

**Queensland**



**Subordinate Legislation 2003 No. 357**

***Weapons Act 1990***

**WEAPONS LEGISLATION AMENDMENT  
REGULATION (No. 2) 2003**

**TABLE OF PROVISIONS**

Section		Page
<b>PART 1—PRELIMINARY</b>		
1	Short title . . . . .	3
<b>PART 2—AMENDMENT OF WEAPONS REGULATION 1996</b>		
2	Regulation amended in this part . . . . .	3
3	Insertion of new s 2A . . . . .	3
	2A Definitions . . . . .	3
4	Amendment of s 14 (Additional changes in circumstances that must be advised by licensee) . . . . .	3
5	Amendment of s 26 (What dealer's licence authorises) . . . . .	3
6	Amendment of s 68J (Compensation—prohibited handguns and parts of prohibited handguns) . . . . .	4
7	Amendment of s 68K (Compensation—other handguns and related matters) . . . . .	4
8	Omission of s 69 (Definitions for div 2) . . . . .	5
9	Amendment of s 69D (Conditions to apply to approval) . . . . .	5
10	Replacement of s 84 (Expiry of this part) . . . . .	5
	84 Amnesty—membership of approved pistol club . . . . .	5
	85 Amnesty—licensing for compensation . . . . .	6
	86 Amnesty—licensing for compensation of deceased person . . . . .	7
	87 Amnesty—application of ss 68D and 68E. . . . .	7
	88 Expiry of this part . . . . .	8
11	Replacement of sch 1 . . . . .	8

*Weapons Legislation Amendment Regulation (No. 2) No. 357, 2003*  
2003

---

SCHEDULE 1

FEES

12	Insertion of new sch 3 . . . . .	9
----	----------------------------------	---

SCHEDULE 3

DICTIONARY

**PART 3—AMENDMENT OF WEAPONS CATEGORIES  
REGULATION 1997**

13	Regulation amended in this part . . . . .	11
14	Amendment of s 5 (Category D weapons) . . . . .	11

## **PART 1—PRELIMINARY**

### **1 Short title**

This regulation may be cited as the *Weapons Legislation Amendment Regulation (No. 2) 2003*.

## **PART 2—AMENDMENT OF WEAPONS REGULATION 1996**

### **2 Regulation amended in this part**

This part amends the *Weapons Regulation 1996*.

### **3 Insertion of new s 2A**

Part 1—

*insert—*

#### **‘2A Definitions**

‘The dictionary in schedule 3 defines particular words used in this Act.’.

### **4 Amendment of s 14 (Additional changes in circumstances that must be advised by licensee)**

Section 14, ‘24(2)(d)’—

*omit, insert—*

‘24(2)(g)’.

### **5 Amendment of s 26 (What dealer’s licence authorises)**

(1) Section 26(1)(a), ‘in category R’—

*omit, insert—*

‘category R weapons or restricted category M weapons’.

(2) Section 26—

*insert—*

‘(4) In this section—

“**restricted category M weapon**” means a weapon described in the *Weapons Categories Regulation 1997*, section 7A(a), (c), (d), (f), (j), (k) or (m).’.

## **6 Amendment of s 68J (Compensation—prohibited handguns and parts of prohibited handguns)**

(1) Section 68J(3) and (4)—

*renumber* as section 68J(6) and (7).

(2) Section 68J—

*insert—*

‘(3) For section 175(8) of the Act, compensation under that section is payable to a licensed dealer or licensed armourer only if the dealer or armourer—

(a) complies with subsection (6); and

(b) gives the commissioner a written list detailing all the prohibited handguns, and parts of a prohibited handguns, for which compensation will be sought (the “**compensation list**”).

‘(4) The compensation list must be given on or before a day specified by the commissioner in a written notice to the dealer or armourer.

‘(5) The day specified must be at least 21 days after the day on which the notice is given to the dealer or armourer.’.

## **7 Amendment of s 68K (Compensation—other handguns and related matters)**

Section 68K(6)—

*omit.*

## **8 Omission of s 69 (Definitions for div 2)**

Section 69—

*omit.*

## **9 Amendment of s 69D (Conditions to apply to approval)**

Section 69D—

*insert—*

‘(4) Without limiting the conditions that may be imposed on an historical society permit, the permit may authorise the historical society to conduct up to 2 society events in each year.

