Queensland

Weapons Act 1990

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This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of reprints is included in the endnotes.

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

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Weapons Act 1990

[as amended by all amendments that commenced on or before 29 April 2005]

An Act to consolidate and amend the laws regulating or prohibiting the purchase, possession, use, carrying and sale of certain weapons and articles and to provide for the prevention of the misuse of weapons and for related purposes

Part 1 Preliminary

1 Short title

This Act may be cited as the *Weapons Act 1990*.

2 Application of Act

(1) This Act does not apply to a person—

(a) who is—

(i) a member of the armed forces of the Commonwealth as prescribed by the *Defence Act 1903* (Cwlth) in respect of that person's possession or use of a weapon as part of performance of duty as such member; or

(ii) a member of the armed forces of any government associated with the armed forces of the Commonwealth in respect of that person's possession or use of a weapon as part of performance of duty as such member; or

(iii) a member in a cadet force[1] under the *Cadet Forces Regulations* (Cwlth)[2] in relation to the member's possession and use of a weapon when participating in the activities of the cadet force in which the person is a member; or

(b) who is a member of the federal police as prescribed by the *Australian Federal Police Act 1979* (Cwlth) or member of the police service of any other State or Territory in respect of that person's possession or use of a weapon as part of performance of duty as such member or when performing a function for the Queensland Police Service at the request of the commissioner of the Queensland Police Service; or

(c) who is a member of the Australian Customs Service as prescribed by the *Customs Act 1901* (Cwlth) in respect of that person's possession or use of a weapon as part of performance of duty as such member; or

(d) who is an officer of the Australian Protective Service under the *Australian Protective Service Act 1987* (Cwlth) in relation to the person's possession or use of a weapon when performing the duties of an officer; or

(e) who is a police officer or trainee member of the Queensland police service, or any other member of the Queensland police service authorised by the commissioner, in respect of that person's possession or use of a weapon as part of performance of duty as such; or

(g) who is undergoing a training course approved by the commissioner in respect of the person's possession or use of a weapon as part of the training course; or

(h) whilst actually engaged in the manufacture, assembly or handling of any weapon for or on behalf of the

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1 *Cadet Forces Regulations 1977*, section 2—

cadet force means the Naval Reserve Cadets, the Australian Cadet Corps or the Air Training Corps;

member means an officer, instructor or cadet in a cadet force.

2 The *Cadet Forces Regulations 1977* are in force under the *Defence Act 1903* (Cwlth), the *Naval Defence Act 1910* (Cwlth) and the *Air Force Act 1923* (Cwlth).

Government of the Commonwealth or any State or Territory; or

(i) whilst engaged in scientific or experimental work with any weapon under an authority in that behalf granted by the Minister; or

(k) being a person over the prescribed age who is the owner, lessee, hirer or licensee of any boat, ship, or aircraft in respect of possession on board or in connection with, that boat, ship or aircraft of a recognised safety device, signalling apparatus or ammunition thereof as part of and solely for the use as part of the safety equipment of that boat, ship or aircraft; or

(l) who is actually engaged in the warehousing or transport under consignment of merchandise for or on behalf of—

(i) a licensed dealer; or

(ii) the armed forces of the Commonwealth; or

(iii) any authority of the Commonwealth or State;

in respect of possession of merchandise consigned thereto or therefrom; or

(m) to whom the commissioner of the police service in the prescribed manner has granted an exemption from the application of those provisions of this Act specified therein in respect of the application of those provisions.

(2) This Act does not apply to a government service entity or an employee of a government service entity in relation to the entity's or employee's acquisition, possession or use of a weapon as part of the performance of—

(a) the functions of the entity or employee; or

(b) if the functions of the entity or employee are prescribed under a regulation—those functions of the entity or employee that are prescribed.

(3) Subsection (2) does not exempt a government service entity or an employee of a government service entity from—

(a) the application of section 60[3] or provisions of a regulation dealing with the safe handling and storage of weapons; or

(b) the application of the remaining provisions of this Act to the possession or use of a weapon unless the entity or employee complies with the conditions stated in subsection (4).

(4) The conditions are—

(a) for a government service entity—

(i) the entity notifies the commissioner, in the approved form, of the acquisition or sale of a weapon within 14 days after acquiring or selling the weapon; and

(ii) the entity keeps, on a register in a form approved by the commissioner and kept for the purpose, the following details—

(A) where the weapon is stored;

(B) the name of each employee to whom a weapon is issued and the date and time when the weapon is issued to the employee and returned by the employee; and

(iii) at least 14 days before the entity issues the weapon to a particular employee for the first time, it gives the commissioner the information about the employee the commissioner reasonably needs to be satisfied the employee is a fit and proper person to possess the weapon; and

(iv) the entity issues the weapon to an employee only if it is satisfied—

(A) the performance of the employee's functions necessarily requires the employee to have possession of the weapon; and

(B) the employee holds a firearms licence; and

3 Section 60 (Secure storage of weapons)

(C) the employee is properly trained in the use of the weapon; and

(b) for an employee of a government service entity—the employee holds a firearms licence.

(5) An employee mentioned in subsection (4)(a)(iv) may possess any category of weapon in the performance of the employee's functions even though the employee is not licensed to possess the category of weapon.

(6) The condition mentioned in subsection (4)(a)(iv)(B) does not apply to a prescribed service entity.

(7) The condition mentioned in subsection (4)(b) does not apply to an employee of a prescribed service entity.

(8) The operation of this section is subject to the *Domestic and Family Violence Protection Act 1989*, section 23(2).[4]

(9) In this section—

government service entity means—

(a) a department of Government of the State; or

(b) a museum under the control of the Government of the State or the Commonwealth; or

(c) another entity prescribed under a regulation that—

(i) is established under an Act or under State authorisation for a public or State purpose; or

(ii) is engaged by the State or an entity mentioned in subparagraph (i) to provide a service for the State or entity;

but does not include the Queensland Police Service.

prescribed service entity means an entity prescribed for the definition *government service entity*, paragraph (c).

4 *Domestic and Family Violence Protection Act 1989,* section 23(2)—

(2) If the person is named as the respondent in a domestic violence order, the Weapons Act applies to the person for the duration of the order despite the Weapons Act, section 2.

3 Principles and object of Act

(1) The principles underlying this Act are as follows—

(a) weapon possession and use are subordinate to the need to ensure public and individual safety;

(b) public and individual safety is improved by imposing strict controls on the possession of weapons and requiring the safe and secure storage and carriage of weapons.

(2) The object of this Act is to prevent the misuse of weapons.

4 How object is to be achieved for firearms

The object of this Act is to be achieved for firearms by—

(a) prohibiting the possession and use of all automatic and self-loading rifles and automatic and self-loading shotguns except in special circumstances; and

(b) establishing an integrated licensing and registration scheme for all firearms; and

(c) requiring each person who wishes to possess a firearm under a licence to demonstrate a genuine reason for possessing the firearm; and

(d) providing strict requirements that must be satisfied for—

(i) licences authorising possession of firearms; and

(ii) the acquisition and sale of firearms; and

(e) ensuring that firearms are stored and carried in a safe and secure way.

5 Definitions

The dictionary in schedule 2 defines particular words used in this Act.

6 Meaning of *heirloom firearm*

An ***heirloom firearm*** is a firearm, other than a category R weapon, ownership of which has passed to a person by testamentary disposition or the laws of succession.

6A What is a *replica*

(1) A ***replica of a weapon*** is—

(a) a reasonable facsimile or copy of a weapon, even if it is not capable of discharging a projectile or substance; or

(b) a category A, B or C weapon that has been rendered permanently inoperable; or

(c) a hand grenade that is inert.

(2) A ***replica***—

(a) of a particular weapon—means a reasonable facsimile or copy of the weapon, even if it is not capable of discharging a projectile or substance; or

(b) of a spear gun, longbow or crossbow—means a reasonable facsimile or copy of a spear gun, longbow or crossbow even if it is not capable of discharging a projectile; or

(c) of a thing prescribed under a regulation—means anything prescribed under a regulation to be a replica of the thing.

6B Meaning of *security guard*

(1) A ***security guard*** is a person who patrols, protects, watches over or guards (***protects***) the person's property or other persons or other person's property—

(a) in the course of carrying on a business; or

(b) in the course of employment.

Example—

A jeweller transporting jewellery in the course of carrying on a business who does not engage someone else to guard the jewellery while it is being transported is a 'security guard'.[5]

(2) However, the following persons are not security guards—

(a) a person who protects property if the protection is carried out in the course of primary production;

(b) a person, other than a security organisation, who engages someone else to protect property for the person.

7 How a firearm is made *permanently inoperable*

(1) A firearm is made permanently inoperable if the firearm is modified in the way prescribed under a regulation to make it incapable of being discharged.

(2) However, a firearm is not taken to be permanently inoperable unless a licensed armourer or a person approved by the commissioner for this subsection certifies, in the approved form, the firearm as being incapable of being discharged.

(3) The commissioner may approve a person for subsection (2) only if the commissioner is satisfied the person has the necessary expertise or experience to certify that a firearm is incapable of being discharged.

8 How a firearm is made *temporarily inoperable*

A firearm is made temporarily inoperable—

(a) for a firearm designed to allow its bolt, breech block, firing pin or other integral part of the firing mechanism to be removed—if the part is removed and securely stored separately from the firearm; and

(b) for another firearm—if the firearm's trigger is secured by a trigger lock and the lock's key is securely stored separately from the firearm.

5 Section 123 provides that a person must not, in performing duties as a security guard, physically possess a weapon unless the person holds a security licence (guard).

8A Notes in text

A note in the text of this Act is part of the Act.

Part 2 Licences

9 Issue, renewal, endorsement and alteration of licences

A licence may be issued, renewed, endorsed or altered only by an authorised officer.

10 Limitations on issue of licence

(1) A licence may be issued only to—

(a) an individual under subsection (2); or

(b) a body under subsection (3).

(2) A licence may be issued to an individual only if the person—

(a) is—

(i) for a licence other than a minor's licence—an adult; or

(ii) for a minor's licence—at least 11 years and otherwise within the age group prescribed under a regulation for the licence; and

(b) has, under section 10A, an adequate knowledge of safety practices for the use, storage and maintenance of the weapon or category of weapon the possession of which is to be authorised by the licence; and

(c) has access to secure storage facilities for the weapon or category of weapon possession of which is to be authorised by the licence; and

(d) is not prevented under this or another Act or by an order of a Magistrates Court or another court from holding the licence; and

(e) is a fit and proper person to hold a licence; and

(f) has a reason mentioned in section 11 to possess the weapon or category of weapon; and

(g) resides only in Queensland.

(2A) Subsection (2)(g) does not apply to a person who—

(a) for a person who resides in a State adjoining Queensland—

(i) satisfies the authorised officer that the person has a genuine reason for possessing a weapon for which a licence is required under this Act; and

(ii) is not disqualified from obtaining a similar licence in the adjoining State; or

(b) for a person who resides in a State other than an adjoining State but whose main place of residence is Queensland—is not disqualified from obtaining a similar licence in the other State.

(2B) Also, subsection (2)(g) does not apply to a person who—

(a) resides outside Queensland and intends visiting Queensland to engage in an activity that is a reason for possession of a weapon under section 11; and

(b) is entitled by law (whether or not under a licence) to possess and use a firearm or type of firearm in the State or country where the person usually resides; and

(c) applies for a licence prescribed under section 12(1)(k) for visitors to Queensland.

(3) A licence may be issued to a body, whether incorporated or unincorporated—

(a) for a licence to be issued to an approved shooting club, only if it is endorsed with—

(i) the name of an individual, who is a member of the club's governing body and satisfies the requirements of subsection (2)(a) to (e), as the club's representative in the conduct of its business or affairs; and

(ii) the names and addresses of the individuals who are responsible for the safekeeping of the weapons or category of weapons possession of which is to be

authorised by the licence when not in use by members of that club; or

(b) for a licence to be issued to another body, only if—

(i) the body has a reason mentioned in section 11 to possess a weapon; and

(ii) it is endorsed with the name of an individual, who satisfies the requirements of subsection (2)(a) to (e), as the body's representative in the conduct of its business or affairs.

(4) A licence enabling the licensee to carry on a business may be issued only if it is endorsed with the place at which the business is to be carried on.

(5) If the business is to be carried on at more than 1 place, a separate application for each place must be made and a separate licence for each place issued.

(6) In this section—

similar licence, for a weapon in an adjoining or other State, means a licence, permit or authority issued under the law of the other State entitling the person to possession of the weapon.

10A Adequate knowledge of weapon

(1) For section 10(2)(b), a person has an adequate knowledge of safety practices for the use, storage and maintenance of a weapon, or category of weapon, the possession of which is to be authorised by a licence (the ***new licence***) if the person complies with subsection (2), (3) or (4).

(2) The person complies with this subsection if the person satisfies the commissioner the person has satisfactorily completed, within the 12 month period immediately before the day the person applies for the issue of the new licence—

(a) if the new licence is a security licence (guard)—

(i) the training course approved by the commissioner for section 124;[6] or

6 Section 124 (Training courses for security guards)

(ii) a course in safety training for weapons conducted in another State that the commissioner is satisfied is at least equivalent to a course approved by the commissioner for section 124; or

(b) otherwise—a course in safety training for weapons approved by the commissioner.

(3) The person complies with this subsection if the new licence is not a security licence (guard), and the commissioner is satisfied the person has an adequate knowledge of safety practices for the use, storage and maintenance of the weapon, or category of weapon, because—

(a) the person is authorised to possess and use a weapon of the weapon's category, or a weapon of the category of weapon, in another jurisdiction; or

(b) the person has, within the 12 month period immediately before the day the person applies for the issue of the new licence, satisfactorily completed a course in safety training for weapons at least equivalent to a course approved by the commissioner under subsection (2)(b).

(4) The person complies with this subsection if—

(a) within the 6 months immediately before the day the person made the application for the new licence, the person was a licensee; and

(b) the licence (the ***previous licence***) held by the person as a licensee was no longer in force when the person made the application for the new licence; and

(c) it was not a reason for the previous licence being no longer in force that the licence had been suspended or revoked under this Act; and

(d) the previous licence was a licence of 1 of the following classes—

(i) collector's licence (heirloom) or (weapons);

(ii) concealable firearms licence;

(iii) firearms licence;

(iv) minor's licence.

10B Fit and proper person—licensees

(1) In deciding or considering, for the issue, renewal, suspension or revocation of a licence, whether a person is, or is no longer, a fit and proper person to hold a licence, an authorised officer must consider, among other things—

(a) the mental and physical fitness of the person; and

(b) whether a domestic violence order has been made against the person; and

(c) whether the person has stated anything in or in connection with an application for a licence, or an application for the renewal of a licence, the person knows is false or misleading in a material particular; and

(ca) whether there is any criminal intelligence or other information to which the authorised officer has access that indicates—

(i) the person is a risk to public safety; or

(ii) that authorising the person to possess a weapon would be contrary to the public interest; and

(d) the public interest.

(2) However, for the issue, renewal or revocation of a licence, a person is not a fit and proper person to hold a licence if, in Queensland or elsewhere within the relevant period—

(a) the person has been convicted of, or discharged from custody on sentence after the person has been convicted of, any of the following offences—

(i) an offence relating to the misuse of drugs;

(ii) an offence involving the use or threatened use of violence;

(iii) an offence involving the use, carriage, discharge or possession of a weapon; or

(b) a domestic violence order, other than a temporary protection order, has been made against the person.

(3) Also, for the issue, renewal, suspension or revocation of a licence, a licensed dealer is not a fit and proper person to hold

a licence unless each associate of the person is a fit and proper person to be an associate of a licensed dealer.

(4) A person is not a fit and proper person to hold a licence if the person is prevented by an order, other than a temporary protection order, of a Queensland court or another court outside Queensland from holding a licence or possessing a weapon.

(5) In this section—

relevant period means—

(a) for the issue or renewal of a licence—the 5 year period immediately before the day the person applies for the issue or renewal of the licence; or

(b) for the suspension or revocation of a licence—the 5 year period immediately before the date of the suspension notice under section 28, or a revocation notice under section 29, is given for that suspension or revocation.

10C Fit and proper person—licensed dealer's associate

(1) In deciding or considering, for the issue, renewal, suspension or revocation of a dealer's licence, whether an associate of an applicant for a dealer's licence or a licensed dealer is, or is no longer, a fit and proper person to be an associate of a licensed dealer, an authorised officer may consider any criminal intelligence or other information to which the authorised officer has access that indicates—

(a) the associate is a risk to public safety; or

(b) any relationship involving weapons between the associate and the applicant or licensed dealer would be contrary to the public interest.

(2) A person is not a fit and proper person to be an associate of a licensed dealer if the person is a prohibited person or the authorised officer is satisfied that any relationship involving weapons between the person and a licensed dealer would be contrary to the public interest because—

(a) the person, in Queensland or elsewhere within the relevant period, has been convicted of, or discharged

from custody on sentence after the person has been convicted of, any of the following offences—

(i) an offence relating to the misuse of drugs;

(ii) an offence involving the use or threatened use of violence;

(iii) an offence involving the use, carriage, discharge or possession of a weapon; or

(b) a domestic violence order, other than a temporary protection order, has been made against the person.

(3) In this section—

relevant period means—

(a) for the issue or renewal of a dealer's licence—the 5 year period immediately before the day the applicant for a dealer's licence or the licensed dealer applies for the issue or renewal of the licence; or

(b) for the suspension or revocation of a dealer's licence—the 5 year period immediately before the date of the suspension notice under section 28, or a revocation notice under section 29, is given for that suspension or revocation.

11 Genuine reasons for possession of a weapon

The following are reasons for possession of a weapon—

(a) sports or target shooting;

(b) recreational shooting;

(c) an occupational requirement, including an occupational requirement for rural purposes;

(d) collection by a collector of weapons;

(e) another reason prescribed under a regulation.

12 Licences

Licences are of the following classes—

(a) armourer's licence;

(b) blank-fire firearms licence;

(c) collector's licence (heirloom) or (weapons);

(d) concealable firearms licence;

(e) dealer's licence;

(f) firearms licence;

(g) firearms licence (instructor);

(h) minor's licence;

(i) security licence (organisation) or (guard);

(j) theatrical ordnance supplier's licence;

(k) another licence prescribed under a regulation.

13 Application for licence

(1) An application for a licence must be—

(a) made in the approved form and state the applicant's reason for wishing to possess a weapon (the ***reason***); and

(b) made personally, in the way prescribed under a regulation, by—

(i) if the licence is for an individual—the person; or

(ii) if the licence is for a body, whether incorporated or unincorporated—an individual nominated by the body for endorsement on the licence as the body's representative in the conduct of its business or affairs; and

(c) accompanied by—

(i) the fee prescribed under a regulation; and

(ii) proof of identity to the satisfaction of an authorised officer; and

(iii) other particulars prescribed under a regulation; and

(iv) the other relevant particulars the person to whom the application is made reasonably requires.

(2) If the reason is sports or target shooting, the applicant must provide proof the applicant is a current member of an approved shooting club.

(3) If the reason is recreational shooting, the applicant must produce—

(a) written permission from a landowner authorising the applicant to shoot on the landowner's rural land; or

(b) proof of current membership of a body prescribed under a regulation for this subsection.

(4) A body may be prescribed for subsection (3)(b) only if—

(a) it is a landowner of rural land; or

(b) it holds written permission from a landowner authorising members of the body to shoot on the landowner's rural land.

(5) If the reason is an occupational requirement, the applicant must state why possession of a weapon is necessary in the conduct of the applicant's business or employment.

14 Inquiries into application

(1) Before the application is decided, an officer in charge of police or authorised officer with whom an application for a licence is lodged may—

(a) make an inquiry or investigation about the applicant or the application; and

(b) require the applicant to give the officer further information the officer reasonably needs to be satisfied about the applicant's identity or physical or mental health including—

(i) in relation to the applicant's physical health—a report from a doctor about the applicant's physical health; and

(ii) in relation to the applicant's mental health—a report from a doctor or psychologist about the applicant's mental health; and

(c) inspect the secure storage facilities for the weapon or category of weapon possession of which is to be authorised by the licence; and

(d) supply, for this section, information or a document relevant to the applicant's identity to an officer or member of a State or Commonwealth police service; and

(e) require the applicant to display an adequate knowledge of the safety practices for the use, storage and maintenance of the weapon or category of weapons the possession of which is to be authorised under the licence; and

(f) make a report about the applicant or the application; and

(g) make the recommendation about the application the officer thinks appropriate.

(2) If an authorised officer suspects, on reasonable grounds, that the applicant's stated identity is false, the authorised officer may require the applicant to provide an identifying particular to verify the applicant's identity.

(3) The applicant is taken to have withdrawn the application if, within a stated reasonable time, the applicant—

(a) refuses to provide the information reasonably required under subsection (1)(b); or

(b) refuses to allow the inspection under subsection (1)(c); or

(c) fails to comply with a requirement under subsection (2).

(4) If information about the applicant's mental health given under subsection (1)(b) is provided in a doctor's or psychologist's report, an authorised officer may—

(a) make information in the officer's possession available to the doctor or psychologist; and

(b) ask the doctor or psychologist to provide a further report.

(5) The authorised officer may make the information available only if the officer considers, on reasonable grounds—

(a) the doctor or psychologist was not aware of the information; and

(b) the information may influence the doctor's or psychologist's opinion about the applicant's mental health.

(6) The authorised officer must also advise the applicant of the information being supplied to the doctor or psychologist.

(7) The authorised officer may make the information available under subsection (4) despite the provisions of any other Act.

(8) Unless the authorised officer considers that it is currently required for the investigation of an offence, the authorised officer must, after deciding the application—

(a) return to the applicant any identifying particular obtained in the course of inquiries into the application; and

(b) destroy any record or copy of the identifying particular.

(9) Information required to be supplied under this section may be used only to decide the application or to investigate or prosecute an offence and must not be disclosed for any other purpose.

(10) In this section—

applicant includes, for a body, an individual nominated by the body for endorsement on the licence as the body's representative in the conduct of its business or affairs.

15 Authorised officer decides application

(1) An authorised officer must decide an application for a licence (other than renewal of a licence) as soon as practicable after the end of the period prescribed for this section under a regulation.

(2) However, the authorised officer may decide the application within the prescribed period if the applicant is the holder of an existing licence of another class.

(3) In deciding the application, the authorised officer may consider anything at the officer's disposal.

Note—

Additional requirements are prescribed for particular applications under section 18A, 18B or 18C.

(4) The authorised officer must—

(a) approve the application and issue the licence subject to any conditions the authorised officer may decide, including, but not limited to—

(i) conditions limiting the use or possession of a weapon; or

(ii) conditions prescribed under a regulation and applying to the weapon; or

(iii) for a licence authorising possession of a category M crossbow—conditions requiring the licensee within 7 days to permanently mark on the crossbow an identifying serial number fixed by the authorised officer for the crossbow; or

(iv) any other conditions the authorised officer considers appropriate in the particular circumstances; or

(b) reject the application.

(5) However, if the authorised officer is acting on the basis of criminal intelligence or other information of the kind mentioned in section 10B(1)(ca) or 10C(1), the authorised officer may reject the application because the person is not a fit and proper person only if the commissioner or deputy commissioner, acting personally, approves that the application be rejected on that basis.

(6) A person whose application is rejected because the person is not a fit and proper person to hold a licence is not entitled to reapply for a licence—

(a) if the person's application was rejected because the person was not a fit and proper person under section 10B(2)—until the day section 10B(2) stops having the effect that the person is not a fit and proper person under that subsection; or

(b) otherwise—until the day 3 years after the day the application was rejected.

16 Issue of licence

(1) A licence must be—

(a) in the approved form; and

(b) endorsed with—

(i) the weapon or category of weapon the possession of which is authorised by the licence; and

(ii) any conditions decided by an authorised officer; and

(iii) if the licence is an armourer's, collector's or dealer's licence or a security licence (organisation)—the place approved for the secure storage of the weapon or category of weapon possession of which is authorised by the licence.

(2) A condition or any other information to be endorsed on a licence may be endorsed on the licence or a certificate issued for the licence.

(3) The condition or information may be endorsed on the licence or certificate by a word that is given a meaning by a code prescribed under a regulation.

(4) A regulation may prescribe things that must be provided for on the approved form of licence.

18 Renewal of licences

(1) A licensee may apply for the renewal of the licensee's licence.

(1A) The licensee must make the application for renewal of the licence before the day the licence expires.

(2) An application for renewal of a licence must be—

(a) made in the approved form; and

(b) made personally, in the way prescribed under a regulation, by—

(i) for a licence issued to an individual—the licensee; or

(ii) for a licence issued to a body, whether incorporated or unincorporated—an individual

nominated by the body for endorsement on the licence as the body's representative in the conduct of its business or affairs; and

(c) accompanied by the fee prescribed under a regulation.

