



**The Hon. Roy Smith MLC**

Parliament of New South Wales  
Legislative Council  
The Shooters' Party



## **SHOOTERS PARTY BILL TO AMEND THE FIREARMS ACT PASSES BOTH HOUSES OF PARLIAMENT**

**27 June 2008**

After a battle, which started 12 years ago, The Shooters Party has now managed to have reasonable and sensible amendments made to the Firearms Act and Regulations.

Our bill, the first of what we hope will be a series to remove more red tape from the NSW firearms laws, has passed through the Legislative Assembly without amendments. The Independent Member for Tamworth, Mr Peter Draper, sponsored it in the Lower House and we thank him for his support.

Since 1996 The Shooters Party has stood alone in the push for sensible changes to the gun laws. It has been a long battle, but has been made easier by having two members in the Upper House. Your support in March 2007 is now bearing fruit, and we would like to thank all the clubs and individuals who helped with suggestions on what amendments we should include in our first real tilt at changing the laws.

Be assured, this is only the start, and we will be looking for further constructive suggestions for our next round of amendments.

We welcome the bi-partisan support from the Government, the Opposition, Rev Fred Nile of the Christian Democrats and those independents in the Lower House who supported what they all saw as sensible changes to the law.

With the change of Government in Canberra and the removal of the threats of reprisal against Governments who might amend the gun laws, The Shooters Party hopes this Bill spurs other States to take similar steps and conduct objective reviews of their legislation.

What we need are the most EFFECTIVE laws, rather than the so-called TOUGH laws. Having now passed both Houses, the new laws will be implemented over the next three months.

The Amendments remove a number of restrictions that unreasonably impact on legitimate firearm owners and unlicensed people wishing to try sport shooting, and while disappointed that not all of our proposed amendments were accepted, we believe that on the whole the passage of this bill is a significant win for shooters.

We suffered because of some uninformed comments about our proposal that junior shooters, who have held a target pistol permit for at least 12 months, could apply for permits enabling them to use larger calibres in Single Action and Handgun Metallic Silhouette matches. This amendment failed, mainly due to the misinformation pedalled by the Greens, who not surprisingly opposed every change we put forward.

The more significant changes that will flow from the passage of our amendments are:

**Waiting periods:-** Currently a 28-day waiting period applies for the issue and renewal of all licences, permits and permissions to acquire a firearm. Our bill makes it clear that a waiting period is not applicable when renewing an existing licence or permit, and where a permit to acquire a firearm is sought by a person who already has a firearm of that type registered to them.

**Shooting under supervision:-** Currently unlicensed persons can shoot under a once-only three month exemption for new club members, at club open days or during an approved firearms safety training course. Our Bill extends the exemptions so they can shoot under the supervision of a licence holder at approved ranges after making a written declaration to the effect that they are not ineligible for a licence or permit under the Act.

**Exemptions for antique firearms:-** Our bill originally provided for the exemption from licensing and registration of firearms manufactured before 1900 that are either pre-percussion or use obsolete cartridges. Unfortunately the Government was successful in amending it so that whilst pre-1900 firearms will be exempt from registration, some will require a licence. Pre 1900 firearms that are also exempt from licensing are prescribed in the regulations and include long arms that do not use metallic cartridges, including muzzle loaders, and those using obsolete metallic cartridges, as well as pre-percussion and single shot percussion pistols. Pre 1900 multi shot muzzle loading percussion pistols and those capable of firing obsolete metallic cartridges will be exempt from registration, but a licence will be required for their possession. Firearms held under this exemption will still be subject to the safekeeping requirements of the Act.

**Access to Category C shotguns for certain target shooters:-** The bill amends Section 17A of the Act to allow members of clubs affiliated with shooting bodies approved by the Commissioner of Police, and who have a special need, to apply for a special Category C licence authorising the person to use a self-loading or pump action shotgun in a recognised clay target shooting competition. Currently only members of the Australian Clay Target Association or clubs affiliated with it may have access to Category C shotguns for competition purposes in New South Wales. Western Australia, Victoria and Queensland have already extended this access to include people competing in shooting disciplines beyond those administered by the Australian Clay Target Association. There are no issues of public safety by introducing this amendment and no reason why this access should be restricted to the Australian Clay Target Association and its affiliates.

**Provision for Penalty Notices:-** The bill introduces the option for Police of dealing with some minor offences under the Act and Regulations by way of a penalty notice. Penalty notices will not be able to be issued for any indictable offences. The penalty notice will not disqualify a person from holding a firearms licence or permit unless they elect to contest the matter in court, and the court then finds them guilty of the offence.

**Records required for non-target shooters shooting at ranges:-** The bill removes the requirement for the type and calibre of firearm used at a range by a licensed non-target shooter to be recorded, the current requirement that the visitor's name and licence number be recorded remains.

#### **Theatrical Armourers**

The bill will change the authority under which a theatrical armourer operates, from that of a theatrical armourers permit, to a type of dealers licence.

Parliament adjourns tonight for the winter recess, and during the break we look forward to visiting as many clubs as possible. If you would like us to come and speak to your members about these legislative changes, please contact our office.



Roy Smith, MLC

The Shooters Party  
Ph: (02) 9230 3059

Parliament House Sydney 2000

Fax: (02) 9230 2613

email: [roy.smith@parliament.nsw.gov.au](mailto:roy.smith@parliament.nsw.gov.au)

email: [robert.brown@parliament.nsw.gov.au](mailto:robert.brown@parliament.nsw.gov.au)