‘(5) In deciding whether to impose a condition authorising the conduct of a society event, the authorised officer must consider at least the following—

- (a) the nature of the event, including, for example, the historical significance of the event;
- (b) the types of weapons to be discharged in the event.

‘(6) To remove any doubt, the provisions of this division relating to conditions on an historical society permit apply to a condition imposed under subsection (4).’.

## **10 Replacement of s 84 (Expiry of this part)**

Section 84—

*omit, insert—*

### **‘84 Amnesty—membership of approved pistol club**

‘(1) This section applies if—

- (a) immediately before the amnesty period—
  - (i) a person was a member of an approved pistol club for sports or target shooting; and
  - (ii) the person owned a compensable category H weapon or part of a compensable category H weapon that was registered to the person under a concealable firearms licence for sports or target shooting; and

- (b) during the amnesty period—
  - (i) the person’s membership expires; and
  - (ii) the person surrenders the weapon or part of the weapon to the commissioner for compensation under section 175 or 176 of the Act.

‘(2) For section 132(3) of the Act,<sup>1</sup> the person is taken to be a member of the approved pistol club for sports or target shooting.

### **‘85 Amnesty—licensing for compensation**

‘(1) This section applies if—

- (a) immediately before the amnesty period—
  - (i) a person held—
    - (A) a concealable firearms licence for sports or target shooting; or
    - (B) a collector’s licence (weapons); and
  - (ii) the person owned a compensable category H weapon or part of a compensable category H weapon that was registered to the person under the licence; and
- (b) during the amnesty period—
  - (i) the person’s licence expires; and
  - (ii) the person surrenders the weapon or part of the weapon to the commissioner for compensation under section 175 or 176 of the Act.

‘(2) For section 50 of the Act<sup>2</sup> and section 68K,<sup>3</sup> the person is taken to be the holder of the licence that the person held immediately before the amnesty period.

---

1 Section 132 of the Act (Conditions for concealable firearms licence)

2 Section 50 of the Act (Possession of weapons)

3 Section 68K (Compensation—other handguns and related matters)

### **‘86 Amnesty—licensing for compensation of deceased person**

‘(1) This section applies if—

(a) immediately before the amnesty period—

(i) a person held—

(A) a concealable firearms licence for sports or target shooting; or

(B) a collector’s licence (weapons); and

(ii) the person owned a compensable category H weapon or part of a compensable category H weapon that was registered to the person under the licence; and

(b) during the amnesty period—

(i) the person dies; and

(ii) the personal representative of the person surrenders the weapon or part of the weapon to the commissioner for compensation under section 175 or 176 of the Act.

‘(2) For section 50 of the Act<sup>4</sup> and section 68K,<sup>5</sup> the personal representative of the person is taken to be the holder of the licence that the person held immediately before the amnesty period.

### **‘87 Amnesty—application of ss 68D and 68E**

‘(1) During the amnesty period, section 68D(2)<sup>6</sup> does not apply to a person if the person possessed the magazine immediately before the amnesty period.

‘(2) During the amnesty period, section 68E(1)(a)<sup>7</sup> does not apply to a person if the person possessed the magazine immediately before the amnesty period.

---

4 Section 50 of the Act (Possession of weapons)

5 Section 68K (Compensation—other handguns and related matters)

6 Section 68D (Prohibition on possession of magazine with more than 10 rounds)

7 Section 68E (Prohibition on possession of certain magazines)

## **‘88 Expiry of this part**

‘This part expires on 30 June 2004.’.