(3) If an officer in charge of police receives the application, the officer must refer the application to an authorised officer.

(4) An authorised officer must ensure the application is decided—

(a) as soon as practicable after the application is made; and

(b) if the application is not decided on or before the day the licence expires—within 42 days after the day the licence expires.

(5) In deciding the application, the authorised officer may consider anything at the officer's disposal.

(6) The authorised officer must—

(a) approve the application and renew the licence subject to any conditions the authorised officer may decide; or

(b) reject the application.

(7) However, if the authorised officer is acting on the basis of criminal intelligence or other information of the kind mentioned in section 10B(1)(ca) or 10C(1), the authorised officer may reject the application because the person is not a fit and proper person only if the commissioner or deputy commissioner, acting personally, approves that the application be rejected on that basis.

(8) A licence may be renewed by—

(a) endorsing the existing licence; or

(b) cancelling the licence and issuing a fresh licence endorsed with any condition decided by an authorised officer or other information.

(9) Section 10(1), (2)(a), (2)(c) to (g) and (2A) to (3) applies to the renewal of a licence.

(10) For applying the provisions mentioned in subsection (8) to the renewal of a licence, a reference to the issue of the licence is taken to be a reference to the renewal of the licence.

18A Additional application requirements for collector's licence (weapons) for category H weapon

(1) If the application is for a collector's licence (weapons) or the renewal of a collector's licence (weapons) and the licensee intends to possess a temporarily inoperable category H weapon, the application must include a current declaration signed by an approved historical society's representative stating—

(a) the applicant holds current membership with the approved historical society; and

(b) the representative is satisfied that the applicant is a genuine collector of weapons.

(2) Subsection (1) does not apply if the applicant is an approved historical society.

(3) A declaration mentioned in subsection (1) is current for 28 days after the day it is signed by the representative.

18B Additional application requirements for concealable firearms licence

(1) If the application is for a concealable firearms licence and the applicant's reason for possession of a weapon under that licence is sports or target shooting, the application must include a current declaration by the representative of an approved pistol club stating that—

(a) the applicant holds current membership with the pistol club; and

(b) the applicant has been a member of the pistol club for the 6 month period immediately before the declaration is made; and

(c) the applicant has participated in at least 3 handgun shooting competitions during that 6 month period.

(2) Subsection (3) applies if an applicant for a concealable firearms licence—

(a) holds a licence or other authority under a law of another State that corresponds with this Act authorising the applicant to possess a category H weapon for sports or target shooting; or

(b) was, within the period prescribed under a regulation for this section, a resident of another country and at the time of the application resides only in Queensland.

(3) The declaration included in the application need not address the matters mentioned in subsection (1)(b) or (c) if the application is accompanied by evidence—

(a) for subsection (2)(a), that the applicant—

(i) has been a member of a shooting club in the other State for the 6 month period immediately before the declaration is made; and

(ii) holds a licence or other authority under a law of the other State that corresponds with this Act authorising the applicant to possess a category H weapon for sports or target shooting; and

(iii) has held the authority mentioned in subparagraph (ii) for at least 12 months; and

(iv) has, in the other State, participated in not less than the number of handgun shooting competitions necessary to comply with the law of the other State; or

(b) for subsection (2)(b), that the applicant—

(i) was permitted or authorised under the law of the other country to possess a category H weapon for sports or target shooting; and

(ii) has, within the 2 year period immediately before the declaration is made, consistently participated at a national or international level in internationally recognised shooting competitions for a category H weapon.

Examples of internationally recognised shooting competitions—

1 Shooting competitions in the Olympic Games

2 Shooting competitions in the Commonwealth Games

3 Metallic silhouette world championship.

(4) If the application is for the renewal of a concealable firearms licence and the applicant's reason for possession of a weapon is sports or target shooting, the application must include—

(a) a current declaration by the representative of an approved shooting club stating that the applicant holds current membership with the shooting club; and

(b) a copy of the applicant's participation record for the period of the applicant's current licence.

(5) A declaration under this section is current for 28 days after the day it is signed by the representative.

18C Additional application requirements for dealer's licence

If the application is for a dealer's licence or the renewal of a dealer's licence, the approved form must require the applicant to disclose—

(a) the full name, occupation and residential address of each person who is an associate of the applicant for the dealer's licence or the licensed dealer; and

(b) details of the relevant interest, relevant power or relevant position each associate holds or will hold or may be entitled to exercise.

19 Notice of rejection of application to issue or renew licence

(1) If an authorised officer rejects an application for a licence or renewal of a licence, the authorised officer must give the applicant a notice of rejection in the approved form stating the specific reasons for the rejection.

(2) If a reason an authorised officer rejects an application is criminal intelligence or other information that is not publicly available, it is enough that the notice under subsection (1) states the specific reason for rejection as 'confidential information'.

(3) The notice may be given to the applicant by sending it to the applicant by security post at the address shown on the application.

20 Term of licence

(1) A licence, other than a replacement licence, remains in force for the term, not more than 5 years, stated on the licence.

(2) Despite subsection (1) but subject to any direction by the commissioner, an authorised officer may, by written notice given to a licensee, extend the term the licensee's licence remains in force to a day that coincides with the licensee's next birthday.

(3) No fee is payable for the extension of a term under subsection (2).

(4) A replacement licence remains in force for the unexpired term of the licence which it replaces.

(5) An existing licence stops being in force if a replacement licence is issued instead of the licence.

(6) Also, a licence, including a replacement licence, stops being in force if—

(a) it is suspended, cancelled, revoked or surrendered; or

(b) the licensee dies or is disqualified from holding the licence; or

(c) for a minor's licence—the licensee turns 18.

20A Continuation of licence until renewal application dealt with

(1) This section applies if—

(a) a licensee applies under section 18 for the renewal of a licence; and

(b) the application is not decided on or before the day the licence expires.

(2) The licence, as in force immediately before its expiry, continues in force, as if it had not expired, until the first of the following happens—

(a) the authorised officer deciding the application approves the application and renews the licence;

(b) the authorised officer deciding the application rejects the application and gives the applicant the notice of rejection under section 19(1);

(c) 42 days elapse after the licence's expiry.

21 Certain licences transferable

(1) A licence is transferable only in the circumstances mentioned in this section.

(2) The following licences may be transferred on a sale of a business—

- armourer's licence
- dealer's licence
- security licence (organisation)
- theatrical ordnance supplier's licence.

(3) The proposed purchaser of the business must apply for the appropriate licence under section 13.

(4) If an authorised officer is satisfied the proposed purchaser is otherwise entitled to be issued with the licence, the authorised officer may approve the transfer of the licence subject to the sale of a business being finalised.

(5) If an authorised officer approves the transfer, the purchaser is taken to be the holder of the licence from the time the sale is finalised until the licence is formally transferred or a fresh licence is issued in the purchaser's name for the balance of the original licence's term.

22 Reporting loss, destruction or theft of licence

A licensee must report the loss, destruction or theft of the licence to an officer in charge of police immediately after the licensee becomes aware of the loss, destruction or theft.

Maximum penalty—10 penalty units.

23 Replacement licence

(1) This section applies if an authorised officer is satisfied—

(a) a licence is lost, destroyed or stolen; or

(b) any writing or endorsement on a licence is illegible and the licence is surrendered to an officer in charge of police.

(2) The authorised officer may issue to the licensee a licence (the ***replacement licence***) instead of the existing licence on—

(a) application by the licensee in the approved form; and

(b) payment of the fee prescribed under a regulation.

24 Change in licensee's circumstances

(1) It is a condition of each licence that a licensee must, within 14 days of the happening of an event mentioned in subsection (2) (the ***change***), advise an officer in charge of police of the change and the particulars of the change the officer reasonably requires and deliver the licence to the officer.

(2) The events are—

(a) any of the following that happen to the licensee or the licensee's representative—

(i) a change of address;

(ii) a change in the licensee's or the licensee's representative's mental or physical fitness;

(iii) the conviction of the licensee or the licensee's representative of an offence mentioned in section 10B(2)(a);

(iv) the making of a domestic violence order against the licensee or the licensee's representative; or

(b) a change in the licensee's—

(i) reason or need for possessing or using a weapon; or

(ii) access to secure storage facilities for the licensee's weapon; or

(c) a change in the licensee's name or the licensee's representative's name; or

(d) a change in the place entered in the firearms register as the place where a firearm is generally kept if the licensee is the registered owner of the firearm; or

(e) if the licensee is a licensed dealer, a change in the licensee's associates; or

(f) the revocation of the licensee's permission to shoot on a landowner's rural land; or

(g) another event prescribed under a regulation.

(3) If advice of a change in the licensee's associates is given under subsection (2)(e), the advice must be given in the approved form and include—

(a) the full name, occupation and residential address of each of the licensee's associates; and

(b) details of the associate's relevant financial interest, relevant power or relevant position in the licensee's business.

(4) The officer in charge must advise an authorised officer of the change.

(5) The authorised officer must—

(a) if the change is to a particular on the licence and the authorised officer is satisfied of the correctness of the change—endorse the licence with the change; or

(b) otherwise—take the appropriate action in relation to the licence.

(6) In this section—

representative of a licensee means a person who is endorsed—

(a) on the licensee's licence as the licensee's representative; or

(b) on a permit to acquire issued to the licensee as the licensee's representative.

25 Authorised officer may amend licence conditions

(1) An authorised officer may amend the conditions of a licence—

(a) on the licensee's application; or

(b) on the authorised officer's own initiative.

(2) Before making an amendment under subsection (1)(b), the authorised officer must—

(a) give written notice to the licensee—

(i) of the details of the proposed amendment; and

(ii) that the licensee may make written submissions to the authorised officer about the proposed amendment before a stated day, not earlier than 21 days after the notice is given to the licensee; and

(b) have regard to submissions made to the authorised officer by the licensee before the stated day.

(3) If an authorised officer decides to amend the conditions of a licence, the authorised officer must give written notice of the amendment to the licensee.

(4) The amendment takes effect—

(a) on the day the written notice of the amendment is given to the licensee; or

(b) if a later day is stated in the notice—the stated day.

(5) An authorised officer may refuse to make an amendment under subsection (1)(a) by written notice given to the licensee stating the reasons for the refusal.

(6) In this section—

conditions of a licence means conditions decided by an authorised officer under section 15(4)(a).

25A Authorised officer may require information about licensed dealer's associates

(1) An authorised officer may, by written notice, require a licensed dealer to give a declaration to the authorised officer in the approved form—

(a) if the dealer did not previously have an associate and now has an associate or the dealer's associates have changed, advising the name and address of each associate of the dealer and details of the associate's relevant financial interest, relevant power or relevant position in the dealer's business; or

(b) if paragraph (a) does not apply, advising the associates of the dealer have not changed since the dealer—

(i) most recently applied for the dealer's licence or renewal of the licence; or

(ii) advised an officer, and delivered the licence to the officer, as required under section 24(1); or

(iii) gave a declaration under this section to the authorised officer.

(2) The licensed dealer must give the declaration as required under subsection (1) within 7 days after the written notice is given to the dealer, unless the dealer has a reasonable excuse.

Maximum penalty—100 penalty units.

(3) A licensed dealer who is required to give a declaration to an authorised officer under subsection (1) and gives a declaration under the subsection with information about—

(a) the dealer's associates; or

(b) details of the dealer's associates; or

(c) a change in the dealer's associates;

can not be prosecuted for a failure to disclose that information before the authorised officer made that requirement.

(4) It is not a reasonable excuse for subsection (2) that giving the declaration as mentioned in the subsection may incriminate the person for an offence for which the person can not be prosecuted under subsection (3).

26 Change of approved place

(1) This section applies to an approved place endorsed on a licence under section 16(1)(b)(iii).[7]

(2) On application by the licensee, an authorised officer may change the approved place to another place if the authorised officer is satisfied the other place fulfils the requirements of this Act.

(3) The authorised officer may endorse the licence with the change.

27 Surrender of licence

(1) A licensee may surrender the licence by—

(a) giving written notice of surrender; and

(b) surrendering the licence.

(2) The notice must be given and the licence surrendered to an authorised officer or officer in charge of police.

27A Suspension of licence and related matters after temporary protection order is made

(1) If a person is a licensee and is named as the respondent in a temporary protection order, the licence is suspended while the temporary protection order is in force.

(2) If a person is a body's representative and is named as the respondent in a temporary protection order—

(a) any authority the respondent has to possess a weapon because the respondent is the body's representative is ineffective while the temporary protection order is in force; and

(b) the body's licence is suspended 7 days after the licensee is given the temporary protection order unless, in that period, another individual is endorsed on the licence as the body's representative in substitution for the respondent.

7 Section 16 (Issue of licence)

(3) Subsections (1) and (2)(a) take effect—

(a) if the respondent is present in court when the temporary protection order is made—from the time of the order; and

(b) otherwise—when the respondent is given the temporary protection order.

(4) A suspension under subsection (2)(b) ends on the earlier of the following—

(a) when another individual is endorsed on the licence as the body's representative in substitution for the respondent;

(b) the temporary protection order is no longer in force.

(5) Subsections (1) and (2)(a) stop having effect when the temporary protection order is no longer in force.

(6) If the licensee of a licence suspended under subsection (1) or (2)(b) holds a permit to acquire, the permit is also suspended while the licence is suspended.

(7) Despite a suspension under this section, an authorised officer may suspend the licence under section 28.

27B Notice of intention to revoke because dealer's associate is not fit and proper

(1) This section applies if an authorised officer is satisfied that an associate of a licensed dealer is not a fit and proper person to be an associate of a licensed dealer.

(2) Before revoking the licensed dealer's licence, the authorised officer must give the dealer a notice stating that the authorised officer—

(a) is satisfied that a named associate of the dealer is not a fit and proper person to be an associate of a licensed dealer; and

(b) intends to give the dealer a revocation notice under section 29 unless the dealer discontinues the dealer's association with the associate within a stated reasonable time.

(3) In deciding what is a reasonable time, regard is to be had to the following—

(a) the extent of the associate's relevant financial interest in the dealer's business;

(b) any relevant power the associate may exercise in the dealer's business;

(c) any relevant position the associate holds in the dealer's business;

(d) the public interest.

28 Suspension of licence by giving suspension notice

(1) An authorised officer may, by a suspension notice given to a licensee, suspend the licence if the authorised officer—

(a) is satisfied that the licensee—

(i) has been charged with an offence against any law in force in Queensland or elsewhere—

(A) relating to the misuse of drugs; or

(B) involving the use or threatened use of violence; or

(C) involving the use, carriage, discharge or possession of a weapon; or

(ii) is temporarily unable to comply with a condition of the licence; or

(b) considers, on reasonable grounds, that the licensee may no longer be a fit and proper person to hold a licence.[8]

(2) The licence is suspended until—

(a) if subsection (1)(a)(i) applies—

(i) the proceeding for the charge ends; or

(ii) the suspension is lifted by an authorised officer; or

8 Section 10B (Fit and proper person—licensees) states matters for consideration.

(b) if subsection (1)(a)(ii) applies—the authorised officer is satisfied the licensee is able to comply with the condition and lifts the suspension; or

(c) if subsection (1)(b) applies—the earlier of the following days—

(i) the day the authorised officer is satisfied the person is a fit and proper person to hold a licence and lifts the suspension;

(ii) the day 30 days after the licence is suspended.

(3) If a licensee whose licence is suspended under this section holds a permit to acquire, the permit is also suspended.

(4) However, if the authorised officer is acting on the basis of criminal intelligence or other information of the kind mentioned in section 10B(1)(ca) or 10C(1), the authorised officer may suspend the licence because the licensee is not a fit and proper person only if the commissioner or deputy commissioner, acting personally, approves the licence be suspended on that basis.

28A Revocation or suspension of licence and related matters after protection order is made

(1) If a person is a licensee and is named as the respondent in a protection order, the licence is revoked.

(2) If a person is a body's representative and is named as the respondent in a protection order—

(a) any authority the respondent has to possess a weapon because the respondent is the body's representative is ineffective; and

(b) the body's licence is suspended 7 days after the day the licensee is given the protection order unless, in that period, another individual is endorsed on the licence as the body's representative in substitution for the respondent.

(3) Subsections (1) and (2)(a) take effect—

(a) if the respondent is present in court when the protection order is made—on the making of the order; or

(b) otherwise—when the respondent is given the protection order.

(4) A suspension under subsection (2)(b) ends on the earlier of the following—

(a) when another individual is endorsed on the licence as the body's representative in substitution for the respondent;

(b) the protection order is no longer in force.

(5) If the licensee of a licence revoked under subsection (1) or suspended under subsection (2)(b) holds a permit to acquire, the permit is revoked or suspended while the licence is revoked or suspended.

(6) Despite a suspension under subsection (2)(b), an authorised officer may suspend the licence under section 28.

29 Revocation of licence by giving revocation notice

(1) An authorised officer may, by a revocation notice given to a licensee, revoke the licensee's licence if the authorised officer is satisfied of any of the following things—

(a) the licence has been obtained through fraud or deception;

(b) the licensee has been convicted of an offence against any law in force in Queensland or elsewhere involving the use, carriage, discharge or possession of a weapon;

(c) the licensee has contravened a condition, participation condition or special condition of the licence;

(d) the licensee is no longer a fit and proper person to hold a licence;[9]

(e) the licensee no longer has a reason mentioned in section 11 to possess a weapon;

(f) for an armourer's licence, dealer's licence or theatrical ordnance supplier's licence—

9 Section 10B (Fit and proper person—licensees) states matters for consideration.

(i) the licensed armourer, licensed dealer or licensed theatrical ordnance supplier is not in charge of the premises stated in the licence; or

(ii) the premises stated in the licence are no longer satisfactory for carrying out the business;

(g) for a collector's licence—

(i) the licensed collector is no longer a genuine collector or is not in charge of the premises where the collector's weapons are usually kept; or

(ii) the premises where the collection is usually kept are no longer satisfactory for the safekeeping of weapons.

(2) Also, if a licensee reports or states to a police officer that a weapon or 1 or more weapons of which the licensee is the registered owner were lost or stolen, an authorised officer may, by a revocation notice given to the licensee, revoke the licensee's licence if—

(a) the licensee fails to satisfy the authorised officer that the licensee took reasonable precautions to prevent the loss or theft; or

(b) the authorised officer reasonably believes that the licensee has unlawfully disposed of the weapon.

(3) If the authorised officer is acting on the basis of criminal intelligence or other information of the kind mentioned in section 10B(1)(ca) or 10C(1), the authorised officer may revoke the licence because the person is not a fit and proper person only if the commissioner or deputy commissioner, acting personally, approves the licence be revoked on that basis.

(4) If a licensee whose licence is revoked under this section holds a permit to acquire, the permit is also revoked.

(5) This section does not prevent an authorised officer reinstating a licence that is revoked by the authorised officer because of a mistake of fact.

Examples for subsection (5)—

1 J was charged with an offence and although no conviction was recorded for the offence, police records indicated a conviction had been recorded.

2 A was required to be a member of a pistol club but the club failed to tell the commissioner that A had joined the club before the revocation happened.

(6) A licence reinstated under subsection (5) is taken not to have been revoked.

(7) The licence may be reinstated by—

(a) returning the licence; or

(b) issuing a fresh licence.

(8) The authorised officer must also ensure any entry made in the firearms register because of the revocation is corrected.

29A Action by court if respondent has access to weapons through employment

(1) This section applies if—

(a) a person is the respondent in a domestic violence order; and

(b) under section 27A or 28A, the respondent's licence is suspended or revoked, or the respondent is a representative of a body and the authority to possess a weapon as the body's representative is ineffective; and

(c) an authorised officer reasonably considers the respondent has access to a weapon as part of the respondent's employment.

(2) The authorised officer must—

(a) consider the circumstances of the employment; and

(b) consider the respondent's access to the weapon; and

(c) consider the employment arrangements and whether there is an effective individual within the employing entity to whom to give a copy of the domestic violence order to ensure the respondent does not possess a weapon as part of the respondent's employment; and

(d) if the authorised officer considers there is an effective individual within the employing entity—give a copy of the domestic violence order to the effective individual.

(3) The effective individual may disclose information about the order to another person within the employing entity to the extent necessary to ensure the respondent does not possess a weapon as part of the respondent's employment.

(4) However, the effective individual must not disclose information about the order to anyone else, other than as permitted under subsection (3) or expressly permitted by a court or magistrate under the *Domestic and Family Violence Protection Act 1989*, section 82.[10]

Maximum penalty—40 penalty units or 1 year's imprisonment.

(5) In this section—

effective individual within the employing entity, relating to a respondent, means any 1 of the following who is in a position to ensure the respondent does not possess weapons as part of the respondent's employment—

(a) the employer if the employer is an individual;

(b) another partner in a partnership in which the respondent is a partner;

(c) an individual within the entity that employs the respondent.

employment, of a respondent, includes employment by a partnership in which the respondent is a partner.

29B Arrangements for surrender of suspended or revoked licences and weapons

(1) This section applies to a person whose licence is suspended under section 27A or revoked under section 28A, because a court makes a domestic violence order naming the person as the respondent.

10 *Domestic and Family Violence Protection Act 1989,* section 82 (Restriction on publication of proceedings)

(2) If the respondent is present in court when the court makes the domestic violence order and the respondent has a weapons licence or a weapon, the following applies to the respondent—

(a) the respondent must—

(i) for a respondent who brought the licence to court—immediately give the licence to a police officer; or

(ii) for a respondent who did not bring the licence to court—immediately arrange with a police officer to give the licence to a police officer no later than 1 day after the day the court makes its order;

(b) the respondent must immediately arrange with a police officer to give to a police officer any weapon the respondent possesses, or to otherwise surrender the weapon, as soon as practicable, but no later than 1 day after the day the court makes its order.

Maximum penalty—10 penalty units.

(3) Subject to subsection (4), if a respondent is not present in court when the court makes the domestic violence order, as soon as practicable after the respondent is given a copy of the order, but no later than 1 day after the day the respondent is given the copy, the respondent must—

(a) give any weapons licence of the respondent to a police officer; and

(b) give any weapon the respondent possesses to a police officer or otherwise surrender the weapon.

Maximum penalty—10 penalty units.

(4) If a police officer personally serves the order on the respondent at the respondent's place of residence, the respondent must immediately give the weapons licence and any weapon in the respondent's possession to the police officer unless the respondent has a reasonable excuse for not doing so.

Maximum penalty—10 penalty units.

(5) Also, a respondent must immediately give the weapons licence or any weapon in the respondent's possession to a police officer (the ***surrender officer***) if—

(a) a police officer made arrangements under subsection (2) with the respondent about the weapons licence or any weapon in the respondent's possession; and

(b) the surrender officer believes the respondent has not complied with the arrangements; and

(c) the surrender officer asks the respondent to give the officer the weapons licence or any weapon in the respondent's possession.

Maximum penalty—10 penalty units.

(6) If a weapon is given to a police officer under this section and, within 3 months of the weapon being given to the police officer, the respondent wants to otherwise surrender it, the respondent may make arrangements with a police officer for a licensed dealer or licensed armourer, in company with the respondent, to collect the weapon.

(7) The *Police Powers and Responsibilities Act 2000* also provides for the role of police officers, and for offences by respondents, after a domestic violence order is made.

(8) In this section—

approved receipt means a receipt in a form that is an approved form under section 71(3).[11]

otherwise surrender, for a weapon, means the respondent deals with the weapon in the following way—

(a) the respondent consigns the weapon to a licensed dealer or licensed armourer—

(i) for sale; or

(ii) for storage for a period that does not end before the period of the domestic violence order;

(b) the respondent obtains a copy of the approved receipt for the weapon's consignment from the licensed dealer or licensed armourer and, if the weapon is consigned for

11 Section 71 (Licensed dealers and armourers to keep register)

storage, the receipt states the respondent acknowledges the cost of the storage is the responsibility of the respondent;

(c) the respondent gives the copy of the receipt to a police officer—

(i) immediately; or

(ii) within the time allowed under this section for giving the weapon to a police officer.

30 Suspension or revocation notice

(1) A suspension or revocation notice must—

(a) be in the approved form; and

(b) state the specific reasons for the suspension or revocation of the licence; and

(c) direct the licensee to surrender—

(i) the licence and any relevant permit to acquire to a stated police officer at a stated reasonable time and place; and

(ii) the weapon held by the licensee under the licence in a way prescribed under subsection (4) or (5) at, or by, a stated reasonable time.

(1A) If a reason an authorised officer suspends or revokes a licence is criminal intelligence or other information that is not publicly available, it is enough that the notice states the specific reason as 'confidential information'.

(2) A suspension or revocation notice may have effect immediately only if it, or a copy of it, is given personally to the licensee or a person endorsed on the licence as representing the licensee.

