

## FACT SHEET

### *Firearms (Miscellaneous Amendments) Bill 2015*

The Government has introduced legislation into Parliament to amend the *Firearms Act 1996* (the Act) and the *Forensic Procedure Act 2000*.

The *Firearms (Miscellaneous Amendments) Bill 2015* (the Bill) amends the Act which:

- a) clarifies the definitions within the *Firearms Act 1996* (the Act) of “firearm”, “imitation firearm”, “manufacture” and other relevant terms embodied within the Act, including “possession” and “commercial fisher”;
- b) restricts the ability for licenced firearm dealers to loan firearms;
- c) clarifies storage, search, seizure and disposal requirements within the Act;
- d) creates a separate offence with an increased penalty for possession of a prohibited firearm;
- e) allows for the renewal of a firearm licence;
- f) provides for an amendment to allow the Commissioner of Police to require an applicant or licence holder to provide certain information, and to require them to provide information to health professionals to assist in the giving of an opinion as to the suitability of an individual to be granted, and/or hold a firearms licence;
- g) provides for the ability for the Commissioner of Police to require the applicant to provide identifying particulars to verify the applicant's identity;
- h) provides further requirements in relation to the collection of firearms, the use of such firearms and that the storage requirements for all firearms will be prescribed in Regulations;
- i) extends the statute of limitations for the prosecution of summary offences under the Act to 12 months from the detection of the offence, but within three years from the actual commission of the offence;
- j) allows for a category C licence as an alternative to a category D licence for animal population control;
- k) requires medical practitioners to report injuries suspected of being caused by a firearm;
- l) removes the 28 day waiting period for a permit to acquire a second or subsequent firearm of the same category of firearm already registered to the licence holder, and substitute it with a 14 day period for the administration of the permit process;
- m) lowers the age for juniors to shoot in the field under the supervision of a firearms licence holder;
- n) allows for “Paintball” to be legalised under the Act;
- o) provides police with the specific authority to enter any place where a firearm may be in possession of a person who is threatening injury or death to themselves or another;
- p) provides authority to issue infringement notices for certain offences under the Act;
- q) provides for penalty increases where deemed appropriate;
- r) provides legislation and regulations that is consistent and contemporary with present policy, practice and community standards;
- s) provides for a new offence in the Act for being in possession of a stolen firearm. This offence will attract a mandatory term of imprisonment upon conviction, unless exceptional

circumstances exist. It also provides for authorities relating to arrest without warrant, and the search of a person's premises or vehicle where a police officer believes on reasonable grounds that this offence is being committed; and

- t) provides that the offences under section 114 in the Act and the new offence detailed in section (t) above (section 107A of the Bill), be included in the definition of "serious offence" in the *Forensic Procedures Act 2000*, which will permit the taking of forensic samples from a person charged with these offences.

The Bill will become law on a day or days to be proclaimed.