## **11 Replacement of sch 1**

Schedule 1—

*omit, insert—*

### **‘SCHEDULE 1**

#### **‘FEES**

section 74

	\$
<b>1.</b> Application for licence . . . . .	31.00
<b>2.</b> Licence, or renewal of licence, for each year—	
(a) armourer’s licence . . . . .	64.50
(b) blank-fire firearms licence . . . . .	10.25
(c) collector’s licence (heirloom) . . . . .	10.25
(d) collector’s licence (weapons) . . . . .	10.25
(e) concealable firearms licence—	
(i) for a pistol club member . . . . .	15.50
(ii) for anyone else . . . . .	38.75
(f) dealer’s licence—	
(i) for a licence that includes only category A or B weapons . . . . .	129.25
(ii) for a licence that includes only category C, D, E, H or R weapons . . . . .	129.25
(iii) for any other licence . . . . .	258.50
(g) firearms licence . . . . .	10.25
(h) firearms licence (instructor) . . . . .	38.75
(i) minor’s licence . . . . .	10.25
(j) security licence (guard) . . . . .	20.50
(k) security licence (organisation) . . . . .	258.50



*Weapons Legislation Amendment Regulation (No. 2) No. 357, 2003*  
2003

---

	\$
(l) theatrical ordnance supplier's licence . . . . .	258.50
<b>3.</b> Visitor's licence . . . . .	32.25
<b>4.</b> Replacement licence . . . . .	25.75
<b>5.</b> Permit to acquire . . . . .	19.25
<b>6.</b> Shooting club permit, for each year. . . . .	38.75
<b>7.</b> Approval—	
(a) to conduct a shooting gallery, for each year . . . . .	193.75
(b) of a range for weapons target shooting . . . . .	193.75
(c) to conduct an arms fair . . . . .	129.25
(d) to transfer a collection of weapons to other premises. . . . .	64.50
(e) to transfer a transferable licence . . . . .	129.25
(f) for an approved shooting club, to alter, modify or permit alteration or modification of actual firing range, butts of firing line in a material way . . . . .	193.75
<b>8.</b> Exemption under section 2(1)(m) of the Act . . . . .	51.50
<b>9.</b> Amendment of conditions applying to an approval of a range for weapons target shooting . . . . .	25.75
<b>10.</b> Amendment of conditions applying to a shooting club permit . . . . .	25.75 <sup>*</sup>

## **12 Insertion of new sch 3**

After sch 2—

*insert—*

## ‘SCHEDULE 3

## ‘DICTIONARY

### section 2A

**“amnesty period”** means the amnesty period declared under section 168B of the Act<sup>8</sup> for part 8, division 2 of the Act.<sup>9</sup>

**“Commonwealth agreement”** means the agreement with the Commonwealth mentioned in section 175(2) of the Act.

**“compensable category H weapon”** means a category H weapon for which the State may receive reimbursement under the Commonwealth agreement.

**“employee”**, for part 7, see section 45.

**“historical society permit”**, for part 11, division 2, see section 69B(2).

**“part of a compensable category H weapon”** means any of the following parts of a compensable category H weapon for which the State may receive reimbursement under the Commonwealth agreement—

- (a) a barrel, breechbolt, cylinder, frame, magazine, operating mechanism, receiver, top slide or trigger mechanism;
- (b) an accessory for the weapon, including, for example, a speed loader or special holster.

**“representative”**, for part 11, division 2, see section 69E(4).

**“representative notice”**, for part 11, division 2, see section 69G(3).

**“responsible position”**, for part 11, division 2, see section 69E(3).

**“society event”** means an event that involves the discharge of category H weapons by members of an approved historical society, including, for example, in a re-enactment of a historical event.’

---

<sup>8</sup> Section 168B of the Act (Amnesty declaration)

<sup>9</sup> Part 8 (Transitional provisions), division 2 (Transitional provisions for Weapons (Handguns and Trafficking) Amendment Act 2003) of the Act

## **PART 3—AMENDMENT OF WEAPONS CATEGORIES REGULATION 1997**

### **13 Regulation amended in this part**

This part amends the *Weapons Categories Regulation 1997*.

### **14 Amendment of s 5 (Category D weapons)**

Section 5—

*insert—*

‘(2) Subsection (1) applies to a weapon mentioned in the subsection even if the weapon is permanently inoperable.’.

---

#### ENDNOTES

1. Made by the Governor in Council on 18 December 2003.
2. Notified in the gazette on 19 December 2003.
3. Laid before the Legislative Assembly on . . .
4. The administering agency is the Queensland Police Service.