(3) A person who is given a suspension or revocation notice must comply with the directions in the notice.

Maximum penalty—20 penalty units or 6 months imprisonment.

(4) A weapon to be surrendered under a suspension or revocation notice may be surrendered by delivering it to any police officer.

(5) A weapon may also be surrendered by—

(a) delivering it to a licensed dealer or other person authorised under this Act to possess the weapon; and

(b) obtaining from the person to whom the weapon is delivered a receipt in the approved form for the weapon; and

(c) giving the receipt, within the time stated in the notice for the surrender of the weapon, to the police officer mentioned in subsection (1)(c)(i).

(6) An authorised officer may extend the time for compliance with a suspension or revocation notice (the ***compliance time***) if the person to whom the notice is given applies to the authorised officer for an extension before the end of the compliance time.

31 Licensee's representative

(1) This section applies to—

(a) a licensee who holds a licence to enable the licensee to carry on business; and

(b) an applicant for a licence to enable the applicant to carry on business.

(2) The licensee or applicant may apply for the licence to be endorsed with the name of a fit and proper individual as the licensee's or applicant's representative in the conduct of its business or affairs at the place stated in the application.

(3) A licensee may apply for the licence to be endorsed with the name of a fit and proper individual instead of another person already endorsed as the licensee's representative under this or another section.

(4) An application under subsection (2) or (3) must be made in the approved form in the way prescribed under a regulation.

(5) In this section—

fit and proper individual means an individual who, if the person applied for a licence, would be a fit and proper person under section 10B.

32 Temporary recognition of interstate licences for particular purposes

(1) This section applies if a person who holds a licence, permit or authority issued under the law of another State entitling the person to possession of a weapon visits Queensland—

(a) to participate in a shooting competition conducted by an approved shooting club or approved by the commissioner; or

(b) for another purpose specified under a regulation for this section.

(2) The person's licence is taken to authorise possession and use of the weapon in accordance with this Act—

(a) for the purpose of participating in the competition; or

(b) for the other purpose specified under the regulation—if the person complies with any conditions specified in the regulation for the purpose.

33 Interstate residents moving to Queensland

(1) This section applies if a resident of another State who is the holder of a licence under the law of the other State authorising possession of a category A, B, C, D or H weapon or a category M crossbow gives written notice to the commissioner of the person's intention to reside permanently in Queensland.

(2) The person's licence is taken to be the corresponding licence under this Act in force for the period mentioned in subsection (3) or until the day the person's application for a licence under this Act is approved or rejected, whichever is the earlier.

(3) The period is—

(a) for a licence authorising possession of a category A or B weapon or a category M crossbow—3 months; and

(b) for a licence authorising possession of a category C, D or H weapon—7 days.

(4) The period mentioned in subsection (3) starts on the day the person notifies the commissioner of the person's intention to reside permanently in Queensland.

(5) If the holder of a licence authorising possession of a category C, D or H weapon notifies the commissioner and makes application for a licence under this Act within the time allowed under subsection (3)(b), the person does not contravene section 50[12] while the person's application is being decided merely because the 7 day period has passed.

(6) In this section—

corresponding licence, to a licence held under the law of another State, means—

(a) a licence under this Act declared under a regulation to be a corresponding licence; or

(b) if no regulation is made under paragraph (a) or the regulation makes insufficient provision—a licence under this Act that most closely corresponds to the other licence.

34 Contravention of licence condition

(1) A licensee must not contravene a condition of the licence.

Maximum penalty—60 penalty units or 1 year's imprisonment.

(2) The penalty under subsection (1) may be imposed in addition to revocation of a licence or seizure of a weapon because of the contravention.

34AA Effect of an appeal against a domestic violence order

(1) This section applies if a domestic violence order is made naming a person as the respondent and—

12 Section 50 (Possession of weapons)

(a) the person appeals against the order to the District Court under the *Domestic and Family Violence Protection Act 1989*, section 63(1) and the court, under the *Domestic and Family Violence Protection Act 1989,* section 66 discharges the domestic violence order; or

(b) the person appeals against the order to the Court of Appeal under the *Domestic and Family Violence Protection Act 1989*, section 63(2) and the court discharges the domestic violence order.

(2) For this Act, the domestic violence order is taken not to have been made.

Part 3 Acquisition, sale and disposal of weapons

Division 1 Preliminary

34A Definitions for pt 3

In this part—

firearm does not include a barrel, breechbolt or top slide of a firearm.

weapon does not include a barrel, breechbolt or top slide of a firearm.

Division 2 Acquisition, sale and disposal of weapons

35 Acquisition of weapons

(1) A person may acquire a weapon only if—

(a) the person is a licensed dealer; or

(b) the person is the holder of a permit to acquire the weapon and acquires the weapon—

(i) from or through a licensed dealer; or

(ii) through a police officer in circumstances prescribed under a regulation; or

(c) the person acquires the weapon under other lawful authority, justification or excuse.

Maximum penalty—

(a) for a category D, H or R weapon—100 penalty units or 2 years imprisonment; and

(b) for a category C or E weapon—60 penalty units or 1 year's imprisonment; and

(c) for a category A, B or M weapon—20 penalty units or 6 months imprisonment.

Example 1—

J wishes to sell J's weapon to S. S holds an appropriate licence and a permit to acquire the weapon. J and S agree on the sale price, but the sale may only be completed through a licensed dealer who must provide certain information about the acquisition to an authorised officer under subsection (2) and is entitled to a brokerage fee under subsection (3).

Example 2—

J wishes to give J's weapon to S. S holds an appropriate licence and a permit to acquire the weapon. The gift of the weapon may only be made through a licensed dealer who must provide certain information about the acquisition to an authorised officer under subsection (2) and is entitled to a brokerage fee under subsection (3).

Example 3—

J sells J's weapon to G, a licensed dealer. G later sells the weapon to S who holds an appropriate licence and a permit to acquire the weapon. G must still provide certain information about the acquisition to an authorised officer under subsection (2), but in this case is not entitled to a brokerage fee.

Example 4—

J pays a deposit on a firearm J is buying from G, a licensed dealer. J has applied for a permit to acquire, but the application has not been finally decided. If J takes possession of the firearm before the permit to acquire is issued, J acquires the weapon and commits an offence against subsection (1).

(2) If the weapon is acquired from a licensed dealer or the acquisition happens through a licensed dealer or police officer—

(a) the acquirer must give the dealer or police officer a copy of the permit to acquire; and

(b) the dealer must give to an authorised officer the copy of the permit to acquire and the information prescribed under a regulation within the time and in the way prescribed under the regulation.

Maximum penalty—20 penalty units or 6 months imprisonment.

(3) If the acquisition happens through a licensed dealer, the dealer is entitled to a brokerage fee from the acquirer in the amount prescribed under a regulation.

(4) The dealer is not entitled to any other payment for brokering the acquisition.

(5) If the acquisition happens under other lawful authority, justification or excuse, the acquirer must, unless the acquirer has a reasonable excuse, take immediate action—

(a) to comply with this Act; or

(b) to surrender the weapon under section 30(4) or (5).

Maximum penalty for subsection (5)—20 penalty units or 6 months imprisonment.

(6) This section does not apply to the acquisition of a weapon, if the acquisition consists only of a person taking possession of the weapon—

(a) to repair it; or

(b) to store it, if the person is an armourer storing it for someone else; or

(c) on a temporary basis for not more than 3 months without giving consideration for the acquisition or for the weapon; or

(d) in performing duties as a security guard under a security licence (guard); or

(e) under section 52, 53, 54(2), 55 or 55A.[13]

(7) In this section—

acquire, a weapon, means purchase, accept or receive or otherwise take possession of the weapon.

36 Sale or disposal of weapons

(1) A person must not sell or otherwise dispose of a weapon unless—

(a) the person sells or otherwise disposes of the weapon to a licensed dealer; or

(b) the person sells or otherwise disposes of the weapon to another person who is the holder of a permit to acquire the weapon and the sale or disposal happens—

(i) through a licensed dealer; or

(ii) through a police officer in circumstances prescribed under a regulation; or

(c) the person sells or otherwise disposes of the weapon under other lawful authority, justification or excuse.

Maximum penalty—

(a) for a category D, H or R weapon—100 penalty units or 2 years imprisonment; and

(b) for a category C or E weapon—60 penalty units or 1 year's imprisonment; and

(c) for a category A or B weapon or a category M crossbow—20 penalty units or 6 months imprisonment.

(2) If the sale or disposal happens under subsection (1)(c), the person must give to an authorised officer the information prescribed under a regulation in the way and within the time prescribed under the regulation.

13 Section 52 (Physical possession and use of weapon sometimes allowed for the purpose of training a minor), 53 (An unlicensed person may use a weapon at an approved range), 54 (Possession or use of weapon by unlicensed person in primary production sometimes allowed), 55 (Use of weapons by particular unlicensed persons at shooting gallery allowed), or 55A (Possession of weapons supplied by theatrical ordnance supplier)

Maximum penalty—60 penalty units or 1 year's imprisonment.

(3) This section does not apply to the disposal of a weapon to a person, if the disposal consists only of a disposal—

(a) for repair; or

(b) to an armourer for storage by the armourer; or

(c) on a temporary basis for not more than 3 months without receiving consideration for the disposal or for the weapon; or

(d) to a person performing duties as a security guard under a security licence (guard); or

(e) authorised under section 52, 53, 54(2), 55 or 55A.[14]

37 Advertising sale of firearms

If a person advertises the sale of the person's firearm, the person must state in the advertisement the firearm's serial number.

Maximum penalty—10 penalty units.

Division 3 Permits to acquire

38 Issue etc. of permits to acquire

(1) A person, other than an authorised officer, must not issue, endorse or alter a permit to acquire.

Maximum penalty—100 penalty units or 2 years imprisonment.

(2) In this section—

14 Section 52 (Physical possession and use of weapon sometimes allowed for the purpose of training a minor), 53 (An unlicensed person may use a weapon at an approved range), 54 (Possession or use of weapon by unlicensed person in primary production sometimes allowed), 55 (Use of weapons by particular unlicensed persons at shooting gallery allowed), or 55A (Possession of weapons supplied by theatrical ordnance supplier)

issue, endorse or alter a permit to acquire includes purporting to issue, endorse or alter a permit to acquire.

39 Limitations on issue of permits to acquire

(1) A permit to acquire a weapon may be issued only to—

(a) an individual under subsection (2); or

(b) a body under subsection (3).

(2) A permit to acquire a weapon may be issued to an individual only if—

(a) the person is authorised to possess the weapon or category of weapon under a licence; and

(b) the person is an adult; and

(c) for a category B, C, D, H or M weapon—the person has a need to possess the weapon; and

(d) if the weapon is an heirloom firearm—the person is the owner of the firearm because of a testamentary disposition or the laws of succession; and

(e) if the person intends to possess the weapon under the authority of a collector's licence (weapons) and the weapon is a temporarily inoperable modern handgun—

(i) the person satisfies an authorised officer that the person has a prolonged and genuine interest in the study, preservation or collection of firearms; and

(ii) the person is a member of an approved historical society.

Note—

See section 131 (Limitation on number of concealable firearms particular licensees may acquire) for limitations on the number of category H weapons an individual who is the holder of a concealable firearms licence can possess during the first year after the holder is first licensed.

(3) A permit to acquire a weapon may be issued to a body, whether incorporated or unincorporated—

(a) for a permit to acquire to be issued to an approved shooting club—only if it is endorsed with the name of

an individual member of the club's governing body, who satisfies the requirements of subsection (2)(a) to (c), as the club's representative in the conduct of its business or affairs; and

(b) for a permit to acquire to be issued to another body—only if—

(i) the body has a need to possess the weapon for which the permit to acquire is sought; and

(ii) it is endorsed with the name of an individual, who satisfies the requirements of subsection (2)(a) to (c), as the body's representative in the conduct of its business or affairs.

(4) A permit to acquire must—

(a) be issued in the approved form for a single weapon; and

(b) state the name of the person from whom the weapon is to be acquired.

40 Application for permit to acquire

(1) An application for a permit to acquire must be—

(a) made in the approved form; and

(b) made personally, in the way prescribed under a regulation, by—

(i) if the permit is for an individual—the person; or

(ii) if the permit is for a body, whether incorporated or unincorporated—the individual endorsed on the body's licence as the body's representative; and

(c) accompanied by—

(i) any fee that may be prescribed under a regulation; and

(ii) proof of identity to the satisfaction of an authorised officer; and

(iii) other particulars prescribed under a regulation; and

(iv) the other relevant particulars the person to whom the application is made reasonably requires.

(2) If the application is for a permit to acquire a category B, C, D or H weapon, the applicant must state why the applicant needs the weapon and why the need can not be satisfied in another way.

(3) If the application is for a permit to acquire an heirloom firearm, the application must also be accompanied by proof, to the satisfaction of an authorised officer, that the applicant is the owner of the firearm because of a testamentary disposition or the laws of succession.

(4) If the application is for a permit to acquire a temporarily inoperable modern handgun that the applicant intends to possess under the authority of a collector's licence (weapons), the application must include a declaration signed by an approved historical society's representative stating that the representative is satisfied that the weapon is of obvious and significant commemorative, historic, thematic or investment value.

41 Inquiries into application

(1) Before the application is decided, an officer in charge of police or authorised officer with whom an application for a permit to acquire is lodged may—

(a) make an inquiry or investigation about the applicant or the application; and

(b) require the applicant to give the officer further information the officer reasonably needs to be satisfied about the applicant's identity or physical or mental health including—

(i) in relation to the applicant's physical health—a report from a doctor about the applicant's physical health; and

(ii) in relation to the applicant's mental health—a report from a doctor or psychologist about the applicant's mental health; and

(c) inspect the secure storage facilities for the weapon for which the permit to acquire is to be issued; and

(d) supply, for this section, information or a document relevant to the applicant's identity to an officer or member of a State or Commonwealth police service; and

(e) make a report about the applicant or the application; and

(f) make the recommendation about the application the officer thinks appropriate.

(2) If the authorised officer suspects, on reasonable grounds, that the applicant's stated identity is false, the authorised officer may require the applicant to provide an identifying particular to verify the applicant's identity.

(3) The applicant is taken to have withdrawn the application if, within a stated reasonable time, the applicant—

(a) refuses to provide the information reasonably required under subsection (1)(b); or

(b) refuses to allow the inspection under subsection (1)(c); or

(c) fails to comply with a requirement under subsection (2).

(4) If information about the applicant's mental health given under subsection (1)(b) is provided in a doctor's or psychologist's report, an authorised officer may—

(a) make information in the officer's possession available to the doctor or psychologist; and

(b) ask the doctor or psychologist to provide a further report.

(5) The authorised officer may make the information available only if the officer considers, on reasonable grounds—

(a) the doctor or psychologist was not aware of the information; and

(b) the information may influence the doctor's or psychologist's opinion about the applicant's mental health.

(6) The authorised officer must also advise the applicant of the information being supplied to the doctor or psychologist.

(7) The authorised officer may make the information available under subsection (4) despite the provisions of any other Act.

(8) Unless the authorised officer considers that it is currently required for the investigation of an offence, the authorised officer must, after deciding the application—

(a) return to the applicant any identifying particular obtained in the course of inquiries into the application; and

(b) destroy any record or copy of the identifying particular.

(9) Information required to be supplied under this section may be used only to decide the application or to investigate or prosecute an offence and must not be disclosed for any other purpose.

(10) For this section—

applicant includes, for a body, the individual endorsed on the body's licence as the body's representative.

42 Authorised officer decides application

(1) An authorised officer must decide an application for a permit to acquire a weapon as soon as practicable after the end of any period that may be prescribed for this section under a regulation.

(2) In deciding the application, the authorised officer may consider anything at the officer's disposal.

(3) The authorised officer must consider the following things when deciding whether the applicant has a need to possess the weapon—

(a) whether the applicant's requirements can be adequately met in a way not involving the use of a weapon or by using a weapon of another category or type;

(b) whether the applicant possesses other weapons, and in particular other weapons of that category or type;

(c) another thing prescribed under a regulation.

(4) To remove any doubt, a collector may have a need for a particular weapon even though the collector already possesses a weapon of the same category or type.

(5) The authorised officer must—

(a) approve the application and issue the permit to acquire subject to any conditions the authorised officer may decide; or

(b) reject the application.

43 Issue of permit to acquire

A permit to acquire must be issued in the approved form.

44 Notice of rejection of application for permit to acquire

(1) If an authorised officer rejects an application for a permit to acquire, the authorised officer must give the applicant a notice of rejection in the approved form stating the specific reasons for the rejection.

(2) The notice may be given to the applicant by sending it to the applicant by security post at the address shown on the application.

45 Term of permit to acquire

(1) A permit to acquire remains in force for the term, not more than 3 months, stated on the permit.

(2) A permit to acquire stops being in force if—

(a) it is suspended, cancelled, revoked or surrendered; or

(b) the holder of the permit dies.

46 Reporting loss, destruction or theft of permit to acquire

A licensee must report the loss, destruction or theft of a permit to acquire to an officer in charge of police immediately after the licensee becomes aware of the loss, destruction or theft.

Maximum penalty—10 penalty units.

47 Replacement permit to acquire

(1) This section applies if an authorised officer is satisfied—

(a) a permit to acquire is lost, destroyed or stolen; or

(b) any writing or endorsement on a permit to acquire is illegible and the permit to acquire is surrendered to an officer in charge of police.

(2) The authorised officer may issue to the licensee a replacement permit to acquire instead of the permit to acquire on—

(a) application by the licensee in the approved form; and

(b) payment of the fee prescribed under a regulation.

48 Surrender of permit to acquire

(1) A licensee may surrender a permit to acquire by—

(a) giving written notice of surrender; and

(b) surrendering the permit to acquire.

(2) The notice must be given and the permit to acquire surrendered to an authorised officer or officer in charge of police.

Division 4 Firearms register

49 Commissioner to maintain firearms register

(1) The commissioner must establish and maintain a record (the ***firearms register***) of all firearms in Queensland.

(2) The following information for each firearm must be entered in the firearms register—

(a) the name and address of the firearm's owner and details of the documents relied on to establish the owner's identity and address;

(b) for a firearm other than a category M crossbow—the type, make, calibre, action, magazine capacity and any serial number of the firearm;

(c) details of the licence authorising possession of the firearm;

(d) for firearms acquired after the commencement of the *Weapons Amendment Act 1996*—

(i) details of any permit to acquire authorising acquisition of the firearm; and

(ii) the name and address of the person from whom the firearm was acquired and the date it was acquired;

(e) the place where the firearm is generally kept;

(f) the reason given for possession of the firearm and, if appropriate, the reason why the particular firearm was needed;

(g) for a category M crossbow—the identifying serial number of the crossbow;

(h) other information prescribed under a regulation.

(3) Also, the following information for each antique handgun must be entered in the firearms register—

(a) the name and address of the handgun's owner and details of the documents relied on to establish the owner's identity and address;

(b) the type, make, calibre, action, magazine capacity and any serial number of the firearm;

(c) the place where the firearm is generally kept;

(d) other information prescribed under a regulation.

(4) The commissioner may make information in the register available to another entity, within or outside the State, only if the commissioner is satisfied to do so would assist in achieving the object of this Act.

(5) A regulation may limit the information the commissioner may make available under subsection (4).

(6) In this section—

firearm includes—

(a) a category H weapon that is permanently inoperable; and

(b) a category M crossbow.

owner, of a firearm, includes a person who has lawfully acquired the firearm under a permit to acquire.

Part 4 Possession and use of weapons

Division 1 General

49A Authority given by licence

(1) A licence authorises a licensee to possess and use a weapon or category of weapon endorsed on the licence for any lawful purpose.

(2) However, the authority to possess or use a weapon, or a category of weapon, under a licence is subject to a regulation, condition or participation condition, whether imposed by an authorised officer or prescribed under a regulation.

(3) If a condition is prescribed under a regulation for a category of weapon—

(a) the condition applies to all weapons of the category, whether licensed before or after the day the condition has effect; and

(b) the licence is taken to have been amended to include the condition.

(4) If use of a firearm is authorised under another Act, a licensee does not contravene this Act only because the licensee uses the firearm in the way authorised under the other Act.

50 Possession of weapons

A person must not unlawfully possess a weapon.

Maximum penalty—

(a) if the person unlawfully possesses 10 or more weapons at least 5 of which are category D, E, H or R weapons—13 years imprisonment; or

(b) if paragraph (a) does not apply and the person unlawfully possesses 10 or more weapons—500 penalty units or 10 years imprisonment; or

(c) if paragraphs (a) and (b) do not apply—

(i) for a category D, H or R weapon—300 penalty units or 7 years imprisonment; or

(ii) for a category C or E weapon—200 penalty units or 4 years imprisonment; or

(iii) for a category A, B or M weapon—100 penalty units or 2 years imprisonment.

50A Possession of unregistered firearms

(1) A licensee must not possess an unregistered firearm.

Maximum penalty—60 penalty units.

(2) A licensed dealer or licensed armourer does not contravene subsection (1) if the unregistered firearm is entered in the dealer's or armourer's weapons register under section 71.[15]

(3) In this section—

firearm does not include a barrel, breechbolt or top slide of a firearm.

unregistered firearm means a firearm for which information is not entered in the firearms register.

50B Unlawful supply of weapons

(1) A person must not unlawfully supply a weapon to another person.

Maximum penalty—

15 Section 71 (Licensed dealers and armourers to keep register)

(a) if the person unlawfully supplies 5 or more weapons at least 1 of which is a category D, E, H or R weapon—13 years imprisonment; or

(b) if paragraph (a) does not apply and the person unlawfully supplies 5 or more weapons—500 penalty units or 10 years imprisonment; or

(c) if paragraphs (a) and (b) do not apply—

(i) for a category D, H or R weapon—500 penalty units or 10 years imprisonment; or

(ii) for a category C or E weapon—300 penalty units or 7 years imprisonment; or

(iii) for a category A, B, or M weapon—200 penalty units or 4 years imprisonment.

(2) A person does not contravene subsection (1) if the person to whom the weapon is supplied—

(a) is authorised under a licence to possess weapons of the same category as the weapon supplied; or

(b) is authorised to possess the weapon under section 52, 53, 54(2), 55, 55A, 70 or 116.[16]

Note—

If subsection (1) does not apply because subsection (2)(a) applies, the person disposing of the weapon may contravene section 36 (Sale or disposal of weapons).

51 Possession of a knife in a public place or a school

(1) A person must not physically possess a knife in a public place or a school, unless the person has a reasonable excuse.

Maximum penalty—20 penalty units or 6 months imprisonment.

16 Section 52 (Physical possession and use of weapon sometimes allowed for the purpose of training a minor), 53 (An unlicensed person may use a weapon at an approved range), 54 (Possession or use of weapon by unlicensed person in primary production sometimes allowed), 55 (Use of weapons by particular unlicensed persons at shooting gallery allowed), 55A (Possession of weapons supplied by theatrical ordnance supplier), 70 (Employees of dealers and armourers) or 116 (Employees of theatrical ordnance suppliers)

(2) It is a reasonable excuse for subsection (1) to physically possess a knife—

(a) to perform a lawful activity, duty or employment; or

(b) to participate in a lawful entertainment, recreation or sport; or

(c) for exhibiting the knife; or

(d) for use for a lawful purpose.

Example for subsection (2)(a)—

1 A person may carry a knife on his or her belt for performing work in primary production.

Examples for subsection (2)(b)—

1 A scout may carry a knife on his or her belt as part of the scout uniform.

2 A person may carry a knife as an accessory while playing in a pipe band.

3 A fisher may carry a knife for use while fishing.

Example for subsection (2)(c)—

1 A person who collects knives may exhibit them at a fete or another public gathering.

Examples for subsection (2)(d)—

1 A person may use a knife to prepare or cut food at a restaurant in a public place or when having a picnic in a park.

2 A person may carry a pen knife or swiss army knife for use for its normal utility purposes.

(3) However, it is not a reasonable excuse to physically possess a knife in a public place or a school for self-defence purposes.

(4) In deciding what is a reasonable excuse for subsection (1), regard may be had, among other things, to whether the way the knife is held in possession, or when and where it is held in possession, would cause a reasonable person concern that he or she, or someone else in the vicinity, may be threatened or harmed.

(5) In this section—

knife includes a thing with a sharpened point or blade that is reasonably capable of—

(a) being held in 1 or both hands; and

(b) being used to wound or threaten to wound anyone when held in 1 or both hands.

school means any part of the premises of—

(a) a State educational institution under the *Education (General Provisions) Act 1989*; or

(b) a non-State school under the *Education (Accreditation of Non-State Schools) Act 2001*.

