

Comments from to a spokesperson for Minister Keenan:

In Australia, responsibility for firearm matters is shared between the Australian, state and territory governments.

The Australian Government is responsible for matters relating to the import and export of firearms, while state and territory governments have responsibility for all matters relating to possession, licensing and use of firearms.

Following a recommendation of the Joint Commonwealth-NSW Martin Place Siege Review, the technical elements of the National Firearms Agreement (NFA) have been reviewed and updated.

The objective of the review was to ensure our existing firearms regulations, which have not been substantively reviewed for almost two decades, keep pace with advancements in technology and changes to the firearms market.

In addition to incorporating advice from all Commonwealth, state and territory law enforcement and justice agencies, the review of the Agreement involved consultation with the firearms community (industry and recreational groups), community safety organisations and individuals to produce sensible, practical changes where required.

The Council of Australian Governments (COAG) agreed to the updated National Firearms Agreement and the classification of lever action shotguns at their 9 December 2016 meeting. At that meeting, COAG agreed to classify lever action shotguns with a magazine capacity of no greater than five rounds in Category B, and those with a magazine capacity of greater than five rounds in Category D.

This was the unanimous position of the state and the territory governments who have responsibility for the classification of firearms.

The importation ban on the importation of lever action shotguns with a magazine capacity of greater than five rounds was introduced because the Government was concerned that a significant number of high capacity lever action shotguns were shortly due to be imported into Australia.

The Government took this step on advice of Commonwealth, state and territory law enforcement agencies and officials.

The importation ban on lever action shotguns with a magazine capacity of greater than five rounds will remain in place until all jurisdictions have implemented the Council of Australian Governments' decision to reclassify lever action shotguns.

Any suggestion that the Minister did not follow advice from his agencies regarding the importation ban on lever action firearms, or is somehow responsible for the modification of firearms is wrong.

The modification of firearms in Australia is a matter for the states and territories. The Commonwealth does not have any jurisdiction in relation to these matters.

Under current Commonwealth regulations, firearm dealers cannot import either lever action shotguns with a magazine capacity of greater than 5 shots, or devices that increase the capacity of magazines (such as magazine extension tubes).

It remains up to the states and territories to implement the updated National Firearms Agreement, and the changes to the classification of lever action shotguns.



THE HON MICHAEL KEENAN MP
Minister for Justice
Minister Assisting the Prime Minister for Counter-Terrorism

MS17-001316

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28 JUN 2017

Dear Mr Jones *Geoff*

I write to provide you with an update on a number of issues raised by the Firearms Industry Reference Group, most recently at the meeting of the Reference Group on 29 March 2017.

Meeting minutes

I enclose the minutes of the meeting of the Reference Group of Wednesday 29 March 2017. If you would like to make any comment on the minutes, please contact the secretariat of the Reference Group at firearms.enquiries@ag.gov.au.

National Firearms Agreement

At the recent meeting of the Reference Group, members raised concerns about the updated Agreement. These concerns were also expressed to me in a letter from the Shooting Industry Foundation of Australia, dated 29 March 2017, and a letter signed by you and all other Reference Group members (except Mr Schwarz) dated 24 April 2017.

I reiterate that, with a few notable exceptions, the updated Agreement does not contain any substantial changes to the 1996 Agreement, the 2002 National Handgun Agreement or relevant ministerial decisions. Those exceptions are:

- the revised classification of lever action shotguns, and
- adding an opening statement setting out the purpose of the Agreement.

The Law, Crime and Community Safety Council agreed to all aspects of the updated Agreement out of session in February 2017. The updated Agreement reflects the consensus position of the Commonwealth, states and territories, each of which signed the Agreement as equal parties.

The updated Agreement provides for the Council of Australian Governments and its subordinate bodies to periodically consider emerging issues relating to the Agreement. Each of the Commonwealth, states and territories may propose changes which would be considered as appropriate through the Law, Crime and Community Safety Council. I am not currently proposing further changes to the Agreement. If any changes are proposed, I anticipate that they would be discussed with the firearms community and community safety advocates.

I note also that members raised concerns where current practice in some jurisdictions differs from the previous agreements or ministerial decisions. Irrespective of the language used in

Firearms Industry Reference Group – Minutes

Australian Parliament House, Wednesday 29 March 2017

Attendees:

- Minister for Justice and Minister Assisting the Prime Minister for Counter-Terrorism, the Hon Michael Keenan MP
- Russell Bate, Firearm Safety Foundation (Victoria)
- Rod Drew, Shooting Industry Foundation of Australia
- Catherine Fettell, Shooting Australia
- Geoff Jones, Sporting Shooters' Association of Australia
- Robert Schwarz, independent firearms expert
- Luca Scribani Rossi, National Firearm Dealers Association
- Mark Crossweller, Acting Deputy Secretary, Attorney-General's Department
- Stephen Bouwhuis, Assistant Secretary, Attorney-General's Department
- Adrian Barrett, Office of the Minister for Justice
- Secretariat: Antony Paul, Attorney-General's Department

Apologies:

- David McNabb, Field and Game Australia
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1. Welcome and apologies (9:30am)

- The Minister thanked members of the Reference Group for their attendance.
- The Minister noted that David McNabb is an apology for this meeting.

2. Update on items from previous meeting

2(a) Carrying hand-loaded ammunition aboard the Spirit of Tasmania

- The Minister noted that he had raised the issue of carrying hand-loaded ammunition aboard the *Spirit of Tasmania* with the Minister for Infrastructure and Transport, the Hon Darren Chester MP, who had consulted the Australian Maritime Safety Authority.
- The Minister agreed to send Catherine Fettell the contact details of an appropriately senior officer in the Australian Maritime Safety Authority to allow them to speak directly about the relevant technical issues.

2(b) Cross-jurisdictional issues

- The Minister noted that he had written to the then Western Australia Deputy Premier and Minister for Police, the Hon Liza Harvey MLA.
- The Minister agreed to contact the incoming Minister in Western Australia to seek the new Government's position.