

SECOND READING SPEECH

CRIMINAL CODE AMENDMENT (FIREARMS) BILL 2013

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

The *Criminal Code Amendment (Firearms) Bill 2013* inserts four new offences in to the *Criminal Code Act 1924* in relation to firearms offences. At present, three of these offences are contained in the Firearms Act. The insertion of these offences in to the Code will now mean that they are punishable by up to 21 years imprisonment.

A new Chapter 25A will be inserted – Crimes relating to firearms and firearm parts. The new Chapter will contain offences in relation to “recklessly discharging a firearm”, “possession or use of a firearm or firearm part”, “stealing or giving possession of firearm or firearm part” and “possession of firearm or firearm part”.

New section 239B provides that a person who discharges a firearm recklessly or without due regard to the safety of any other person or property is guilty of a crime.

New section 239C provides that a person who is subject to a firearms prohibition order under the Firearms Act 1996 and who possesses or uses a firearm or firearm part is guilty of a crime.

New section 239D provides that a person who sells, or gives possession of, a firearm or firearm part to another person, knowing that the other person is prohibited from possessing a firearm under a firearms prohibition order under the Firearms Act 1996, is guilty of a crime.

A definition of possess in the new Chapter is also provided.

A specific offence of stealing a firearm or firearm part will also be inserted to the Code at new section 234A. The section is contained within Chapter 24 of the Code – Stealing – which means that the general concepts already contained in the Code in relation to stealing will apply to the new offence. This includes the definition of what stealing is, and a variety of situations in which something can be said to have been stolen, such as by an agent or by misappropriation.

The proposed amendments will reinforce this Government's messages around community safety and getting tough on crime. They will also complement proposed amendments to the *Firearms Act* and Regulations.

I commend the Bill to the House.