52 Physical possession and use of weapon sometimes allowed for the purpose of training a minor

(1) A minor who is at least 11 years may have physical possession of and use a category A or B weapon or a category M crossbow in a place where it is lawful to physically possess and use a category A or B weapon or a category M crossbow if—

(a) the minor is under the direct and immediate supervision of a parent, guardian or another person who is acting in the place of a parent or guardian; and

(b) the parent, guardian or other person is licensed to possess the weapon.

(2) A minor who is at least 11 years may have physical possession of and use a category A or B weapon or a category M crossbow at an approved range for category A or B weapons or category M crossbows if the minor is supervised—

(a) directly and immediately by a range officer; or

(b) as prescribed by regulation.

53 An unlicensed person may use a weapon at an approved range

(1) This section applies to a person—

(a) who is not a licensee; or

(b) who is a licensee but is not authorised to possess the weapon the person proposes to physically possess and use under this section.

(2) The person may physically possess and use a weapon at an approved range for the category of weapon if, immediately before possessing and using the weapon, the person—

(a) produces for the inspection of a range officer at the range photographic identification identifying the person; and

(b) completes and signs an approved form stating the following and gives the form to the range officer—

(i) the person's name, residential address and date of birth;

(ii) that the person is a licensee or is not an excluded person;

(iii) the date and time the declaration is completed.

Examples of photographic identification—

Weapons licence

Driver licence.

(3) Before allowing the person to physically possess and use a weapon at the approved range, the range officer must sign the approved form declaring that the range officer—

(a) inspected the person's photographic identification; and

(b) if the person states in the approved form that the person is a licensee, inspected the person's licence; and

(c) was satisfied—

(i) the person signing the approved form appeared to be the person shown in the photographic identification; and

(ii) after inspecting the completed approved form—

(A) that information in the completed approved form agreed with information shown on the photographic identification; and

(B) that the person is a licensee or, on the information contained in the approved form, is not an excluded person.

Maximum penalty—20 penalty units.

(4) It is a condition of the approved shooting club's shooting club permit that the club must keep the approved form for 3 years after the approved form is signed.

(5) The range officer must ensure the person is supervised by the range officer or another range officer at all times when the person is in physical possession of the weapon.

Maximum penalty—20 penalty units.

(6) For subsection (5), if the person is in physical possession of a category H weapon, the supervision of the person by a range officer must be direct, personal and exclusive supervision by the range officer at all times when that person is in physical possession of the weapon.

(7) In this section—

excluded person means a person—

(a) who has been convicted in Queensland or elsewhere of—

(i) murder or manslaughter; or

(ii) armed robbery; or

(iii) unlawful wounding; or

(iv) grievous bodily harm; or

(v) an offence involving drugs, weapons or violence prescribed under a regulation that is punishable by at least 7 years imprisonment; or

(b) who, in the 5 year period immediately before the day the person signs the approved form under this section, has been convicted of, or discharged from custody on sentence after the person has been convicted of, any of the following offences—

(i) an offence relating to the misuse of drugs;

(ii) an offence involving the use or threatened use of violence;

(iii) an offence involving the use, carriage, discharge or possession of a weapon; or

(c) who, in the 5 year period immediately before the day the person signs the approved form under this section, has

been subject to a domestic violence order, other than a temporary protection order; or

(d) who is subject to a temporary protection order; or

(e) who is prevented by another order of a Queensland court or another court outside Queensland from holding a licence or possessing a weapon unless the order permits the person to possess or use a weapon under supervision; or

(f) who, in the 5 year period immediately before the day the person signs the approved form under this section, has been subject to an involuntary assessment order under the *Mental Health Act 2000* or a similar order under the *Mental Health Act 1974*, or a similar order in another State; or

(g) who has been refused a licence, or whose licence has been revoked, in the 5 year period immediately before the day the person signs the approved form under this section because the person is not, or is no longer, a fit and proper person to hold a licence; or

(h) whose licence is suspended.

54 Possession or use of weapon by unlicensed person in primary production sometimes allowed

(1) In this section—

primary producer means a person who—

(a) has a licence; and

(b) usually carries out primary production on land (the ***primary producer's land***), even if only as an agent or employee of another person.

weapon means a weapon that a primary producer possesses under the authority of a licence.

(2) A person who is an agent, employee or member of the immediate family of the primary producer may possess or use a weapon on the primary producer's land, even if the person does not hold a licence for that category of weapon, if the person—

(a) assists the primary producer with primary production on the land; and

(b) is eligible to obtain a licence to possess a weapon; and

(c) only uses the weapon with the express consent of the primary producer; and

(d) only uses the weapon in connection with carrying out primary production on the land.

55 Use of weapons by particular unlicensed persons at shooting gallery allowed

(1) A person (***customer***) using a shooting gallery may physically possess and use a weapon allowed under the conditions of approval of the shooting gallery, even if the person is not the holder of a licence for the category of weapon.

(2) However, a person conducting a shooting gallery must not allow the customer to physically possess and use the weapon unless the customer—

(a) for a shooting gallery being used for paint-pellet sports—is at least 15 years; or

(b) for a shooting gallery not being used for paint-pellet sports—is at least 11 years.

Maximum penalty for subsection (2)—20 penalty units.

55A Possession of weapons supplied by theatrical ordnance supplier

A person may have physical possession of and use a weapon supplied to the person by a theatrical ordnance supplier under section 118[17] for use in a theatrical, film or television production if the use is personally supervised by the supplier.

56 Discharge of weapon on private land without owner's consent prohibited

(1) In this section—

17 Section 118 (Weapons may be supplied for theatre, film and television productions)

owner of private land includes the occupier of the land.

private land means land that is not a public place.

weapon includes an antique firearm, spear gun, longbow and slingshot.

(2) A person must not, without reasonable excuse, discharge a weapon on or across private land without the express consent of the owner.

Maximum penalty—20 penalty units or 3 months imprisonment.

(3) A person must not carry a weapon on private land without the express consent of the owner unless—

(a) the person has a reasonable excuse; or

(b) the weapon is unloaded, broken or for another reason can not be readily discharged.

Maximum penalty—20 penalty units.

57 Particular conduct involving a weapon in a public place prohibited

(1) In this section—

weapon includes—

(a) an antique firearm, spear gun, longbow or sword; and

(b) a replica of a weapon; and

(c) a replica of a thing mentioned in paragraph (a); and

(d) a slingshot or shanghai.

(2) A person must not, without reasonable excuse, carry a weapon exposed to view in a public place.

Maximum penalty—20 penalty units or 3 months imprisonment.

(3) A person must not, without reasonable excuse, carry in a public place a loaded firearm or a weapon capable of being discharged.

Maximum penalty—60 penalty units or 1 year's imprisonment.

(4) A person must not, without reasonable excuse, discharge a weapon in, into, towards, over or through a public place.

Maximum penalty—100 penalty units or 2 years imprisonment.

(5) It is a reasonable excuse for subsection (2) to carry a sword exposed to view in a public place—

(a) to perform a lawful activity, duty or employment; or

(b) to participate in a lawful entertainment, recreation or sport; or

(c) to exhibit the sword; or

(d) for use for a lawful purpose.

Example for paragraph (a)—

A person may carry a sword for ceremonial purposes at an official function attended by the Governor.

Example for paragraph (b)—

A person may carry a sword as an accessory while playing in a pipe band.

Example for paragraph (c)—

A person who collects swords may exhibit them at a fete or another public gathering.

Example for paragraph (d)—

A person may carry a sword as part of an official uniform the person is entitled to wear.

(6) It is not a reasonable excuse for subsection (2) or (3) to carry a weapon in a public place for self-defence purposes.

(7) In deciding what is a reasonable excuse for subsection (2) or (3), regard may be had, among other things, to whether the way the weapon is carried, or when and where it is carried, would cause a reasonable person concern that he or she, or someone else in the vicinity, may be threatened or harmed.

58 Dangerous conduct with weapon prohibited generally

(1) In this section—

weapon includes—

(a) an antique firearm, explosive tool, captive bolt humane killer, spear gun, longbow or sword; and

(b) a replica of a weapon; and

(c) a replica of a thing mentioned in paragraph (a); and

(d) an explosive; and

(e) a slingshot or shanghai.

(2) A person must not—

(a) without reasonable excuse; and

(b) by the physical possession or use of a weapon;

engage in conduct, alone or with another, likely to cause—

(c) death or injury to a person; or

(d) unlawful destruction or damage to property; or

(e) alarm to another person.

Maximum penalty—100 penalty units or 2 years imprisonment.

59 Possession or use of weapon under the influence of liquor or a drug prohibited

(1) In this section—

weapon includes—

(a) an antique firearm, spear gun, longbow or sword; and

(b) a replica of a thing mentioned in paragraph (a); and

(c) a slingshot or shanghai; and

(d) an explosive.

(2) A person must not have physical possession of or use a weapon if the person is under the influence of liquor or a drug.

Maximum penalty—20 penalty units.

60 Secure storage of weapons

(1) A licensee who has control of a weapon at a place must keep the weapon in secure storage facilities at the place when a person is not in physical possession of the weapon.

Maximum penalty—100 penalty units or 2 years imprisonment.

(2) The registered owner of a firearm must ensure that secure storage facilities for the firearm are available at the place shown in the firearms register as the place where the firearm is generally kept.

Maximum penalty—100 penalty units.

60A Lost or stolen weapons

A person who owns or possesses a weapon that, while in the person's ownership or possession, is, or apparently is, lost or stolen must report the loss or stealing to a police officer immediately the person becomes aware of the loss or stealing.

Maximum penalty—10 penalty units.

61 Shortening firearms

A person must not, without reasonable excuse—

(a) shorten a firearm; or

(b) possess a firearm that has been shortened; or

(c) acquire or sell a firearm that has been shortened.

Maximum penalty—100 penalty units or 2 years imprisonment.

62 Modifying construction or action of firearms

(1) A person must not, without reasonable excuse—

(a) modify the construction or action of a firearm; or

(b) possess a firearm the construction or action of which has been modified; or

(c) acquire or sell a firearm the construction or action of which has been modified.

Maximum penalty—100 penalty units or 2 years imprisonment.

(2) A person must not, without reasonable excuse, make operable a firearm that is required to be, and has been, made permanently inoperable under this Act.

Maximum penalty—100 penalty units or 2 years imprisonment.

63 Altering identification marks of weapons

A person must not, without reasonable excuse—

(a) deface or alter any identifying serial number or mark on a weapon; or

(b) possess a weapon the identifying serial number or mark of which has been defaced or altered; or

(c) acquire or sell a weapon the identifying serial number or mark of which has been defaced or altered.

Maximum penalty—100 penalty units or 2 years imprisonment.

64 Obtaining weapons by deceit

A person is not to obtain or gain possession of a weapon or an explosive by any deceitful or fraudulent means.

Maximum penalty—60 penalty units or 1 year's imprisonment.

65 Unlawful trafficking in weapons

A person who unlawfully carries on the business of trafficking in weapons or explosives commits a crime.

Maximum penalty—

(a) if the offence relates to a category H or R weapon—20 years imprisonment;

(b) if the offence relates to a category A, B, C, D or E weapon, a category M crossbow or explosives—15 years imprisonment.

66 Dispatch of weapons

A person may dispatch a weapon only in the way prescribed under a regulation.

Maximum penalty—60 penalty units or 1 year's imprisonment.

67 Possessing and acquiring restricted items

(1) A person must not, without reasonable excuse, possess or acquire a restricted item.

Maximum penalty—10 penalty units.

(2) For subsection (1), it is not a reasonable excuse to possess or acquire a restricted item for crowd or traffic control.

(3) In this section—

restricted item means an item prescribed as a restricted item under the *Weapons Categories Regulation 1997*.

Division 2 Dealers, armourers and employees

68 Dealers to be licensed

(1) A person must not deal in weapons in the course of business, unless the person is a licensed dealer.

Maximum penalty—

(a) for a category D, H or R weapon—100 penalty units or 2 years imprisonment; and

(b) for a category C or E weapon—60 penalty units or 1 year's imprisonment; and

(c) for a category A or B weapon or a category M crossbow—20 penalty units or 6 months imprisonment.

(2) Subsection (1) does not apply to a person, who is not disqualified from holding a dealer's licence, whilst acting as an agent or employee of a licensed dealer.

69 Armourers to be licensed

(1) Unless a person is a licensed dealer or licensed armourer or is otherwise authorised under this Act, that person is not to repair or store weapons in the course of business.

Maximum penalty—

(a) for a category D, H or R weapon—100 penalty units or 2 years imprisonment; and

(b) for a category C or E weapon—60 penalty units or 1 year's imprisonment; and

(c) for a category A or B weapon or a category M crossbow—20 penalty units or 6 months imprisonment.

(1A) A person who is not a licensed armourer must not manufacture a weapon.

Maximum penalty—

(a) for a category D, H or R weapon—500 penalty units or 10 years imprisonment; or

(b) for a category C or E weapon—300 penalty units or 7 years imprisonment; or

(c) for a category A, B or M weapon—200 penalty units or 4 years imprisonment.

(2) Subsection (1) does not apply to a person, who is not disqualified from holding a dealer's licence or an armourer's licence, whilst acting as an agent or employee of a licensed armourer.

(3) A licensed armourer, or the agent or employee of the licensed armourer to whom subsection (2) refers, may carry, discharge, possess, repair and store weapons on the premises specified in the licence.

70 Employees of dealers and armourers

(1) A licensed dealer or armourer must not employ a person who, in the course of the person's employment, will have access to weapons unless the person is a qualified weapons employee.

Maximum penalty—100 penalty units.

(2) For subsection (1), a person is a ***qualified weapons employee*** only if the person—

(a) is at least 18 years; and

(b) holds a licence.

(3) In the course of employment as a qualified weapons employee, a person may possess any category of weapon his or her employer is authorised to possess.

(4) Subsection (3) has effect even if the employee is not licensed to possess the category of weapon.

(5) In this section—

employ a person includes engage the person as an agent.

71 Licensed dealers and armourers to keep register

(1) A licensed dealer or licensed armourer must keep at the premises stated on the licence a weapons register.

Maximum penalty—20 penalty units or 6 months imprisonment.

(2) A licensed dealer or licensed armourer must, for each transaction involving a weapon, enter immediately in the weapons register the particulars prescribed under a regulation.

Maximum penalty—20 penalty units or 6 months imprisonment.

(3) A licensed dealer or licensed armourer must notify an authorised officer in the approved form of each transaction involving a weapon within 14 days after the transaction happens.

Maximum penalty—20 penalty units or 6 months imprisonment.

(4) A person must not remove a part of the weapons register, unless the person has a reasonable excuse.

Maximum penalty—20 penalty units or 6 months imprisonment.

(5) Subsection (4) does not prevent the correction of the weapons register in a way specified under a regulation.

(6) In this section—

remove includes make illegible or unintelligible, erase or disguise.

transaction means receipt, acquisition, sale or transfer.

weapons register means—

(a) a book in the approved form, bound in a way satisfactory to an authorised officer; or

(b) a computer register approved by the commissioner.

72 Annual returns by licensed dealers

Before 31 July in each year each licensed dealer must give in or to the effect of the approved form to an authorised officer, particulars of all weapons held in stock by the licensed dealer as at midnight on 30 June of that year.

Maximum penalty—60 penalty units.

73 Dealer etc. to require information

A person who is a licensed dealer, a licensed armourer or an agent, employee or representative of the dealer or armourer (each of whom is a ***trader***) must not purchase from, trade with, sell to or deal in any weapon with a person unless—

(a) the person provides the trader with the particulars prescribed under a regulation; and

(b) the trader records the particulars in the weapons register maintained by the dealer or armourer.

Maximum penalty—60 penalty units.

74 Licensed dealer or armourer taken to be in unlawful possession

A licensed dealer or licensed armourer who, without reasonable excuse, possesses a weapon the prescribed particulars of which have not been entered in the weapons register under section 71 is taken to contravene section 50.[18]

Division 3 Collectors

75 Collector to be licensed

A person must not collect weapons unless that person is a licensed collector for the category of weapons being collected.

Maximum penalty—60 penalty units.

76 Collector's licence (heirloom)

It is a condition of a collector's licence (heirloom) that the licensee may possess an heirloom firearm only if it is made permanently inoperable.

77 Collector's licence (weapons)

(1) It is a condition of a collector's licence (weapons) that the licensee may possess—

(a) category D, M or R weapons only if—

(i) for weapons that are firearms—the weapons are made permanently inoperable; or

(ii) for other weapons—the weapons are inert; or

(b) category A, B or C weapons that are collectable firearms manufactured on or after 1 January 1901 only if the weapons are made temporarily inoperable; or

(c) category H weapons only if—

18 Section 50 (Possession of weapons)

(i) they are manufactured on or after 1 January 1901 and before 1 January 1947 and are temporarily inoperable, collectable firearms; or

(ii) they are manufactured on or after 1 January 1947 and are temporarily inoperable, collectible firearms and the licensee's licence is endorsed to allow possession of collectable firearms manufactured on or after 1 January 1947; or

(iii) otherwise—they are permanently inoperable.

(2) In this section—

collectable firearm means a firearm that is of obvious and significant commemorative, historic, thematic or investment value.

78 Weapons not to be discharged or operated

A collector must not discharge or operate or cause or permit to be discharged or operated any weapon held or proposed to be held under a collector's licence unless authorised to do so under a licence.

Maximum penalty—40 penalty units.

79 Approval of arms fair

(1) Subject to this Act, a person or body of persons must not conduct an arms fair unless the conduct of the arms fair has been approved by an authorised officer.

Maximum penalty—60 penalty units.

(2) An authorised officer may approve the conduct of an arms fair, either unconditionally or subject to such conditions as the authorised officer may determine, in or to the effect of the approved form or may refuse an application for approval.

(3) An authorised officer may at any time revoke an approval given under subsection (2).

(4) Where approval is refused or revoked, the authorised officer is to issue a notice of refusal or revocation in or to the effect of the approved form stating the specific reasons for the refusal or revocation and forward the notice to the applicant or person

to whom approval had been given by registered post to the address shown in the application.

80 Application for approval

(1) An application for approval to conduct an arms fair—

(a) may be made by a licensed collector or an organisation representing licensed collectors; and

(b) is to be made at least 28 days prior to the proposed date for the fair; and

(c) is to be in or to the effect of the approved form; and

(d) is to be accompanied—

(i) by the prescribed fee; and

(ii) such other information as may be required by an authorised officer.

(2) The authorised officer may make or cause to be made such inquiries in respect of the application for approval as the officer considers necessary and may approve the application in the prescribed manner as the officer may determine or may refuse the application.

81 Collectors to keep register

(1) A licensed collector must keep at the premises stated in the licence a collection register.

Maximum penalty—20 penalty units or 6 months imprisonment.

(2) A licensed collector must, for each transaction for the receipt, acquisition, sale or transfer of a weapon, enter immediately in the collection register the particulars prescribed under a regulation.

Maximum penalty—20 penalty units or 6 months imprisonment.

(3) A person must not remove a part of the collections register, unless the person has a reasonable excuse.

Maximum penalty—20 penalty units or 6 months imprisonment.

(4) Subsection (3) does not prevent the correction of the collections register in a way specified under a regulation.

(5) In this section—

collection register means a book in the approved form bound to the satisfaction of an authorised officer.

remove includes make illegible or unintelligible, erase or disguise.

82 Removal of register and weapons

(1) Except as provided in subsections (2) to (4), a licensed collector must not, without a reasonable excuse, remove any weapon or the collection register from the premises specified in the licence.

Maximum penalty—40 penalty units.

(2) Where an arms fair has been approved by an authorised officer under section 80, a licensed collector may remove weapons from the premises specified in the licence for the purpose of display or sale for the duration of the fair.

(3) At the conclusion of the fair, the licensed collector must return the weapons that have not been sold or disposed of to another licensed collector together with any additional weapons acquired by the licensed collector, to the premises specified in the licence.

Maximum penalty—40 penalty units.

(4) A licensed collector who displays weapons at an arms fair approved by an authorised officer, must have possession at the fair of the collection register.

Maximum penalty—40 penalty units.

83 Licensed collector leaving Queensland

(1) A licensed collector who is about to leave Queensland to reside elsewhere must, before leaving, advise an authorised officer in writing of—

(a) the date of departure; and

(b) the proposed residence; and

(c) what is proposed to be done regarding the collection.

Maximum penalty—20 penalty units.

(2) A licensed collector must not move weapons to which the licence relates from the premises specified in the licence to a place outside Queensland unless an authorised officer is satisfied that the manner of transporting the weapons ensures their safekeeping whilst in Queensland.

Maximum penalty—20 penalty units.

84 Licensed collector taken to be in unlawful possession

A licensed collector who, without reasonable excuse, possesses a weapon the prescribed particulars of which have not been entered in the collection register under section 81 is taken to contravene section 50.[19]

Division 4 Approved shooting clubs

85 Only an approved shooting club may conduct target shooting

A person must not conduct a shooting club for the sport of target shooting unless the shooting club is an approved shooting club.

Maximum penalty—20 penalty units.

86 Application for shooting club permit

(1) Application may be made to an authorised officer to grant a shooting club permit to a shooting club.

(2) The shooting club permit may only be granted to a shooting club whose primary purpose is to conduct the sport of target shooting.

19 Section 50 (Possession of weapons)

(3) The application must—

(a) be in the approved form; and

(b) provide the further particulars reasonably required by the authorised officer; and

(c) be accompanied by the fee prescribed by regulation.

87 Authorised officer may grant or refuse shooting club permit

The authorised officer may grant the shooting club permit if the authorised officer is satisfied—

(a) the primary purpose of the shooting club is to conduct the sport of target shooting; and

(b) the location, construction and equipment of each shooting range, and proposed shooting range, of the shooting club is appropriate having regard to the need to protect persons from death or injury and property from unlawful destruction or damage; and

(c) the application complies with section 86; and

(d) each individual member of the governing body of the shooting club is an appropriate person; and

(e) if section 90 applies to the application—the section has been complied with and the person nominated under section 90(2) is an appropriate person.

88 Authorised officer to give reasons for refusing to grant permit

The authorised officer may refuse to grant the shooting club permit by written notice given to the applicant stating the reasons for the refusal.

89 Conditions to apply to permit

(1) If an authorised officer grants a shooting club permit to an approved club, the authorised officer may impose conditions that apply to the permit.

(2) The authorised officer may impose conditions about—

(a) the location, construction, equipment and maintenance of shooting ranges; and

(b) the use, control, administration and management of shooting ranges; and

(c) matters prescribed by regulation.

(3) In imposing conditions, the authorised officer must have regard to the need to protect persons from death or injury and property from unlawful destruction or damage.

(4) The conditions must be specified in the permit or by written notice given to the applicant.

90 A representative is required for some applications

(1) This section only applies if an application for a shooting club permit is made by—

(a) an unincorporated body or association of persons; or

(b) a shooting club prescribed by regulation.

(2) The application must nominate an adult individual to be the shooting club's representative.

(3) The nominated person must hold the position in the shooting club in which the person is charged with responsibility for the conduct of the activities of the shooting club relating to the sport of target shooting (the ***responsible position***).

(4) If a shooting club permit is granted on the application, the nominated person is taken to be the shooting club's representative for the purpose of the permit (the ***representative***), until ceasing to be the representative under section 92.

(5) The shooting club must ensure that, at all times while the permit is in effect, it maintains an appropriate person in the responsible position.

Maximum penalty for subsection (5)—20 penalty units.

91 Duty of representative

The representative must exercise all reasonable diligence to ensure the shooting club, its members and all persons using a

range conducted by it comply with this division and division 5.

Maximum penalty—20 penalty units.

92 Change of representative

(1) A person stops being the representative of an approved shooting club if the person stops holding the shooting club's responsible position.

(2) If a person stops being the representative, the person must give written notice to an authorised officer within 28 days.

Maximum penalty—20 penalty units.

(3) The person who occupies an approved shooting club's responsible position after another person stops being the representative must give written notice (the ***representative notice***) to an authorised officer within 28 days after occupying the responsible position.

Maximum penalty—20 penalty units.

(4) If the authorised officer accepts a representative notice from a person—

(a) the person becomes the representative; and

(b) the authorised officer must give written notice of the acceptance to the representative.

(5) The authorised officer may refuse to accept the representative notice on the ground that the authorised person is not satisfied the person who gave the representative notice—

(a) occupies the shooting club's responsible position; or

(b) is an appropriate person.

(6) The refusal must be by written notice to the person who gave the representative notice stating reasons for the refusal.

93 How to decide whether an individual is an appropriate person

(1) In determining whether an individual is an appropriate person for the purpose of this division, an authorised officer may have regard only to—

(a) whether the individual demonstrates knowledge and understanding of the obligations of an approved shooting club and the individual's proposed position under this Act; and

(b) whether the individual is a person of good repute; and

(c) whether the individual is the holder of a licence.

