of a firearm or ammunition. This bill expands the circumstances where police can exercise their authority to also include where an offender may be in possession of firearm parts.

Madam Speaker, I now want to turn to the issue of sentencing. This Bill will introduce a presumption of mandatory minimum sentencing for offenders who commit serious firearms offences. The community expects that people who commit serious firearms offences will be held to account. Holding offenders to account also acts as a significant deterrent to future firearms offending.

This Bill amends the *Sentencing Act 1997* to define serious firearms offending as a 'relevant firearms offence'. A relevant firearms offence will include the stealing of a firearm or firearm part, possession of stolen firearms, and unlawful trafficking in firearms. Unless an exception applies the amendment will require a court to impose a conviction for a relevant offence of a term of imprisonment of not less than 3 months.

Madam Speaker, the bill includes a general discretion for the court to not apply the minimum sentence when it would be unjust when considering the circumstance of the offence or the offender. It is appropriate for parliament to set the community expectation; it is also appropriate for courts to retain discretion. For this reason, these amendments have been drafted in a similar fashion to the already established presumptions for mandatory sentencing for offences causing serious bodily harm to police officers and offences causing serious bodily harm to frontline workers.

Madam Speaker, I commend the Bill to the House.