(2) The authorised officer may obtain—

(a) a report from the commissioner about the criminal history of the person; or

(b) if the person holds or previously held in another State a relevant licence, permit, authority or position—a report from the appropriate authority in the other State.

94 Authorised officer may amend permit conditions

(1) An authorised officer may amend the conditions applying to a shooting club permit of an approved shooting club—

(a) on the application of the shooting club; or

(b) on the initiative of the authorised officer.

(2) In making an amendment under subsection (1), the authorised officer must have regard to the need to protect persons from death or injury and property from unlawful destruction or damage.

(3) Before making an amendment under subsection (1)(b), the authorised officer must—

(a) give written notice to the club informing it—

(i) of the proposed amendment; and

(ii) that it may make written submissions to the authorised officer about the proposed amendment before a specified day (not earlier than 21 days after the notice is given to the shooting club); and

(b) have regard to submissions made to the authorised officer by the shooting club before the specified day.

(4) If an authorised officer amends the conditions applying to a shooting club permit, the authorised officer must give written notice of the amendment to the shooting club.

(5) The amendment takes effect—

(a) on the day the written notice of the amendment is given to the shooting club; or

(b) if a later day is specified in the notice—the specified day.

(6) An authorised officer may refuse to make an amendment under subsection (1)(a) by written notice given to the shooting club stating the reasons for the refusal.

95 Authorised officer may make temporary amendment of conditions

(1) An authorised officer may make a temporary amendment of the conditions applying to a shooting club permit if the authorised officer considers, on reasonable grounds, that it is necessary to make the amendment to protect a person from death or injury or property from unlawful destruction or damage.

(2) An authorised officer may make an amendment under subsection (1) by written notice given to the shooting club stating the reasons for the amendment.

(3) The amendment takes effect on the day the written notice of the temporary amendment is given to the shooting club or, if a later day is specified in the notice, the specified day.

(4) The amendment has effect for 28 days unless—

(a) the notice specifies a shorter period; or

(b) the authorised officer extends the amendment for a single further specified period (not longer than 28 days).

(5) An authorised officer may extend an amendment under subsection (4)(b) by written notice given to the shooting club stating the reasons for the extension.

96 Revoking or suspending permit

(1) An authorised officer may revoke or suspend a shooting club permit if—

(a) the shooting club contravenes this Act; or

(b) the shooting club contravenes a condition applying to the permit; or

(c) the authorised officer reasonably believes it is likely a member of the shooting club or the public will suffer injury or loss if the permit is not revoked or suspended.

(2) The authorised officer must give written notice of the revocation or suspension to the shooting club.

(3) The notice must specify—

(a) if the permit has been suspended—the day the suspension is lifted; and

(b) the reasons for the revocation or suspension.

(4) The revocation or suspension takes effect on the day the notice is given to the shooting club or, if a later day is specified in the notice, the specified day.

(5) A shooting club permit that is suspended stops having effect until the suspension is lifted.

97 Club must keep range use register books

(1) It is a condition of an approved shooting club's shooting club permit that the club must keep a range use register and ensure the register is available at all times when the range is being conducted by the shooting club.

(2) Before a person uses a range conducted by an approved shooting club to discharge a weapon, the person must—

(a) if the person is a licensee, produce the person's licence to a range officer at the range; and

(b) enter in the range use register the details provided for under subsection (3).

Maximum penalty—20 penalty units.

Note—

If the person proposing to use the range is not a licensee, the person must produce the identification and complete the approved form required under section 53.

(3) The register must include provision for the following details—

(a) the person's identity;

(b) the category of weapon the person will use on the range;

(c) other details prescribed under a regulation.

(4) It is a condition of an approved shooting club's shooting club permit that the club ensure that a range officer of the club must inspect the entry made by the person in the register and endorse the entry as correct before allowing the person to use the range.

(5) An endorsement under this section must clearly identify the person making the endorsement.

(6) Subsections (2)(a) and (4) do not apply in relation to a range officer of the approved range using the range to discharge a weapon.

98 Service of notice on approved shooting club

(1) A notice required or permitted by this division to be served on an approved shooting club may be served on the shooting club's representative.

(2) Subsection (1) does not affect the operation of any other law that authorises the service of the document in another way.

98A Limitation on organised target shooting

Unless otherwise authorised by this Act, a person may conduct organised target shooting only on an approved range.

Maximum penalty—20 penalty units or 6 months imprisonment.

98B Membership of approved pistol clubs

(1) It is a condition of an approved pistol club's shooting club permit that the club must not accept a person for membership of the club unless the person submits with the person's application for membership—

(a) if the person is not a licensee, a current statement in the approved form signed by an authorised officer that the person is a fit and proper person to hold a licence; and

(b) 2 character references from persons the person has known for at least 2 years; and

(c) a declaration that the person is a current member of other named approved shooting clubs or that the person is not a current member of any other approved shooting club.

(2) A statement mentioned in subsection (1)(a) is current for 3 months after the day it is signed by the authorised officer.

Division 5 Approved ranges

99 Application for range approval

(1) Application may be made to an authorised officer to approve a range for weapons target shooting.

(2) The application must—

(a) be in the approved form; and

(b) provide the further particulars reasonably required by the authorised officer; and

(c) be accompanied by the fee prescribed by regulation.

100 Limits on approvals

A range may be approved only if the range is conducted by—

(a) an approved shooting club; or

(b) an incorporated association; or

(c) an entity conducting a training course approved by the commissioner for section 10A(2) or 124.[20]

101 Authorised officer may grant or refuse range approval

(1) The authorised officer may grant the approval if the authorised officer is satisfied—

(a) the range will be used for—

(i) conducting a training course approved by the commissioner for section 10A(2) or 124; or

(ii) the sport of target shooting; and

(b) the location, construction and equipment of the range is appropriate having regard to the need to protect persons from death or injury and property from unlawful destruction or damage; and

(c) the application complies with section 99.

(2) An approval must be given in the approved form.

102 Authorised officer to give reasons for refusing to grant approval

The authorised officer may refuse to grant the approval by written notice given to the applicant stating the reasons for the refusal.

103 Conditions to apply to approval

(1) If an authorised officer grants the approval, the authorised officer may impose conditions applying to the approval.

(2) The authorised officer may impose conditions about—

(a) the location, construction, equipment and maintenance of the range; and

(b) matters prescribed by regulation.

20 Section 10A (Adequate knowledge of weapon) or 124 (Training courses for security guards)

(3) In imposing conditions, the authorised officer must have regard to the need to protect persons from death or injury and property from unlawful destruction or damage.

(4) The conditions must be specified in the approval or by written notice given to the applicant.

104 Authorised officer may amend approval conditions

(1) An authorised officer may amend the conditions applying to an approval—

(a) on the application of the range operator; or

(b) on the initiative of the authorised officer.

(2) In making an amendment under subsection (1), the authorised officer must have regard to the need to protect persons from death or injury and property from unlawful destruction or damage.

(3) Before making an amendment under subsection (1)(b), the authorised officer must—

(a) give written notice to the range operator—

(i) of the details of the proposed amendment; and

(ii) that the range operator may make written submissions to the authorised officer about the proposed amendment before a specified day (not earlier than 21 days after the notice is given to the range operator); and

(b) have regard to submissions made to the authorised officer by the range operator before the specified day.

(4) If an authorised officer amends the conditions applying to an approval, the authorised officer must give written notice of the amendment to the range operator.

(5) The amendment takes effect—

(a) on the day the written notice of the amendment is given to the range operator; or

(b) if a later day is specified in the notice—the specified day.

(6) An authorised officer may refuse to make an amendment under subsection (1)(a) by written notice given to the range operator stating the reasons for the refusal.

105 Authorised officer may make temporary amendment of conditions

(1) An authorised officer may make a temporary amendment of the conditions applying to an approval if the authorised officer considers, on reasonable grounds, that it is necessary to make the amendment to protect a person from death or injury or property from unlawful destruction or damage.

(2) An authorised officer may make an amendment under subsection (1) by written notice given to the range operator stating the reasons for the amendment.

(3) The amendment takes effect—

(a) on the day the written notice of the amendment is given to the range operator; or

(b) if a later day is specified in the notice—the specified day.

(4) The amendment has effect for 28 days unless—

(a) the notice specifies a shorter period; or

(b) the authorised officer extends the amendment for a single further specified period (not longer than 28 days).

(5) An authorised officer may extend an amendment under subsection (4)(b) by written notice given to the range operator stating the reasons for the extension.

106 Suspending or revoking approval

(1) An authorised officer may suspend or revoke an approval if—

(a) a range operator or a range officer contravenes this Act; or

(b) the authorised officer believes, on reasonable grounds, that it is necessary to suspend or revoke the approval to protect a person from loss of life or injury, or property from unlawful destruction or damage.

(2) The authorised officer must give written notice of the suspension or revocation to the range operator.

(3) The notice must specify—

(a) if the approval has been suspended—the period of suspension; and

(b) the reasons for the suspension or revocation.

(4) The suspension or revocation takes effect—

(a) on the day the notice is given to the range operator; or

(b) if a later day is specified in the notice—the specified day.

(5) A range approval that is suspended stops having effect until the suspension is lifted.

107 Range can be dealt with in conjunction with shooting club permit

An application, grant of approval or notice under this division may be included in an application, issue of permit or notice respectively under division 4.

108 Responsibilities of range operator

(1) In this section—

range operator means the person conducting an approved range for an approved shooting club under the approval given under this division and, if the approval is issued to an unincorporated body or association of persons, includes each member of the body's or association's governing body.

(2) A range operator must ensure every person who physically possesses or uses a weapon at the approved range is properly supervised by a person (a ***range officer***) who holds a firearms licence under this Act.

Maximum penalty—20 penalty units.

(3) A range operator must ensure the name of each range officer supervising persons using the approved range is prominently displayed at the range at any time when a weapon is discharged.

Maximum penalty—20 penalty units.

(4) A range operator must take all reasonable steps to ensure a person attending the approved range does not contravene this Act.

Maximum penalty—20 penalty units.

109 Responsibilities of range officer

A range officer supervising an approved shooting range must take all reasonable steps to ensure a person attending the range does not contravene this Act.

Maximum penalty—20 penalty units.

110 Responsibilities of person attending an approved range

(1) A person attending an approved range must not possess or use a weapon at the range unless the possession or use—

(a) is authorised under—

(i) a licence issued to the person; or

(ii) section 52;[21] or

(iii) section 53;[22] and

(b) is permitted by the range officer; and

(c) complies with the conditions on which the range was approved, including, for example, that it is a weapon of a category for which the range was approved.

Maximum penalty—20 penalty units.

(2) A person attending an approved range must not use a weapon at the range in a way that is likely to cause death or injury to a person or unlawful destruction of, or damage to, property.

Maximum penalty—20 penalty units.

21 Section 52 (Physical possession and use of weapon sometimes allowed for the purpose of training a minor)

22 Section 53 (An unlicensed person may use a weapon at an approved range)

(3) A person attending an approved range must comply with a direction by a range officer for the range given for the purposes of this Act or safety reasons, unless the person has a reasonable excuse.

Maximum penalty for subsection (3)—10 penalty units.

Division 6 Shooting galleries

111 Approval of shooting galleries

(1) A person must not conduct a shooting gallery at any time without the approval of an authorised officer to conduct that gallery.

Maximum penalty—60 penalty units.

(2) An authorised officer must not grant approval to conduct a shooting gallery unless—

(a) the applicant for approval has attained the age of 18 years; and

(b) the officer is satisfied that the applicant has an adequate knowledge of safety practices relating to the use of the firearms to be used at the gallery; and

(c) in the opinion of the authorised officer—

(i) the applicant is a fit and proper person to conduct the gallery; and

(ii) the prescribed conditions and any conditions imposed by the authorised officer will be complied with.

(3) An authorised officer may grant approval to conduct a shooting gallery subject to the prescribed conditions and to such other conditions as the officer thinks fit.

(4) An authorised officer may refuse to grant approval to conduct a shooting gallery by giving the applicant for approval a notice in or to the effect of the approved form stating the specific reasons for the refusal and forwarding the notice to the applicant by registered post to the address shown on the application.

(5) An authorised officer may revoke an approval given under subsection (3) by written notice, given to the person granted the approval, that sets out the reasons for the revocation.

112 Conditions of approval

(1) Approval to conduct a shooting gallery is to be subject to the following conditions—

(a) the several parts of the shooting gallery are to be designed, constructed and maintained to the satisfaction of an authorised officer;

(b) where live ammunition is to be used—

(i) the area between the place where the firearm is mounted and the target is to be so constructed as to prevent projectile penetration or ricochet; and

(ii) the firearm is to be so mounted that its barrel must remain within the confines of the gallery at all times;

(c) at least 1 natural person specified in the approval is to—

(i) be physically present at the gallery at all times when it is open to the public; and

(ii) personally supervise the use of every firearm by each person resorting to the gallery; and

(iii) exercise all reasonable care and precaution and give such directions as are necessary to any person to prevent danger during the use of any firearm at the gallery.

(2) Subsection (1)(b) does not apply to the use of a paint-pellet gun at a shooting gallery used solely for paint-pellet sports.

113 Representative of holder of approval

(1) The holder of or an applicant for an approval to conduct a shooting gallery may apply in or to the effect of the approved form (which may be incorporated as part of the form of application for the approval) for the approval to be endorsed in accordance with this Act with the name of a fit and proper natural person who satisfies the requirements of section 111

as the representative of the holder of the approval at the premises or location specified in the application.

(2) On application by the holder of an approval to conduct a shooting gallery in or to the effect of the approved form, the approval may be endorsed with the name of a fit and proper person who satisfies the requirements of section 111 in place of the name of another person endorsed as representative of the holder under this section.

(3) An application under subsection (1) or (2) may be made to an officer in charge of police.

114 Conduct of persons resorting to shooting galleries

(1) A person resorting to or making use of a shooting gallery must not—

(a) point a firearm otherwise than in the direction of the target area in the shooting gallery; or

(b) take away a firearm from the shooting gallery; or

(c) interfere with—

(i) any other person resorting to or using the shooting gallery; or

(ii) a firearm at a shooting gallery otherwise than as directed by any person conducting that gallery or the servant of that person; or

(iii) any part or equipment of the shooting gallery; or

(d) disobey a direction given to that person pursuant to section 112(1)(c)(iii).

Maximum penalty—60 penalty units.

(2) Subsection (1)(a), (b), (c)(i) and (ii) do not apply to the use of a paint-pellet gun at a shooting gallery used solely for paint-pellet sports.

Division 7 Theatrical ordnance suppliers and other associated matters

115 Theatrical ordnance suppliers to be licensed

(1) Subject to this Act, a person must not supply or have possession for the purpose of supply of any replica of a weapon in the production of a theatrical, motion picture or television production without first obtaining a theatrical ordnance supplier's licence.

Maximum penalty—60 penalty units.

(2) Subsection (1) does not apply to a person not disqualified from holding a theatrical ordnance supplier's licence whilst acting as an agent or employee of a licensed theatrical ordnance supplier.

116 Employees of theatrical ordnance suppliers

(1) A theatrical ordnance supplier must not employ a person who, in the course of the person's employment, will have access to weapons unless the person is a qualified weapons employee.

Maximum penalty—20 penalty units.

(2) For subsection (1), a person is a ***qualified weapons employee*** only if the person—

(a) is at least 18 years; and

(b) holds a licence.

(3) In the course of employment as a qualified weapons employee, a person may possess any category of weapon his or her employer is authorised to possess.

(4) Subsection (3) has effect even if the employee is not licensed to possess the category of weapon.

(5) In this section—

employ a person includes engage the person as an agent.

117 Theatrical ordnance supplier to keep register

(1) A licensed theatrical ordnance supplier must keep at the premises stated in the licence an ordnance register.

Maximum penalty—20 penalty units or 6 months imprisonment.

(2) A licensed theatrical ordnance supplier must, for each transaction for the acquisition, sale, supply, rental or transfer of a weapon, enter immediately in the ordnance register the particulars prescribed under a regulation.

Maximum penalty—20 penalty units or 6 months imprisonment.

(3) A person must not remove a part of the ordnance register, unless the person has a reasonable excuse.

Maximum penalty—20 penalty units or 6 months imprisonment.

(4) Subsection (3) does not prevent the correction of the ordnance register in a way specified under a regulation.

(5) In this section—

ordnance register means a book in the approved form bound to the satisfaction of an authorised officer.

remove includes make illegible or unintelligible, erase or disguise.

118 Weapons may be supplied for theatre, film and television productions

(1) The holder of a theatrical ordnance supplier's licence may supply a weapon under the licence to a person only for the purpose of the person using the weapon in a theatrical, film or television production.

(2) If the licence held by a theatrical ordnance supplier only allows the licensee to supply a weapon to a specified person, or type of person, the licensee may supply a weapon only to the specified person or type of person.

119 Supervision of use of weapons in theatre, film and television productions

(1) In this section—

licensee means a person who holds a theatrical ordnance supplier's licence.

personal supervision by a licensee means—

(a) personal supervision by the licensee; or

(b) personal supervision by an employee of the licensee who is eligible to obtain a theatrical ordnance supplier's licence.

(2) A licensee must, by personal supervision, ensure that a weapon supplied by the licensee to another person under the licence is properly used.

Maximum penalty—10 penalty units.

(3) If a licensee considers that a weapon supplied by the licensee under the licence is being improperly used, the licensee must immediately take all appropriate steps—

(a) to ensure the weapon is properly used; or

(b) to recover the weapon.

Maximum penalty—10 penalty units.

(4) For the purpose of this section, a weapon is properly used if it—

(a) is used only for the theatre, film and television production for which it was supplied; and

(b) is not used in an unlawful way; and

(c) is not used in a way that may cause death of, or injury to, any person or the unlawful destruction of, or damage to, property.

120 Removal of register and weapons

(1) A licensed theatrical ordnance supplier must not remove any weapon or the ordnance register from the premises specified in the licence except in the course of business as a theatrical ordnance supplier.

Maximum penalty—60 penalty units.

(2) A licensed theatrical ordnance supplier who has possession of weapons at a place other than the premises specified in the licence must keep a record of the disposition of ordnance in the approved form.

Maximum penalty—60 penalty units.

121 Annual returns by licensed theatrical ordnance supplier

Before 31 July in each year each licensed theatrical ordnance supplier must give in the approved form to an authorised officer particulars of all weapons held in stock by the licensed theatrical ordnance supplier as at midnight on 30 June of that year.

Maximum penalty—60 penalty units.

122 Licensed theatrical ordnance supplier taken to be in unlawful possession

A licensed theatrical ordnance supplier who, without reasonable excuse, possesses a weapon the prescribed particulars of which have not been entered in the ordnance register under section 117 is taken to contravene section 50.

Division 8 Security guards and security organisations

123 Armed security guard must be licensed

A person must not, in performing duties as a security guard, physically possess a weapon unless the person holds a security licence (guard).

Maximum penalty—20 penalty units

124 Training courses for security guards

(1) A person may be issued with a security licence (guard) only if the person has satisfactorily completed a training course approved by the commissioner.

(2) A person who holds a security licence (guard) must satisfactorily complete a training course approved by the commissioner as often as required by regulation.

(3) If a person who holds a security licence (guard) does not comply with subsection (2), an authorised officer, by written notice given to the person—

(a) may cancel the licence; or

(b) suspend the licence until the person completes the course.

125 Control of possession and use of weapons by security guards

A regulation may impose conditions on the possession and use of weapons by persons performing the duties of a security guard.

126 Employed security guard must record prescribed information

(1) A person who possesses or uses a weapon in performing duties as an employed security guard must, as prescribed by regulation, record information about the possession or use in the security organisation register kept by the security guard's security organisation.

Maximum penalty—10 penalty units.

(2) A regulation may specify the type of information that must be recorded and the time it must be recorded.

(3) In this section—

employed security guard means a person who is employed as a security guard by a security organisation.

126A Obligation of security guard carrying on business to keep register

(1) An individual who carries on business on the individual's own account as a security guard must—

(a) keep a register in the approved form (***security guard's register***); and

(b) record in the security guard's register, as prescribed under a regulation, information about the individual's possession or use of weapons.

Maximum penalty—10 penalty units.

(2) A person must not make an entry in the security guard's register that is false or misleading.

Maximum penalty—10 penalty units.

(3) A regulation may prescribe—

(a) the type of information that must be recorded in the security guard's register; and

(b) the time when the information must be recorded.

127 Obligations of security organisation in relation to the possession or use of a weapon

(1) In this section—

employee of a security organisation includes a person engaged in any way by the security organisation to perform duties for it.

(2) A security organisation must not—

(a) possess a weapon; or

(b) allow an employee to have physical possession of a weapon while performing duties for the organisation;

unless the security organisation has been issued with a security licence (organisation).

(3) A security organisation may only possess or use a weapon as prescribed by regulation.

(4) A security organisation must ensure an employee of the security organisation only physically possesses or uses a weapon as prescribed by regulation.

Maximum penalty for subsection (4)—100 penalty units.

128 Obligations of security organisation in relation to register

(1) A security organisation must—

(a) keep a security organisation register in the approved form; and

(b) record in the security organisation register, as prescribed by regulation, information about its, and its employees', possession or use of weapons.

Maximum penalty—20 penalty units.

(2) A person must not make an entry in the security organisation register that is false or misleading.

Maximum penalty for subsection (2)—20 penalty units.

(3) A regulation may prescribe—

(a) the type of information that must be recorded in the security organisation register; and

(b) the time when the information must be recorded; and

(c) who must record the information on behalf of the security organisation; and

(d) procedures the security organisation must undertake to verify an entry in the security organisation register.

129 Obligation of members of governing body of security organisation

Each member of the governing body of a security organisation must ensure the security organisation complies with this division.

Maximum penalty—20 penalty units.

Part 5 Additional requirements in relation to category H weapons

Division 1 Requirements for holders of concealable firearms licence

130 Application of div 1

This division applies to a holder of a concealable firearms licence (***licensee***) whose genuine reason for possession of a weapon is sports or target shooting.

131 Limitation on number of concealable firearms particular licensees may acquire

(1) An individual licensee must not, during the first year after the individual is first issued with a concealable firearms licence, acquire for sports or target shooting under that licence more than—

(a) 1 air pistol; and

(b) 1 of the following—

(i) a rim-fire pistol;

(ii) a centre-fire pistol;

(iii) a black-powder pistol.

(2) Subsection (1) does not apply to—

(a) a person who—

(i) holds a licence or other authority under a law of another State that corresponds with this Act authorising the applicant to possess a category H weapon for sports or target shooting (***relevant authority***); and

(ii) has held the relevant authority for at least 12 months; and

(iii) has, in the other State, participated in not less than the number of handgun shooting competitions for

the weapon necessary to comply with the law of the other State; or

(b) a person who—

(i) was permitted or authorised under the law of another country to possess a category H weapon for sports or target shooting; and

(ii) has, within the 2 year period immediately before the application is made, consistently participated at a national or international level in internationally recognised shooting competitions for a category H weapon.

Example of internationally recognised shooting competitions—

1 Shooting competitions in the Olympic Games

2 Shooting competitions in the Commonwealth Games

3 Metallic silhouette world championship.

132 Conditions for concealable firearms licence

(1) It is a condition of a concealable firearms licence that the licensee must not possess any of the following category H weapons under the authority of a concealable firearms licence—

(a) a weapon that has a calibre of more than .38 inch;

(b) a weapon that is semi-automatic and has a barrel length of less than 120mm unless it has an overall length of at least 250mm measured parallel to the barrel;

(c) a weapon that is not semi-automatic and has a barrel length of less than 100mm unless it has an overall length of at least 250mm measured parallel to the barrel;

(d) a weapon with a magazine with a maximum capacity of more than 10 rounds;

(e) a weapon designed to be used without a magazine that has a maximum capacity of more than 10 rounds.

(2) Despite subsection (1)(a), an authorised officer may authorise the licensee, by condition endorsed on the licence, to possess a category H weapon that the licensee is not authorised to

possess under subsection (1) if the authorised officer is satisfied that the licensee is to possess the weapon for use in an accredited event.

Note—

Subsection (1) does not interfere with a person's ability to hold the weapons under another appropriate licence.

(3) It is a condition of a concealable firearms licence that the licensee must be a member of an approved pistol club.

(4) In this section—

category H weapon does not include a black-powder pistol.

133 Participation conditions for concealable firearms licence

(1) If a licensee is the registered owner of 1 or more category H weapons in a single class, the licensee's licence is subject to the condition that the licensee use a weapon from that class in not less than 6 handgun shooting competitions conducted on different days in each financial year.

(2) For subsection (1), if a category H weapon to be used is a high calibre weapon, the handgun shooting competitions at which the weapon must be used must be accredited events.

(3) If the licensee is the registered owner of at least 1 category H weapon in each of 2 or more classes, the licensee's licence is subject to the condition that the licensee use a weapon from each class in not less than 4 club organised shoots for the class in each financial year.

(4) For subsection (3)—

(a) at least 6 of the club organised shoots must be handgun shooting competitions; and

(b) if 1 of the classes is a class for high calibre weapons, at least 4 of the club organised shoots for a weapon from the class must be accredited events; and

(c) each club organised shoot for the classes must be conducted on different days.

Example for paragraph (c)—

If a licensee uses category H weapons from 2 classes in club organised shoots conducted on a single day, only 1 of the shoots

is to be taken into account for the licensee's participation record because the shoots are not conducted on different days.

Note—

Under section 134, the licensee must keep a participation record. The licensee's participation in club organised shoots must be entered in the record and endorsed by a range officer of the shooting club conducting the shoot.

(5) If the licensee is the registered owner of a single category H weapon in a particular class for less than 12 months in a particular financial year, the relevant participation condition for use of a weapon from that class applies proportionately, based on whole calendar months, for that financial year, after rounding down to the nearest whole number of competitions.

Examples for subsection (5)—

1 If the licensee has 1 category H weapon for 6 months during a particular financial year, the licensee must participate in 3 club organised shoots to satisfy the participation condition for that weapon in that financial year.

2 If the licensee has 1 category H weapon for 5 months during a particular financial year, the licensee must participate in 2 club organised shoots to satisfy the participation condition for that weapon in that financial year.

(6) However, if the licensee is the registered owner of a single category H weapon in a particular class for less than 3 months in a particular financial year, the relevant participation condition for use of a weapon from that class does not apply for that financial year.

(7) Also, if in a particular financial year the licensee satisfies an authorised officer that the licensee is, or was, unable to comply with a relevant participation condition for the year for reasons outside the licensee's control, the authorised officer may decide the number of times, if any, that the licensee must use, or was required to use, a weapon in a club organised shoot for the particular year to satisfy the participation condition.

(8) A decision under subsection (7) must be made on a proportionate basis, based on whole calendar months, having regard to the period that the authorised officer is satisfied the licensee is, or was, unable to comply with a relevant

participation condition for reasons outside the licensee's control.

(9) In this section—

high calibre weapon means a category H weapon, other than a black-powder pistol, having a calibre of more than .38 inch but not more than .45 inch.

134 Licensees to keep participation record

(1) If a licensee is the registered owner of a category H weapon, it is a special condition of the licensee's licence that the licensee—

(a) advise each approved pistol club of which the licensee is a member of the participation conditions, and any change to the participation conditions, to which the member's licence is subject; and

(b) keep a record of the licensee's participation in handgun shooting competitions ***(participation record***).

(2) The advice under subsection (1)(a) must be given in writing within 28 days after the happening of any of the following—

(a) the start of a financial year;

(b) the licensee becoming a member of an approved pistol club;

(c) a change to the participation conditions to which the licensee's licence is subject.

(3) The participation record must contain the information prescribed under a regulation.

(4) The licensee must enter the prescribed information immediately after the licensee's participation in a club organised shoot has ended.

(5) The licensee must have the entry endorsed, in the way prescribed under a regulation, as correct by a range officer of the approved pistol club conducting the club organised shoot on the day of the shoot before the shoot ends.

(6) If the club organised shoot is a handgun shooting competition conducted outside Queensland, the licensee may have the

entry endorsed, in the way prescribed under a regulation, as correct by an official supervising the competition.

(7) An endorsement under subsection (5) or (6) must clearly identify the person making the endorsement.

(8) An entry properly endorsed under this section is evidence of the licensee's participation in the club organised shoot.

(9) In this section—

registered owner, of a category H weapon, means the person entered in the firearms register as the owner of the weapon.

135 Show cause notice

(1) If an authorised officer reasonably suspects that a licensee has failed to comply with a participation condition, the authorised officer may give the licensee a written notice (***show cause notice***).

(2) The show cause notice must state the following—

(a) that the licensee may be required to dispose of a particular category H weapon or class of category H weapon (the ***proposed action***);

(b) the ground for the proposed action;

(c) an outline of the facts and circumstances forming the basis for the grounds;

(d) an invitation to the licensee to show, within a stated period (the ***show cause period***), why the proposed action should not be taken.

(3) The show cause period must be a period ending at least 28 days after the day the show cause notice is given to the licensee.

136 Consideration of representations

(1) The licensee may make written representations about the show cause notice to the authorised officer in the show cause period.

(2) The authorised officer must consider all written representations (the ***accepted representations***) made under subsection (1).

137 Notice to dispose

(1) If, after considering the accepted representations, the authorised officer is not satisfied that the licensee has complied with a participation condition, the authorised officer may, by written notice (***notice to dispose***) given to the licensee, require the licensee to dispose of a particular category H weapon or class of category H weapon within 3 months after the date of the notice.

Note—

If the authorised officer is satisfied that the licensee's failure to comply with a participation condition was for reasons outside the licensee's control, the authorised officer may, under section 133(7), decide the number of times the licensee was required to use the weapon to satisfy the participation condition.

(2) The licensee must dispose of the weapon within 3 months after the date of the notice to dispose—

(a) to a person lawfully acquiring the weapon under a permit to acquire; or

(b) by delivering the weapon to a licensed dealer; or

(c) by delivering the weapon to a licensed armourer; or

(d) by surrendering the weapon to a police officer under arrangements made for the surrender.

(3) The licensee may acquire a weapon delivered to a licensed dealer or licensed armourer under this section only if the licensee has a current permit to acquire the weapon issued after the weapon was delivered to the dealer or armourer.

Maximum penalty—100 penalty units or 2 years imprisonment.

(4) The licensee must provide evidence of the disposal to an authorised officer within 4 months after the date of the notice to dispose.

Maximum penalty—60 penalty units.

(5) If a weapon is surrendered to a police officer under this section—

(a) on the surrender, the weapon is State property; and

(b) no compensation is payable for the weapon.

Division 2 Requirements for collectors

138 Condition for collector's licence (weapons)

(1) It is a condition of a collector's licence (weapons) that the licensee must not possess temporarily inoperable category H weapons unless the licensee is a member of an approved historical society.

(2) It is a condition of a collector's licence (weapons) that the licensee must not possess temporarily inoperable modern handguns.

(3) Despite subsection (2), an authorised officer may authorise the licensee to possess temporarily inoperable modern handguns if the authorised officer is satisfied that the licensee has a prolonged and genuine interest in the study, preservation or collection of firearms.

(4) If the authorised officer authorises the licensee to possess temporarily inoperable modern handguns, the authorised officer must endorse the licensee's licence accordingly.

Division 3 Requirements for approved pistol clubs

139 Endorsement of participation record

(1) This section applies if an approved pistol club is conducting a club organised shoot.

(2) If asked by a licensee participating in the club organised shoot after the licensee's participation in the shoot has ended, but before the shoot ends, a range officer of the pistol club must—

(a) inspect the licensee's entry in the licensee's participation record; and

(b) if satisfied the entry is correct, endorse the entry in the way prescribed under a regulation.

140 Approved pistol club to give annual report

(1) The representative of an approved pistol club must give an authorised officer a report under this section before 31 August in each year.

(2) The report must advise the authorised officer—

(a) about each member of the pistol club who, according to the pistol club's records, failed to satisfy a participation condition to which the member's licence was subject during the immediately preceding financial year; or

(b) that, according to the pistol club's records, each member of the pistol club satisfied the participation conditions to which the member's licence was subject during the immediately preceding financial year.

141 Show cause notice

(1) If an authorised officer reasonably suspects that the representative of an approved pistol club failed to give a report as required under section 140, the authorised officer may give the approved pistol club a written notice (***show cause notice***).

(2) The show cause notice must state the following—

(a) that the authorised officer may revoke the approved pistol club's shooting club permit (the ***proposed action***);

(b) the ground for the proposed action;

(c) an outline of the facts and circumstances forming the basis for the grounds;

(d) an invitation to the approved pistol club to show, within a stated period (the ***show cause period***), why the proposed action should not be taken.

(3) The show cause period must be a period ending at least 28 days after the day the show cause notice is given to the approved pistol club.

141A Consideration of representations

(1) The approved pistol club may make written representations about the show cause notice to the authorised officer in the show cause period.

(2) The authorised officer must consider all written representations (the ***accepted representations***) made under subsection (1).

Note—

An authorised officer is empowered to suspend or revoke a shooting club permit under section 96.

Division 4 Disclosure requirements for approved pistol clubs and approved historical societies

141B Disclosure requirements

(1) It is a condition of a relevant entity's shooting club permit or approval that the representative of the entity must advise the commissioner in writing as required under subsection (2)—

(a) when a member of the entity stops being a member of an entity; or

(b) when a member of the entity is expelled from the entity and the reason for the expulsion.

(2) The representative must advise the commissioner within 14 days after the member stops being a member or is expelled.

(3) This section applies despite any duty of confidentiality owed by the representative or entity to the member.

(4) The giving of information by a representative under this section does not give rise to any criminal or civil action or remedy against the representative or the entity.

(5) In this section—

relevant entity means—

(a) an approved pistol club; or

(b) an approved historical society.

Part 6 Appeals and rights of review

142 Right to appeal against decisions

(1) This section applies to the following decisions—

(a) a decision refusing an application for a licence, permit, approval or other authority under this Act;

(b) a decision refusing to accept the nomination of a person by an applicant for a shooting club permit;

(c) a decision refusing to accept a representative notice under section 92;

(d) a decision imposing or amending a condition applying to a licence, permit, approval or other authority under this Act;

(e) a decision revoking or suspending a licence, permit, approval or other authority under this Act.

(2) A person aggrieved by a decision to which this section applies may appeal against the decision.

(3) The appeal may be made to the Magistrates Court nearest the place where the appellant resides or carries on, or proposes to carry on, the business or activity which the decision affects.

142A Particular provision for appeals against or reviews of decisions based on criminal intelligence

(1) This section applies to an appeal from, or a review of, a relevant decision.

(2) The court deciding the appeal or reviewing the decision—

(a) must ensure that it does not, in the reasons for its decision or otherwise, disclose the content of any criminal intelligence on which the decision is based; and

(b) in order to prevent the disclosure of the criminal intelligence must receive evidence and hear argument in the absence of the public, the appellant or applicant for review and the appellant's or applicant's lawyer or representative.

(3) In this section—

criminal intelligence means criminal intelligence or other information of the kind mentioned in section 10B(1)(ca) or 10C(1) that could, if disclosed, reasonably be expected—

(a) to prejudice the investigation of a contravention or possible contravention of this Act; or

(b) to enable the existence or identity of a confidential source of information, in relation to the enforcement or administration of this Act, to be ascertained; or

(c) to endanger a person's life or physical safety; or

(d) to prejudice the effectiveness of a lawful method or procedure for preventing, detecting, investigating or dealing with a contravention or possible contravention of this Act; or

(e) to prejudice the maintenance or enforcement of a lawful method or procedure for protecting public safety.

relevant decision means any of the following decisions—

(a) a decision refusing an application for a licence or to renew a licence;

(b) a decision suspending or revoking a licence.

review, a decision, means review the decision under the *Judicial Review Act 1991*.

143 How to start appeal

(1) An appeal is started by—

(a) filing a written notice of appeal with the clerk of the court of the Magistrates Court; and

(b) serving a copy of the notice on an authorised officer.

(2) The notice of appeal must be filed within 28 days after the appellant receives notice of the decision appealed against.

(3) The court may at any time extend the period for filing the notice of appeal.

(4) The notice of appeal must state the grounds of the appeal.

144 Effect of appeal on decision

An appeal against a decision does not affect the decision, subject to—

(a) section 145; and

(b) section 146.

145 Appellant may carry on business pending appeal

A person who appeals against—

(a) the refusal to renew a dealer's licence, armourer's licence or theatrical ordnance supplier's licence; or

(b) the revocation of a dealer's licence, armourer's licence or theatrical ordnance supplier's licence;

is entitled, until the appeal is decided, to carry on business as if the licence had been renewed or had not been revoked.

146 Stay of operation of decision

(1) The court has power to grant a stay of a decision appealed against for the purpose of securing the effectiveness of the appeal.

(2) A stay—

(a) may be granted on conditions that the court considers appropriate; and

(b) has effect for the period specified by the court; and

(c) may be revoked or amended by the court.

(3) The period of a stay specified by the court must not extend past the time when the court decides the appeal.

147 Hearing procedures

(1) An appeal is to be by way of rehearing, unaffected by the decision appealed against.

(2) In deciding an appeal, the court—

(a) is not bound by the rules of evidence; and

(b) must observe natural justice; and

(c) may hear the appeal in court or chambers.

148 Powers of court on appeal

(1) In deciding an appeal, the court may—

(a) confirm the decision appealed against; or

(b) set aside the decision and substitute another decision; or

(c) set aside the decision and return the matter to an authorised officer with directions that the court considers appropriate.

(2) In substituting another decision, the court has the same powers as an authorised officer.

Example—

The court may decide that an unsuccessful applicant for a licence be granted the licence either unconditionally or on particular conditions.

(3) If the court substitutes another decision, the substituted decision is taken, for the purposes of this Act, to be an authorised officer's decision.

149 Appeal to District Court on questions of law only

A party aggrieved by the decision of the court may appeal to the District Court, but only on a question of law.

Part 7 Miscellaneous

150 Advisory council

(1) The Minister may constitute an advisory council to advise the Minister in the administration of this Act.

(2) The advisory council is to consist of the members appointed to the council by the Minister.

151 Disclosure by professional carer of certain information

(1) If a professional carer is of the opinion that a person is an unsuitable person to possess a firearm for either of the following reasons, the professional carer may inform the commissioner of the opinion and give the commissioner any relevant information about the person including the person's identity—

(a) because of the person's mental or physical condition; or

(b) because the person may be a danger to himself, herself or someone else.

(2) The giving of an opinion or information by a professional carer under subsection (1) does not give rise to any criminal or civil action or remedy against the professional carer.

(3) This section applies despite any duty of confidentiality owed by the professional carer to the person.

(4) In this section—

health services means services prescribed under a regulation for maintaining, improving and restoring people's health and wellbeing.

professional carer means—

(a) a doctor; or

(b) a registrant as defined under the *Psychologists Registration Act 2001*; or

(c) a nurse as defined under the *Nursing Act 1992*; or

(d) a person prescribed under a regulation who is engaged in providing health services.

151A Disclosure by approved shooting clubs and approved historical societies of particular information

(1) Subsection (2) applies if a majority of the governing body of a relevant entity reasonably believes that a member of the entity is an unsuitable person to possess a firearm—

(a) because of the member's mental or physical condition; or

(b) because the member may be a danger to himself, herself or someone else.

(2) The entity must inform the commissioner in writing of the governing body's belief and give the commissioner any relevant information about the member's condition and identity.

(3) The giving of an opinion or information by an entity under this section does not give rise to any criminal or civil action or remedy against the entity.

(4) This section applies despite any duty of confidentiality owed by the entity to the member.

(5) In this section—

relevant entity means—

(a) an approved shooting club; or

(b) an approved historical society.

151B Protection of informers

(1) If an informer supplies information to a police officer in relation to the commission of an indictable offence against this Act, the informer's identity must, at all times, be kept confidential.

(2) A person must not disclose the name of an informer or any other particular that may be likely to lead to the informer's identification.

Maximum penalty—2 years imprisonment.

(3) However, a person does not contravene subsection (2) if—

(a) the informer consents to the information being disclosed; or

(b) the disclosure was made in good faith for the protection of the informer's interests; or

(c) a court orders the disclosure after being satisfied that—

(i) disclosing the information is not likely to jeopardise the informer's safety; and

(ii) the disclosure is in the public interest.

151C Source of information not to be disclosed

(1) This section applies to a proceeding under this Act or another Act if an informer has supplied information to a police officer in relation to the commission of an indictable offence against this Act.

(2) If the prosecutor or a prescribed witness in the proceeding is asked to disclose any of the following, the prosecutor or prescribed witness can not be compelled to disclose—

(a) the name of an informer, or any other particular that may be likely to lead to the informer's identification; or

(b) the fact that, in relation to the offence, the prosecutor or witness—

(i) received information from an informer; or

(ii) furnished information to an informer or the nature of the information.

(3) A police officer appearing as a prosecutor or witness in the proceeding must not be compelled—

(a) to produce a report or document, made or received by the police officer in the police officer's official capacity or containing information given by the informer in relation to the offence; or

(b) to make a statement in relation to the report or document or information contained in the report or document.

(4) However the prosecutor, prescribed witness or police officer in the proceeding may be compelled to disclose information, or a report or document, to the extent—

(a) the informer consents to the particular information, or all or a particular part of the report or document, being disclosed; or

(b) a court orders that particular information, or all or a particular part of the report or document, be disclosed after being satisfied that the disclosure is not likely to jeopardise the informer's safety and is in the public interest.

(5) In this section—

prescribed witness means—

(a) a person appearing as a witness for the prosecution; or

(b) a police officer appearing as a witness for the defence.

151D Power to prohibit publication of proceedings

(1) In a proceeding arising out of a charge of having committed an indictable offence against this Act, the presiding judicial officer may make an order prohibiting the publication of all or any part of the proceeding and the name and address of any witness.

(2) An application for an order under subsection (1) may be made in closed court in the presence of any person the presiding judicial officer permits and no other person.

(3) On the hearing of the application, the presiding judicial officer may receive and act on any information the presiding judicial officer considers appropriate.

(4) When considering an application to prohibit publication, the presiding judicial officer must have regard to—

(a) the safety of any person; and

(b) the extent to which the detection of offences of a like nature may be affected; and

(c) the need to guarantee the confidentiality of information given by an informer.

(5) A person who contravenes an order made by a presiding judicial officer under subsection (1) commits an offence.

Maximum penalty—

(a) if the order is made by a magistrate—2 years imprisonment; or

(b) if the order is made by a judge—5 years imprisonment.

(6) This section is in addition to and not in substitution for the *Child Protection Act 1999*, sections 192 and 193[23] and the *Juvenile Justice Act 1992*.

(7) In this section—

presiding judicial officer, for a proceeding, means—

(a) the magistrate hearing and deciding the matter summarily or conducting the examination of witnesses; or

(b) the judge presiding over the court to which a person has been committed for trial or sentence.

152 Approved officers

(1) The commissioner may appoint a police officer or officer of the public service as an approved officer for this Act.

(2) However, a police officer or officer of the public service may be appointed as an approved officer only if, in the commissioner's opinion, the person has the necessary expertise or experience to be an approved officer.

153 Authorised officers

(1) For this Act, the following officers are authorised officers—

(a) the commissioner, an executive officer or commissioned officer;

(b) a police officer appointed as an authorised officer by the commissioner.

(2) However, a police officer may be appointed as an authorised officer only if, in the commissioner's opinion, the officer has

23 *Child Protection Act 1999*, sections 192 (Prohibition of publication of certain information for proceedings) and 193 (Restrictions on reporting certain court proceedings)

the necessary expertise or experience to be an authorised officer.

154 Authorised officers may approve particular weapons to be of particular types

(1) An authorised officer, specially authorised by the commissioner for this section, may—

(a) decide that ammunition is not commercially available for a thing mentioned in paragraph (a), (b)(i), (c) or (d) of the definition *firearm* and manufactured before 1 January 1901; or

(b) approve a firearm to be a pre-percussion handgun if the authorised officer reasonably believes the firearm—

(i) is an antique firearm less than 75 cm in length; and

(ii) does not use percussion as a means of igniting a charge; and

(iii) does not accept cartridge ammunition.

(2) The commissioner may specially authorise an authorised officer under this section if the commissioner is satisfied that the officer has the necessary qualifications or experience to be specially authorised for this section.

155 Disqualification by a court

(1) Where a person is convicted of an offence or is the subject of any order against the law of the State, the court may, in addition to any other penalty imposed by that law, do any 1 or more of the following—

(a) declare any licence, permit to acquire or approval held by the person convicted to be revoked;

(b) disqualify the person from holding or obtaining a licence or approval or from being a representative of a licensee or holder of approval under this Act for a period specified by the court;

(c) order that any weapon, ammunition, antique firearm, explosive tool, captive bolt humane killer, spear gun,

longbow or crossbow owned or in the possession of that person is forfeited to the Crown.

(2) A declaration under subsection (1)(a) has effect to revoke the licence or permit to acquire specified in the declaration.

(3) A disqualification under subsection (1)(b) has effect to revoke any licence, approval or permit to acquire held by the person.

157 Fraud and unlawful possession of licence etc.

(1) A person must not—

(a) without reasonable excuse, have possession of—

(i) a licence; or

(ii) anything resembling a licence; or

(iii) any document which was formerly a licence but which is suspended, cancelled, revoked or surrendered;

(b) without reasonable excuse, lend, or permit or allow to be used any licence issued in that person's name by any other person;

(c) unless authorised by or under this Act, make or attempt to make or cause, permit or allow to be made any endorsement on or addition or alteration to or erasure from a licence or any approval under this Act.

Maximum penalty—100 penalty units or 2 years imprisonment.

(2) A licence or approval obtained by any false statement or misrepresentation is void.

158 False or misleading statements

(1) A person must not state anything in a document required to be kept, given or made under this Act that the person knows is false or misleading in a material particular.

Maximum penalty—100 penalty units or 2 years imprisonment.

(2) It is enough for a complaint for an offence against subsection (1) to state the statement made was 'false or misleading' to the person's knowledge, without specifying which.

(3) In this section—

state includes disclose, declare, advise and give.

159 Criminal Code to be read with Act

The Criminal Code, with all necessary adaptations, is to be read and construed with this Act.

161 Proceedings for an offence

(1) Subject to subsections (2) and (3), a proceeding for an offence against this Act must be taken in a summary way under the *Justices Act 1886* within the later of the following—

(a) 1 year after the offence is committed;

(b) 1 year after the commission of the offence comes to the complainant's knowledge, but within 2 years after the commission of the offence.

(2) A proceeding for an indictable offence punishable by more than 10 years imprisonment may only be taken on indictment.

(3) A proceeding for an indictable offence, other than an indictable offence punishable by more than 10 years imprisonment, may, at the election of the prosecution, be taken—

(a) by way of summary proceedings under subsection (1); or

(b) on indictment.

(4) A proceeding against a person for an indictable offence must be before a magistrate if it is a proceeding—

(a) for the summary conviction of the person; or

(b) for an examination of witnesses in relation to the charge.

(5) If a proceeding for an indictable offence is brought before a justice who is not a magistrate, jurisdiction is limited to taking or making a procedural action or order as defined under the

Justices of the Peace and Commissioners for Declarations Act 1991.

(6) If the magistrate hearing a charge of an indictable offence considers the charge should be prosecuted on indictment, the magistrate—

(a) must not decide the charge as a summary offence; and

(b) must proceed by way of a committal proceeding.

(7) If a magistrate acts under subsection (6)—

(a) any plea of the person charged, made at the start of the proceeding, must be disregarded; and

(b) any evidence brought in the proceeding before the magistrate decided to act under subsection (6) is taken to be evidence in the proceeding for the committal of the person for trial or sentence; and

(c) before committing the person for trial or sentence, the magistrate must make a statement to the person under the *Justices Act 1886*, section 104(2)(b).[24]

(8) The maximum penalty that may be imposed on a summary conviction of an indictable offence is 150 penalty units or 3 years imprisonment.

(9) In this section—

indictable offence means an offence against this Act for which the maximum penalty of imprisonment is more than 2 years.

161A Indictable offences

(1) An offence against this Act punishable by at least 7 years imprisonment is a crime.

(2) An offence against this Act punishable by more than 2 years imprisonment but less than 7 years imprisonment is a misdemeanour.

24 *Justices Act 1886*, section 104 (Proceedings upon an examination of witnesses in relation to an indictable offence)

161B Circumstances in which particular charges may be joined

(1) Charges that a person contravened section 50B(1)[25] on specified occasions over a specified period may be joined in the same complaint or indictment.

(2) Charges that a person contravened section 69(1A)[26] on specified occasions over a specified period may be joined in the same complaint or indictment.

(3) Charges that a licensed dealer or licensed armourer contravened section 71(2)[27] on specified occasions over a specified period may be joined in the same complaint.

(4) Charges that a person contravened section 117(2) on specified occasions over a specified period may be joined in the same complaint.

(5) Charges that a person contravened section 126(1)[28] on specified occasions over a specified period may be joined in the same complaint.

(6) Charges that an individual contravened section 126A(1)(b)[29] on specified occasions over a specified period may be joined in the same complaint.

(7) Charges that a security organisation contravened section 128(1)(b)[30] on specified occasions over a specified period may be joined in the same complaint.

162 Person other than offender liable to penalties

Where an offence against this Act is committed by a body or association of persons whether incorporated or unincorporated every person who is a member of the governing body of that body or association and, in the case of a body or an association that is incorporated, the managing director, director, manager or other governing officer by

25 Section 50B (Unlawful supply of weapons)

26 Section 69 (Armourers to be licensed)

27 Section 71 (Licensed dealers and armourers to keep register)

28 Section 126 (Employed security guard must record prescribed information)

29 Section 126A (Obligation of security guard carrying on business to keep register)

30 Section 128 (Obligations of security organisation in relation to register)

whatever name called is to be taken to have committed the offence and may be prosecuted in respect of the offence unless that person proves that—

(a) the offence was committed without knowledge of that person; and

(b) that person had used all due diligence to prevent the commission of such an offence.

163 Evidentiary provisions

(1) In a proceeding for the purposes of this Act—

(a) it is not necessary to prove the appointment of the Minister, the commissioner, an authorised officer, a commissioned officer or any other police officer to do any act or take any proceedings; and

(b) a signature purporting to be that of the Minister, the commissioner, authorised officer or any other police officer is to be taken to be the signature it purports to be until the contrary is proved; and

(c) a statement in a complaint under the *Justices Act 1886* of any of the following matters is evidence of the matter—

(i) a place is or is not an approved range;

(ii) a club or an organisation is or is not an approved shooting club;

(iii) a person is or is not of a particular age;

(iv) a person was, or was not, the holder of a specified licence, permit, approval or other authority issued or granted under this Act at or during a specified time; and

(ca) a certificate purporting to be signed by the commissioner or deputy commissioner that the commissioner or deputy commissioner, acting personally under section 15(5) or 18(7), approved the rejection of an application for a licence or the renewal of a licence because a person was not a fit and proper person is evidence of the matter; and

(cb) a certificate purporting to be signed by the commissioner or deputy commissioner that the commissioner or deputy commissioner, acting personally under section 28(4) or 29(3), approved the suspension or revocation of a licence because a person was not a fit and proper person is evidence of the matter; and

(d) a certificate purporting to be signed by an authorised officer stating any of the following matters is evidence of the matter—

(i) a specified document is a licence, permit or approval or other document issued or granted under this Act or a copy of the document;

(ii) at or during a specified time, in relation to a place, person, club or organisation there was or was not a specified licence, permit, approval or other authority issued or granted under this Act;

(iii) a licence, permit, approval or other authority granted or issued under this Act was subject to the terms, conditions or restrictions stated in the document; and

(e) a document purporting to contain information extracted from the firearms register and signed by an authorised officer is evidence that the information is recorded in the firearms register; and

(f) every entry in any book or register kept by or belonging to any person pursuant to this Act or found on premises of that person are to be taken, unless the contrary is shown, to have been made by or with the authority of that person; and

(g) proof of any exemption from any provision of this Act is upon the person who relies thereon; and

(h) where the age of any person is material, the court may decide, upon its own view and judgment, whether any person charged or present before it has or has not attained any prescribed age but the age of that person may be proved by other means.

(2) Where, in respect of a proceeding for an offence against this Act, a copy of a document purporting to be signed by a police officer stating—

(a) the qualifications and experience of that officer; and

(b) that the officer has been appointed by the commissioner as an approved officer; and

(c) that at a specified time any article, weapon or other thing—

(i) did or did not bear any identification mark or number;

(ii) has had altered, defaced or removed therefrom any identification mark or number;

(iii) was or was not a weapon of a particular type;

(iv) was a weapon or other thing that had or had not been rendered inoperable;

is served upon the person charged with the offence at least 14 clear days before the hearing of the complaint then the document, a copy of which has been so served, on its production in the proceeding is sufficient evidence of the facts stated therein unless the person charged gives notice in writing in or to the effect of the approved form to the complainant at least 3 clear days before the hearing of the complaint requiring the calling of the police officer as a witness.

(3) Notwithstanding that a person charged with an offence has failed to give the notice as prescribed in subsection (2), the court may, in the interest of justice, order the police officer to be called and may grant any necessary adjournment accordingly.

(3A) In relation to a charge involving the unlawful possession of a firearm under section 50, the person charged is to be taken to have been in possession of the firearm if there is proof that the firearm was, at the material time, in or on a place of which the person was the occupier or concerned in the management or control unless the person shows—

(a) that the firearm was brought to the place by someone who was authorised to have possession of the firearm; or

(b) that the person neither knew nor had reason to suspect that the firearm was in or on the place; or

(c) that someone other than the person had responsibility for the weapon.

(4) Unless the tribunal of fact considers the interests of justice require that opinion evidence be given, the tribunal of fact may decide whether a thing produced to it, and examined by it, is 1 of the following without the assistance of opinion evidence—

(a) a weapon;

(b) a particular type of weapon;

(c) a power head, explosive tool, captive bolt humane killer, spear gun, longbow or crossbow;

(d) a replica of a weapon;

(e) a firearm;

(f) a thing mentioned in section 67.[31]

164 Service of notice, orders etc.

(1) Any order, notice or other document issued pursuant to this Act is properly given upon the person to whom it is directed if it is served in accordance with this section, that is to say—

(a) by delivering a copy thereof to the person personally; or

(b) if the person can not reasonably be found—by leaving a copy thereof with some person for the person at that person's usual place of business or residence or at the place of business or residence last known to the person who serves the order or document; or

(c) by posting by registered post a copy thereof addressed to the person at that person's place of business or residence last known to the person who issued the order at least 14 days before the date on which the notice or document is to take effect.

31 Section 67 (Possessing and acquiring restricted items)

(2) When an order, notice or document is served, the person who serves it may attend before a justice and depose on oath and in writing endorse on a copy of the order, notice or document to the manner of service thereof showing therein the date of personal delivery, leaving or posting, as the case may be, of the order, notice or document.

(3) Every such deposition is, upon production in any court, evidence of the matters contained therein and sufficient proof of the service of the order, notice or document on the person to whom it was directed.

(4) Service of any order, notice or document issued pursuant to this Act upon any unincorporated body or association of persons is properly served if it is served in accordance with this section upon the person who is for the time being the secretary or president (by whatever name such office is called) of that club or association.

(5) Subsection (4) applies to the service of a notice on a range operator that is an unincorporated body or association of persons.

165 Liability for tort generally

(1) The Crown is liable for a tort committed by any police officer acting, or purporting to act, in the execution of duty as a police officer under this Act in like manner as an employer is liable for tort committed by the employer's servant in the course of employment.

(2) The Crown is to be treated for all purposes as a joint tortfeasor with the police officer who committed the tort.

(3) In no case does the Crown's liability for a tort committed by any police officer extend to a liability to pay damages in the nature of punitive damages.

(4) In proceedings upon a claim by the Crown for damages in respect of a tort, actions done or omissions made by an officer acting, or purporting to act, in the execution of duty as a police officer under this Act may be relied on by the Crown as constituting contributory negligence, if the actions or omissions could have been so relied on if they had been done

or made by a servant of the Crown in the course of employment.

(5) For the purposes of this section, an action done or omission made by a police officer acting, or purporting to act, in the capacity of a constable is taken to have been done or made by the officer acting, or purporting to act, in the execution of duty as an officer.

(6) If a police officer incurs liability in law for a tort committed by the police officer in the course of rendering assistance, directly or indirectly, to a person suffering, or apparently suffering, from illness or injury in circumstances that the officer reasonably considers to constitute an emergency, and if the officer acted therein in good faith and without gross negligence, the Crown is to indemnify and keep indemnified the officer in respect of that liability.

166 Payment and recovery of damages

(1) The Crown may pay—

(a) the whole or part of damages, other than damages in the nature of punitive damages, and costs awarded against any police officer in proceedings with respect to a tort committed by the police officer acting, or purporting to act, in the execution of duty under this Act; and

(b) the whole or part of costs incurred, and not recovered, by the police officer in the proceedings.

(2) If any police officer is liable to pay a sum under a settlement of a claim that has, or might have, given rise to proceedings such as are referred to in subsection (1), the Crown may pay the whole or part of the sum.

(3) Except as provided by section 165(6), if the Crown has paid moneys by way of damages or costs in respect of a tort committed by any police officer or has paid moneys under a settlement referred to in subsection (2), the Crown may recover, in a court of competent jurisdiction, contribution from the police officer in respect of that payment.

(4) In proceedings for contribution under subsection (3) the amount of contribution recoverable is such amount as is found by the court to be just and equitable in the circumstances.

167 Provision of legal representation

(1) The commissioner may provide legal representation on behalf of any police officer against whom any action, claim or demand or proceeding in respect of an offence is brought or made otherwise than by or on behalf of the Crown in any of its capacities on account of any action done or omission made by the police officer acting, or purporting to act, in the execution of duty under this Act.

(2) If it is found, or conceded, in relation to any such action, claim, demand or proceeding that the police officer was not acting in the execution of duty in doing the action or making the omission on which the action, claim, demand or proceeding is based, the commissioner may recover from the police officer the amount of costs and expenses incurred by the commissioner in providing legal representation under subsection (1) in any court of competent jurisdiction as a debt due and payable by the police officer to the commissioner and unpaid.

168 Landowner incurs no liability merely because permission given

A landowner does not incur any liability merely because the landowner provides a person with written permission to shoot on the landowner's land.

168A Particular landowners to keep permit register

(1) This section applies to a landowner who, after the commencement of this section, provides written permission to shoot on the landowner's rural land—

(a) to a person or body for a fee or reward; or

(b) to more than 50 persons or bodies.

(2) The landowner must keep a register (***permit register***) stating—

(a) the name and address of the person or body to whom permission was given; and

(b) the date permission was given; and

(c) if the permission was limited by time—the day the permission ends.

Maximum penalty—10 penalty units.

(3) The landowner must keep the permit register while—

(a) a permission under subsection (1)(a) remains current; or

(b) more than 50 permissions under subsection (1)(b) remain current.

Maximum penalty—10 penalty units.

(4) For subsection (1), permission given to a body allowing its members or members of another body affiliated with the body to shoot on the landowner's rural land is taken to be a single permission.

168B Amnesty declaration

(1) The commissioner may, with the approval of the Minister, declare an amnesty (***amnesty declaration***) for firearms of particular types.

(2) An amnesty declaration must be published—

(a) in a gazette notice; and

(b) in a newspaper circulating generally throughout the State.

(3) The effect of an amnesty declaration is that a person must not be proceeded against for an offence against section 50[32] for the possession of a firearm of a type mentioned in the amnesty declaration if the person takes action, in the amnesty period for the type of firearm, and in accordance with the conditions stated in the amnesty declaration—

(a) to surrender the firearm; or

(b) to obtain the necessary authority under this Act to possess the firearm.

32 Section 50 (Possession of weapons)

(4) Subsection (3) does not stop the commissioner from, with the approval of the Minister, amending or revoking an amnesty declaration.

Examples of amendment of amnesty declaration—

1 An amendment changing the types of firearms mentioned in the amnesty declaration.

2 An amendment shortening or lengthening the amnesty period for a type of firearm mentioned in the amnesty declaration.

3 An amendment changing the conditions stated in the amnesty declaration.

(5) The commissioner must ensure, to the extent it is reasonably practicable, that an amendment or revocation of an amnesty declaration does not defeat the expectation a person may have had, before the amendment or revocation, to be able to take action to surrender, or to obtain the necessary authority to possess, a firearm.

Example—

If an amnesty declaration is to be amended to omit from the declaration the mention of a particular type of firearm, the amendment should, if reasonably practicable, operate to allow a person a reasonable time to surrender, or to obtain the necessary authority to possess, a firearm of the particular type before the amendment takes affect.

(6) The commissioner may include in an amnesty declaration any information or advice the commissioner considers appropriate to support the effectiveness of the declaration.

(7) No compensation is payable for the surrender of a firearm under an amnesty declaration.

(8) In this section—

amnesty period, for a type of firearm mentioned in an amnesty declaration, means the period stated in the amnesty declaration as the period for taking action to surrender, or to obtain the necessary authority under this Act to possess, a firearm of the type.

168C Dealing with surrendered firearm

(1) This section applies if a person surrenders a firearm of a type mentioned in an amnesty declaration under section 168B in

accordance with the conditions stated in the amnesty declaration.

(2) On the surrender of the firearm, the firearm—

(a) becomes the property of the State; and

(b) is taken, for the *Police Powers and Responsibilities Act 2000*, chapter 11, part 3, division 7 to have been forfeited to the State.[33]

169 Fees and penalties

All fees paid and all penalties recovered and costs incurred in relation to proceedings under this Act are to be paid and are hereby payable as prescribed by the regulations.

170 Delegations

(1) The Minister may delegate the Minister's powers under this Act to an appropriately qualified authorised officer.

(2) In this section—

an appropriately qualified authorised officer, to whom a power under this section may be delegated, means an authorised officer who has the necessary expertise or experience to exercise the power.

171 Approval of forms

The commissioner may approve forms for use under this Act.

172 Regulation-making power

(1) The Governor in Council may make regulations for the purposes of this Act.

(2) The Governor in Council may make regulations with respect to the matters mentioned in schedule 1.

33 *Police Powers and Responsibilities Act 2000*, chapter 11 (Administration), part 3 (Dealing with things in the possession of police service), division 7 (Dealing with forfeited things)

(3) A regulation may provide for an offence punishable by a maximum penalty of 20 penalty units.

Part 8 Transitional provisions

Division 1 Transitional provision for Police Powers and Responsibilities and Another Act Amendment Act 2001

173 Transitional provision for Police Powers and Responsibilities and Another Act Amendment Act 2001

(1) This section applies to a person who, immediately before the commencement of this section, possesses a category H weapon that is permanently inoperable.

(2) The person may continue to possess the category H weapon without a licence until whichever of the following happens first—

(a) the person obtains a collector's licence for the weapon;

(b) the end of 3 months after the commencement of this section.

Division 2 Transitional provisions for Weapons (Handguns and Trafficking) Amendment Act 2003

174 Definitions for div 2

In this division—

amnesty period means the period declared under section 168B[34] as the amnesty period for this division.

part of a prohibited handgun means a thing prescribed under a regulation that relates to a prohibited handgun.

prohibited handgun means a category H weapon that the holder of a concealable firearms licence must not possess under section 132.[35]

175 Compensation—prohibited handguns and parts of prohibited handguns

(1) Compensation for prohibited handguns, and parts of prohibited handguns, surrendered to the commissioner during the amnesty period is payable only to the following persons—

(a) a licensed dealer or licensed armourer;

(b) a holder of a concealable firearms licence whose reason for possessing a prohibited handgun is sports or target shooting.

(2) However, compensation is payable only for prohibited handguns and parts of prohibited handguns for which the State may receive reimbursement under an agreement with the Commonwealth providing for compensation for the purposes of this division.

(3) Compensation is payable for a prohibited handgun, or part of a prohibited handgun, only if it is—

(a) manufactured on or before 20 December 2002; and

(b) surrendered before or on the last day of the amnesty period.

(4) Compensation for a surrendered prohibited handgun or part of a prohibited handgun—

(a) is payable in an amount and in the way provided for under a regulation; and

(b) is not payable other than under this section.

34 Section 168B (Amnesty declaration)

35 Section 132 (Conditions for concealable firearms licence)

(5) If a regulation does not provide for the amount of compensation payable for a particular prohibited handgun or part of a prohibited handgun, the regulation may provide for the way in which a dispute about its value is to be decided.

(6) The commissioner may refuse to compensate a person for part of a prohibited handgun that is surrendered if the commissioner reasonably believes that the person has manufactured or imported the part for the purpose, or predominantly for the purpose, of applying for compensation under this section and not for genuine commercial sale.

(7) For subsection (6), the following are relevant matters in forming the belief—

(a) the commercial demand for the part;

(b) the quality of the part;

(c) the number of parts surrendered;

(d) when the part was manufactured or imported.

(8) A regulation may provide that compensation under this section is payable only if conditions provided for under the regulation are complied with.

(9) A thing surrendered under this section is State property when compensation for the thing is paid under this section.

176 Compensation—other handguns and related matters

(1) A regulation may provide for compensation for the surrender during the amnesty period of category H weapons, other than prohibited handguns for which compensation is payable under section 175, and other things or matters related to category H weapons.

(2) A regulation may provide that compensation under subsection (1) is payable only if conditions provided for under the regulation are complied with.

(3) A thing surrendered under this section is State property when compensation for the thing is paid under this section.

177 Possession of prohibited handguns during amnesty period

(1) A person who, immediately before the commencement of this section, was in lawful possession of a prohibited handgun does not contravene the condition mentioned in section 132(1) if the person is in possession of the prohibited handgun during the amnesty period.

(2) A person in lawful possession of a prohibited handgun under an existing licence must not use the weapon after the commencement of this section unless—

(a) the person is authorised to possess the weapon under section 132(2); or

(b) the person's genuine reason for possessing the weapon includes an occupational requirement for rural purposes.

Maximum penalty for subsection (2)—20 penalty units.

178 Licensed collectors

(1) This section applies to a person who—

(a) immediately before the commencement of this section, is the holder of a collector's licence (weapons); and

(b) lawfully possesses 1 or more temporarily inoperable modern handguns under that licence.

(2) The person does not contravene the condition mentioned in section 138(2) only because the person is in possession of a temporarily inoperable modern handgun during the amnesty period.

(3) However before the end of the amnesty period, the person must—

(a) lawfully dispose of all temporarily inoperable modern handguns that the person possesses; or

(b) apply for an endorsement on the licence of the type mentioned in section 138(4); or

(c) otherwise apply for a licence, other than a collector's licence (weapons) that, if granted, would authorise the person to possess the temporarily inoperable modern handguns; or

(d) make the temporarily inoperable modern handguns permanently inoperable.

(4) At the end of the amnesty period, neither this section nor the person's licence authorises the person to possess a temporarily inoperable modern handgun if—

(a) the person has not complied with subsection (3) before the end of the amnesty period; or

(b) the person applied for an endorsement on the licence of the type mentioned in section 138(4), or for another type of licence, but the application was refused.

(5) If the person applied for an endorsement on the licence of the type mentioned in section 138(4), or for another type of licence, and the application was not granted or refused before the end of the amnesty period, the person does not contravene the condition mentioned in section 138(2) if—

(a) the person is in possession of a temporarily inoperable modern handgun until 7 days after the person is given notice that the application is refused; and

(b) before the end of the 7 days mentioned in paragraph (a), the person lawfully disposes of the modern handgun.

179 Participation records for s 18B

The requirement to produce a participation record under section 18B(4)(b) does not apply to an application for renewal of a concealable firearms licence made before 1 January 2004.

180 Joinder of charges

Section 161B applies only in relation to contraventions occurring after the commencement of the section.

182 Amendment of regulation by Weapons (Handguns and Trafficking) Amendment Act 2003 does not affect powers of Governor in Council

The amendment of the *Weapons Categories Regulation 1997* by the *Weapons (Handguns and Trafficking) Amendment Act*

2003 does not affect the power of the Governor in Council to further amend the regulation or to repeal it.

Division 3 Transitional provisions for Police Powers and Responsibilities and Other Legislation Amendment Act 2003

183 Transitional provision about authorised officers powers

It is declared that an authorised officer has, and always has had, power to impose a condition on a licence issued under this Act that restricts, or has the effect of restricting, the possession or use of a weapon to a registered weapon of a particular category.

184 Amendment of regulation by Police Powers and Responsibilities and Other Legislation Amendment Act 2003 does not affect powers of Governor in Council

The amendment of the *Weapons Regulation 1996* and the *Weapons (Categories) Regulation 1997* by the *Police Powers and Responsibilities and Other Legislation Amendment Act 2003* does not affect the power of the Governor in Council to further amend the regulations or to repeal them.

185 Declaration relating to s 33(3)(a)

It is declared that, on the commencement of the *Police Powers and Responsibilities and Other Legislation Amendment Act 2003*, section 67, section 33(3)(a) of this Act, as in force from that commencement to the commencement of this section, is taken to be, and during that period to have always been, in the same terms as it is after the commencement of this section.

185 Transitional provision about category M crossbows

(1) A person who applies for a licence for a category M crossbow in the person's lawful possession immediately before the crossbow commencement day is taken to have adequate

knowledge of safety practices for the use, storage and maintenance of the weapon.

(2) In subsection (1)—

crossbow commencement day means the day the *Police Powers and Responsibilities and Other Legislation Amendment Act 2003*, part 13, division 3 commences.[36]

186 Transitional regulation-making power

(1) A regulation (a ***transitional regulation***) may make provision of a saving or transitional nature for category M crossbows for which—

(a) it is necessary to make provision to allow or facilitate the doing of anything to achieve the transition from the operation of this Act before the commencement of this section to the operation of this Act after the commencement; and

(b) this Act does not make provision or sufficient provision.

(2) A transitional regulation may have retrospective operation to a day not earlier than the commencement.

(3) A transitional regulation must declare it is a transitional regulation.

(4) This section and any transitional regulation expire 1 year after the commencement.

36 *Police Powers and Responsibilities and Other Legislation Amendment Act 2003*, part 13 (Amendment of Weapons Act 1990), division 3 (Amendments commencing after assent)

Schedule 1 Subject matter for regulations

section 172

1 Eligibility requirements for licences

Eligibility requirements for a licence.

2 Authorising things under a licence

Providing for things a licensee may or may not do under the authority of a licence.

2A Categorising weapons

Declaring weapons as category A, B, C, D, E, H, M or R weapons.

3 Limiting or prohibiting licensing of particular weapons

Limiting or prohibiting licensing of particular weapons or particular categories of weapons.

4 Limiting or prohibiting acquisition, possession or use of weapons and magazines

Limiting or prohibiting acquisition, possession or use of particular weapons or magazines or particular categories of weapons or magazines.

5 Secure storage facilities for weapons

Requirements for secure storage facilities for weapons.

6 Functions, powers and duties

The discharge of any function, the exercise of any power and the performance of any duty by any person appointed under this Act.

Schedule 1 (continued)

7 Instruments

The forms required or authorised in respect of any matter under this Act.

8 Fees etc.

The fees or other amounts payable in respect of any matter under this Act.

9 Qualifications and appointments

The qualifications required before a person is appointed or approved under this Act.

10 Funds

The funds to which fees and other amounts are payable under this Act and the purposes in respect of which those funds may be expended.

11 Terms of approvals, permits and exemptions

Providing for the terms of approvals, shooting club permits and exemptions.

12 Approved historical societies

Providing for the approval, conditions of approval, revocation of approval and obligations, of approved historical societies and their representatives.

13 Record-keeping

Providing for the keeping of records.

14 Production of weapons

Providing for the production of a category H weapon to establish its barrel length or calibre.

Schedule 1 (continued)

15 Disclosing licence information to approved shooting clubs and approved historical societies

Providing for the disclosure of information about licences, conditions attaching to licences, and eligibility for licences of members of approved shooting clubs to the approved shooting clubs or members of approved historical societies to the approved historical societies.

16 Registration of antique handguns

Providing for the registration of antique handguns.

17 Providing for approved shooting ranges

Providing for matters relating to persons using an approved range and the conduct of an approved range.

Schedule 2 Dictionary

section 5

accredited event means a handgun shooting competition prescribed under a regulation to be an accredited event.

acquire, a weapon, see section 35.

ammunition see the *Explosives Act 1999*, schedule 2.[37]

amnesty period, for part 8, division 2, see section 174.

antique firearm means a thing, mentioned in paragraph (a), (b)(i), (c) or (d) of the definition *firearm* and manufactured before 1 January 1901, that is one of the following—

(a) a muzzle loading firearm;

(b) a cap and ball firearm;

(c) a firearm in relation to which an authorised officer decides under section 154 that ammunition is not commercially available.

antique handgun means an antique firearm, other than a pre–percussion handgun, that is less than 75cm in length.

approved form see section 171.[38]

approved historical society means a body, whether incorporated or unincorporated, of a kind prescribed under a regulation that is granted approval by an authorised officer under a regulation as an approved historical society.

approved officer see section 152.

approved pistol club means an approved shooting club that has, as a purpose endorsed on the shooting club's shooting club permit, the conduct of sports or target shooting using category H weapons.

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37 *Explosives Act 1999*, schedule 2—

ammunition includes bombs, grenades, rockets, mines, projectiles and other similar devices and all types of cartridges (including blanks) used in firearms.

38 Section 171 (Approval of forms)

Schedule 2 (continued)

approved range means—

(a) a place approved under part 4, division 5; or

(b) a place approved under a Commonwealth Act for use in the sport of target shooting.

approved shooting club means a shooting club that holds a shooting club permit.

armourer means a person who stores, manufactures, modifies or repairs weapons in the course of the person's business.

associate, of a licensed dealer or an applicant for a dealer's licence, means a person, other than a financial institution, who—

(a) holds or will hold a relevant financial interest in the business or proposed business of the licensed dealer or applicant; or

(b) is or may be entitled to exercise a relevant power, whether in the person's own right or for someone else, in the business or proposed business of the licensed dealer or applicant; or

(c) holds or will hold a relevant position, whether in the person's own right or for someone else, in the business or proposed business of the licensed dealer or applicant.

authorised officer see section 153.

black-powder pistol has the meaning prescribed under a regulation.

blank-fire firearm means a firearm, or a replica of a firearm, that is incapable of discharging a projectile.

business means the business carried on under the authority of a licence.

category, of weapon, means a category prescribed under the *Weapons Categories Regulation 1997*.

category A weapon see the *Weapons Categories Regulation 1997*, section 2.

Schedule 2 (continued)

category B weapon see the *Weapons Categories Regulation 1997*, section 3.

category C weapon see the *Weapons Categories Regulation 1997*, section 4.

category D weapon see the *Weapons Categories Regulation 1997*, section 5.

category E weapon see the *Weapons Categories Regulation 1997*, section 6.

category H weapon see the *Weapons Categories Regulation 1997*, section 7.

category M weapon see the *Weapons Categories Regulation 1997*, section 7A.

category M crossbow means a crossbow that is a category M weapon under the *Weapons (Categories) Regulation 1997*, section 7A(g).

category R weapon see the *Weapons Categories Regulation 1997*, section 8.

class, in relation to a category H weapon, means a class prescribed under a regulation for the weapon.

club organised shoot means—

(a) a practice shoot organised by an approved pistol club; or

(b) a handgun shooting competition.

collection register see section 81.

collector means a person who collects or holds out as being ready to collect, whether on behalf of the collector or another person, a weapon or weapons.

Schedule 2 (continued)

commissioned officer see the *Police Service Administration Act 1990*, section 1.4.[39]

commissioner means the commissioner of the police service under the *Police Service Administration Act 1990*.

court means the Magistrates Court.

criminal history, of a person, means the convictions, other than spent convictions, recorded against the person for offences, in Queensland or elsewhere, whether before or after the commencement of this Act.

criminal intelligence, in relation to a person, means any information about the person's connection with or involvement in criminal activity.

dealer means a person, other than an armourer or theatrical ordnance supplier, who—

(a) carries on the business, whether or not for reward or benefit, of acquiring, selling or otherwise disposing of weapons in any way; or

(b) for trade or business, displays a weapon for sale or possesses a weapon for sale.

deputy commissioner means deputy commissioner of the police service under the *Police Service Administration Act 1990*.

domestic violence order means a domestic violence order under the *Domestic and Family Violence Protection Act 1989*,[40] and includes an interstate domestic violence order.

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39 *Police Service Administration Act 1990*, section 1.4—

commissioned officer means a person who holds a position in the police service as a commissioned officer.

40 *Domestic and Family Violence Protection Act 1989*, section 13(2)—

(2) A ***domestic violence order*** means—

(a) a protection order; or

(b) a temporary protection order.

Schedule 2 (continued)

executive officer see the *Police Service Administration Act 1990*, section 1.4.[41]

explosive see the *Explosives Act 1999*, schedule 2.[42]

firearm means—

(a) a gun or other thing ordinarily described as a firearm; or

(b) a thing ordinarily described as a weapon that, if used in the way for which it was designed or adapted, is capable of being aimed at a target and causing death or injury by discharging—

(i) a projectile; or

(ii) noxious, corrosive or irritant liquid, powder, gas, chemical or other substance; or

(c) a thing that would be a firearm mentioned in paragraph (a) or (b), if it were not temporarily inoperable or incomplete; or

(d) a major component part of a firearm;

but does not include—

(e) an antique firearm, explosive tool, captive bolt humane killer, spear gun, longbow or crossbow; or

(f) a replica of a spear gun, longbow or crossbow; or

(g) a slingshot, shanghai or sword.

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41 *Police Service Administration Act 1990*, section 1.4—

executive officer means a person who holds a position in the police service as an executive officer.

42 *Explosives Act 1999*, schedule 2—

explosive includes—

(a) a substance or a thing containing a substance, manufactured or used with a view to produce—

(i) a practical effect by explosion; or

(ii) a pyrotechnic effect; and

(b) a substance or thing declared under a regulation to be an explosive.

Examples of explosives—

Ammunition, detonators, gunpowder, nitroglycerine, pyrotechnics (including fireworks).

Schedule 2 (continued)

Example—

A replica of a gun capable of causing death or injury by discharging a projectile is a firearm. However, a replica of a gun not capable of causing death or injury by discharging a projectile is not a firearm.

firearms register see section 49.

genuine reason, for possession of a weapon, see section 11.

handgun shooting competition means a shooting competition that includes using a category H weapon at a place where the weapon may lawfully be used.

Note—

Particular handgun shooting competitions may be prescribed under a regulation to be accredited events. See the definition *accredited event*.

heirloom firearm see section 6.

identifying particular, of a person, means a fingerprint, palm print or footprint of the person.

interstate domestic violence order means an interstate order under the *Domestic and Family Violence Protection Act 1989*,[43] whether or not the interstate order is registered under that Act.

landowner means—

(a) the owner or occupier of rural land; or

(b) a person authorised by the owner or occupier to act on the owner's or occupier's behalf in the general management or control of the land.

licence means a licence continued, issued or renewed under this Act and in force at the material time, and includes a certificate under section 16(2).

licensed armourer means the person in whose name an armourer's licence, in force at the material time, has been issued.

43 *Domestic and Family Violence Protection Act 1989*, the schedule—

interstate order means an order made by a court of another State, a Territory or New Zealand under a prescribed law of the other State, Territory or New Zealand.

Schedule 2 (continued)

licensed collector means the person in whose name a collector's licence, in force at the material time, has been issued.

licensed dealer means the person in whose name a dealer's licence, in force at the material time, has been issued.

licensed theatrical ordnance supplier means the person in whose name a theatrical ordnance supplier's licence, in force at a material time, has been issued.

licensee means a person in whose name a licence, in force at the material time, has been issued.

magazine means a detachable receptacle for ammunition for a weapon.

major component part of a firearm includes a part such as the receiver, body, barrel, breechbolt, frame or top slide without which the firearm would be considered inoperative or incomplete.

modern handgun means a category H weapon manufactured on or after 1 January 1947.

occupier, of rural land, means the person entitled to possession of the land.

officer in charge of police includes a police officer of whatever rank or grade who is for the time being in charge of a police establishment.

ordnance register see section 117.

paint-pellet gun means a weapon that discharges paint-pellet projectiles.

paint-pellet sports means games in which persons use paint-pellet guns to discharge paint-pellet projectiles at other persons or things.

participation condition means a condition stated in section 133(1) or (3).[44]

participation record see section 134.

44 Section 133 (Participation conditions for concealable firearms licence)

Schedule 2 (continued)

part of a prohibited handgun, for part 8, division 2, see section 174.

permanently inoperable see section 7.

permit to acquire means a permit to acquire a weapon under this Act and in force at the material time.

physically possess, a weapon, means physically hold or have an immediate ability to physically hold the weapon.

place includes any vehicle.

police establishment means a police establishment for the purposes of the *Police Service Administration Act 1990*.

possession includes in relation to any thing—

(a) having the thing in one's custody;

(b) having the thing under one's control in any place, whether or not another has custody of the thing;

(c) having an ability to obtain custody of the thing at will;

(d) having a claim to custody of the thing which the claimant has committed to the custody of another, notwithstanding that the thing is temporarily not in the control of the person having such claim.

pre–percussion handgun means—

(a) an antique firearm less than 75cm in length that is a muzzle loading firearm activated by a fuse, matchlock, wheel lock, snaphaunce, flintlock or miquelet lock; or

(b) an antique firearm less than 75cm in length approved as an antique pre-percussion firearm by an authorised officer under section 154.

primary producer means a person (not being a person engaged in primary production as an employee on wages or piecework rates) primarily engaged in the occupation of—

(a) dairy farmer; or

(b) wheat, maize, or cereal grower; or

(c) cane grower; or

Schedule 2 (continued)

(d) fruit grower; or

(e) grazier; or

(f) farmer, whether engaged in general or mixed farming, cotton, potato, or vegetable growing, or poultry or pig raising;

and includes a person prescribed by regulation.

prohibited handgun, for part 8, division 2, see section 174.

prohibited person means a person convicted in Queensland or elsewhere of 1 or more of the following—

(a) murder or manslaughter;

(b) armed robbery;

(c) unlawful wounding;

(d) grievous bodily harm;

(e) an offence involving drugs, weapons or violence prescribed under a regulation that is punishable by imprisonment for 7 years or more.

protection order means a protection order under the *Domestic and Family Violence Protection Act 1989*, and includes an interstate domestic violence order corresponding to a protection order.

psychologist means a person registered under the *Psychologists Registration Act 2001*.

public place means any place that the public is entitled to use, is open to the public, or used by the public, whether on payment or otherwise.

purchase means obtain under a sale.

range officer of an approved range means a person who is a range officer of the range within the meaning of section 108(2).

range operator of an approved range means the range operator of the range within the meaning of section 108(1).

range use register see section 97.

Schedule 2 (continued)

reasonably believes means believes on reasonable grounds.

refuse, an application, includes reject the application.

registered owner, of a firearm, means the owner of the firearm as entered in the firearms register.

reject, an application, includes refuse an application.

relevant financial interest, in relation to a business, means—

(a) any interest in the capital or assets of the business; or

(b) any entitlement to receive any income derived from the business, whether the entitlement arises at law, in equity or otherwise.

relevant position, in relation to the business or proposed business of a licensed dealer or an applicant for a dealer's licence, means a position that entitles the holder of the position to participate in the management of the business whether as director, manager, secretary or in any other capacity.

relevant power, in relation to the business or proposed business of a licensed dealer or an applicant for a dealer's licence, means a power, whether exercisable by voting or otherwise and whether exercisable alone or in association with others—

(a) to participate in any managerial or executive decision of the business or proposed business; or

(b) to elect or appoint a person to a relevant position in the business or proposed business.

replacement licence means a licence issued in replacement of an existing licence under section 23.

replica see section 6A.

representative, of a body, for sections 27A and 28A, means the representative of a licensee that is a body, whether incorporated or unincorporated, who is endorsed—

(a) on the licensee's licence as the licensee's representative; or

Schedule 2 (continued)

(b) on a permit to acquire issued to the licensee as the licensee's representative.

respondent means a person named in a domestic violence order as the respondent.

rural land includes land other than land situated in any city or town or, in the case of a shire, in any township in the shire.

security guard see section 6B.

security guard's register see section 126A.

security organisation means an entity that provides security guards and the services of security guards.

security organisation register see section 128(1)(a).

sell includes—

(a) sell by wholesale, retail or auction; and

(b) supply under a lease, exchange, hiring or other commercial arrangement; and

(c) agree to sell; and

(d) cause or permit to be sold.

shanghai means a Y-shaped device that—

(a) has something with elastic properties fixed to it; and

(b) is capable of being used to propel a projectile.

shooting club means a club or other organisation that conducts the sport of target shooting, whether or not involving the use of a category M crossbow.

shooting club permit means a shooting club permit issued under section 87.

shooting gallery includes a place used for paint-pellet sports.

slingshot means a device designed for use with, or a component of which is, a brace that fits or rests on a person's forearm or another part of the person's body to support the person's wrist against the tension of elastic material used to propel a projectile.

Schedule 2 (continued)

Example—

A Saunders 'Falcon' Hunting Sling.

special condition means a special condition under section 134(1).

spent conviction means a conviction—

(a) for which the rehabilitation period under the *Criminal Law (Rehabilitation of Offenders) Act 1986* has expired under that Act; and

(b) that is not revived as prescribed by section 11 of that Act.

State includes Territory.

supply includes—

(a) give, distribute, sell, administer or transport; and

(b) offer to supply; and

(c) do an act preparatory to, or to further, or for the purpose of, supply.

sword means a thing consisting of a long, straight or curved blade, fixed in a hilt or handle, the blade of which is either—

(a) pointed; or

(b) sharp-edged on one or both sides.

Example—

1 A rapier.

2 A broadsword.

temporarily inoperable see section 8.

temporary protection order means a temporary protection order under the *Domestic and Family Violence Protection Act 1989*, and includes an interstate domestic violence order corresponding to a temporary protection order.

theatrical ordnance supplier means a person who, wholly or partly, carries on the business, whether or not for reward or benefit, of supplying on a temporary basis weapons for use in

Schedule 2 (continued)

theatrical, film or television productions where the supplying involves no change in the ownership of the weapons.

unlawful means without lawful justification or excuse.

unloaded firearm, means the firearm contains no ammunition in its breech, chamber, magazine or muzzle.

vehicle includes any aircraft or vessel.

weapon means—

(a) a firearm; or

(b) another thing prescribed under a regulation to be a weapon or within a category of weapon; or

(c) a thing that would be a weapon mentioned in paragraph (a) or (b), if it were not temporarily inoperable or incomplete.

weapons register see section 71(1).

Endnotes

1 Index to endnotes

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 29 April 2005. Future amendments of the Weapons Act 1990 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

Key		Explanation	Key		Explanation
AIA	=	**Acts Interpretation Act 1954**	**(prev)**	=	**previously**
amd	=	**amended**	**proc**	=	**proclamation**
amdt	=	**amendment**	**prov**	=	**provision**
ch	=	**chapter**	**pt**	=	**part**
def	=	**definition**	**pubd**	=	**published**
div	=	**division**	**R[X]**	=	**Reprint No.[X]**
exp	=	**expires/expired**	**RA**	=	**Reprints Act 1992**
gaz	=	**gazette**	**reloc**	=	**relocated**
hdg	=	**heading**	**renum**	=	**renumbered**
ins	=	**inserted**	**rep**	=	**repealed**
lap	=	**lapsed**	**(retro)**	=	**retrospectively**
notfd	=	**notified**	**rv**	=	**revised edition**
o in c	=	**order in council**	**s**	=	**section**
om	=	**omitted**	**sch**	=	**schedule**
orig	=	**original**	**sdiv**	=	**subdivision**
p	=	**page**	**SIA**	=	**Statutory Instruments Act 1992**
para	=	**paragraph**	**SIR**	=	**Statutory Instruments Regulation 2002**
prec	=	**preceding**	**SL**	=	**subordinate legislation**
pres	=	**present**	**sub**	=	**substituted**
prev	=	**previous**	**unnum**	=	**unnumbered**

4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments to	Effective	Reprint date
1	1995 Act No. 58	28 November 1995	23 February 1996
2	1996 Act No. 41	15 January 1997	15 January 1997
2A	1997 Act No. 48	14 November 1997	11 December 1997
2B	1998 Act No. 19	26 March 1998	8 April 1998
2C	1998 Act No. 19	1 May 1998	6 May 1998
3	1998 Act No. 19	1 May 1998	7 August 1998
3A	1999 Act No. 19	11 June 1999	12 November 1999
4	2000 Act No. 5	1 July 2000	4 August 2000
4A	2001 Act No. 22	17 May 2001	6 July 2001
4B	2002 Act No. 6	1 May 2002	3 May 2002

Reprint No.	Amendments included	Effective	Notes
4C	2003 Act No. 5	4 March 2003	
4D	2002 Act No. 6	10 March 2003	
5	2003 Act No. 37	1 July 2003	
5A	2003 Act No. 92	3 December 2003	

Reprint No.	Amendments included	Effective	Notes
5B	2003 Act No. 37	1 January 2004	
5C	—	2 July 2004	provs exp 1 July 2004
5D	2004 Act No. 8	6 August 2004	
5E	2003 Act No. 92	1 November 2004	
5F	2005 Act No. 17	29 April 2005	

5 Tables in earlier reprints

Name of table	Reprint No.
Changed names and titles	1
Corrected minor errors	1, 3, 5
Obsolete and redundant provisions	1
Renumbered provisions	1, 2

6 List of legislation

Weapons Act 1990 No. 71
date of assent 19 September 1990
ss 1–2 commenced on date of assent
ss 2–3, 4–5, 7–9, 10(3)–(4), 11–18, 20–22, 24, 111–112, 122, 133, 137–142, 144–45, schs 1–3 commenced 1 January 1991 (proc pubd gaz 22 December 1990 p 2275)
ss 26, 34 commenced 16 March 1991 (proc pubd gaz 16 March 1991 p 1463)
remaining provisions commenced 1 January 1992 (1991 SL No. 183)

amending legislation—

Statute Law (Miscellaneous Provisions) Act 1991 No. 97 ss 1–2, 3 sch 1
date of assent 17 December 1991
commenced on date of assent

Weapons Amendment Act 1994 No. 13 (this Act is amended, see amending legislation below)
date of assent 27 April 1994
ss 6(1) (so far as it omits definitions "approved club" and "range"), 6(2) (so far as it inserts definitions "approved range", "approved shooting club", "range officer", "range operator", "shooting club" and "shooting club permit"), 12, 17, 25 commenced 15 January 1997 (see 1996 No. 41 s 2(2) and 1996 SL No. 400)
remaining provisions commenced 24 March 1995 (1995 SL No. 60)

amending legislation—

Weapons Amendment Act 1996 No. 41 pts 1, 3 (amends 1994 No. 13 above)
date of assent 7 November 1996
ss 1–2 commenced on date of assent
remaining provisions commenced 15 January 1997 (1996 SL No. 400)

Statute Law Revision Act 1995 No. 57 ss 1–2, 4 sch 1
date of assent 28 November 1995
commenced on date of assent

Statute Law Revision Act (No. 2) 1995 No. 58 ss 1–2, 4 sch 1
date of assent 28 November 1995
commenced on date of assent

Weapons Amendment Act 1996 No. 41 pts 1–2, sch 1
date of assent 7 November 1996
ss 1–2 commenced on date of assent
remaining provisions commenced 15 January 1997 (1996 SL No. 400)

Weapons and Other Legislation Amendment Act 1997 No. 48 pts 1–2, s 3 sch 2
date of assent 29 August 1997
ss 1–4, 47 commenced on date of assent (see s 2(1))
ss 29, 39, 41–42 commenced 1 May 1998 (1997 SL No. 381)
remaining provisions commenced 14 November 1997 (1997 SL No. 381)
rep 31 December 1998 (see s 58)

Police and Other Legislation (Miscellaneous Provisions) Act 1998 No. 19 ss 1–2, pt 6
date of assent 26 March 1998
commenced on date of assent

Corrective Services Legislation Amendment Act 1999 No. 9 pt 1 sch
date of assent 30 March 1999
ss 1–2 commenced on date of assent
remaining provisions commenced 1 May 1999 (1999 SL No. 72)

Explosives Act 1999 No. 15 ss 1–2, 137 sch 1
date of assent 22 April 1999
ss 1–2 commenced on date of assent
remaining provisions commenced 11 June 1999 (SL No. 108)

Statute Law (Miscellaneous Provisions) Act 1999 No. 19 ss 1–3 sch
date of assent 30 April 1999
commenced on date of assent

Police Powers and Responsibilities Act 2000 No. 5 ss 1–2, 461 (prev s 373) sch 3
date of assent 23 March 2000
ss 1–2 commenced on date of assent
remaining provisions commenced 1 July 2000 (see s 2(1), (3) and 2000 SL No. 174)

Psychologists Registration Act 2001 No. 15 ss 1–2, 255 sch 2
date of assent 11 May 2001
ss 1–2 commenced on date of assent
remaining provisions commenced 1 May 2002 (2002 SL No. 77)

Police Powers and Responsibilities and Another Act Amendment Act 2001 No. 22 s 1 pt 3
date of assent 17 May 2001
commenced on date of assent

Domestic Violence Legislation Amendment Act 2002 No. 6 pts 1, 4
date of assent 13 March 2002

ss 1–2 commenced on date of assent
remaining provisions commenced 10 March 2003 (2003 SL No. 17)

Weapons and Another Act Amendment Act 2003 No. 5 pts 1–2
date of assent 4 March 2003
commenced on date of assent

Weapons (Handguns and Trafficking) Amendment Act 2003 No. 37 ss 1–2(1), pt 2
date of assent 2 June 2003
ss 1–2 commenced on date of assent
ss 33 (to the extent it ins new s 60(2)), 64 (to the extent it ins new s 138(1)) commenced 1 January 2004 (2003 SL No. 132)
remaining provisions commenced 1 July 2003 (2003 SL No. 132)

Police Powers and Responsibilities and Other Legislation Amendment Act 2003 No. 92 ss 1, 2(3), pt 13
date of assent 3 December 2003
pt 13 div 3 commenced 1 November 2004 (see s 2(3))
remaining provisions commenced on date of assent

Terrorism (Community Safety) Amendment Act 2004 No. 8 pts 1, 8
date of assent 20 May 2004
ss 1–2 commenced on date of assent
remaining provisions commenced 6 August 2004 (2004 SL No. 147)

Police and Other Legislation Amendment Act 2005 No. 17 pts 1, 5
date of assent 29 April 2005
ss 1–2, 38, 43 commenced on date of assent (see s 2)
remaining provisions commence 1 July 2005 (2005 SL No. 144)

7 List of annotations

This reprint has been renumbered—see tables of renumbered provisions in endnote 9.

Commencement
s 1.2 om R1 (see RA s 37)

Repeals
s 1.3 om 1994 No. 13 s 4

Savings and transitional
s 1.4 om 1994 No. 13 s 4

Application of Act
s 2 amd 1991 No. 97 s 3 sch 1; 1994 No. 13 s 5; 1996 No. 41 s 4; 1997 No. 48 s 4; 1999 No. 9 s 3 sch; 2002 No. 6 s 45; 2003 No. 37 s 4; 2004 No. 8 s 42

Principles and object of Act
s 3 ins 1996 No. 41 s 5

How object is to be achieved for firearms
s 4 ins 1996 No. 41 s 5

Definitions
prov hdg sub 1995 No. 58 s 4 sch 1
s 5 Note—prev s 5 contained definitions for this Act. Definitions are now located in schedule 2 (Dictionary). Annotations for definitions contained in prev s 5 are located in annotations for sch 2.
pres s 5 sub 2003 No. 5 s 3(1)

Meaning of "heirloom firearm"
s 6 ins 1996 No. 41 s 7

What is a "replica"
s 6A ins 1997 No. 48 s 6
amd 2001 No. 22 s 9

Meaning of "security guard"
s 6B ins 1997 No. 48 s 6

How a firearm is made "permanently inoperable"
s 7 ins 1996 No. 41 s 7
amd 1997 No. 48 s 7

How a firearm is made "temporarily inoperable"
s 8 ins 1996 No. 41 s 7

Notes in text
s 8A ins 2003 No. 37 s 5

PART 2—LICENCES
pt hdg sub 1996 No. 41 s 8

Issue, renewal, endorsement and alteration of licences
s 9 sub 1996 No. 41 s 8

Limitations on issue of licence
s 10 amd 1991 No. 97 s 3 sch 1; 1994 No. 13 ss 7, 3 sch
sub 1996 No. 41 s 8
amd 1997 No. 48 s 8; 1998 No. 19 s 28; 2003 No. 5 s 4

Adequate knowledge of weapon
s 10A ins 2003 No. 5 s 5

Fit and proper person—licensees
prov hdg amd 2003 No. 37 s 6(1)
s 10B ins 2003 No. 5 s 5
amd 2003 No. 37 s 6(2)–(5)

Fit and proper person—licensed dealer's associate
s 10C ins 2003 No. 37 s 7

Genuine reasons for possession of a weapon
s 11 sub 1996 No. 41 s 8

Licences
s 12 amd 1994 No. 13 s 3 sch
sub 1996 No. 41 s 8
amd 2003 No. 37 s 8

Application for licence
s 13 amd 1991 No. 97 s 3 sch 1; 1994 No. 13 s 3 sch
sub 1996 No. 41 s 8
amd 1997 No. 48 s 9

Inquiries into application
s 14 sub 1996 No. 41 s 8
amd 1997 No. 48 s 10

Authorised officer decides application
s 15 amd 1994 No. 13 s 8
sub 1996 No. 41 s 8
amd 1997 No. 48 s 11; 2003 No. 5 s 6; 2003 No. 37 s 9; 2003 No. 92 ss 55, 66

Issue of licence
s 16 amd 1991 No. 97 s 3 sch 1; 1994 No. 13 s 3 sch
sub 1996 No. 41 s 8
amd 2003 No. 37 s 10

Uses permitted under licence
s 17 amd 1994 No. 13 s 3 sch
sub 1996 No. 41 s 8
om 2003 No. 37 s 11

Renewal of licences
s 18 amd 1994 No. 13 s 3 sch
sub 1996 No. 41 s 8
amd 1998 No. 19 s 29; 2003 No. 5 s 7; 2003 No. 37 s 12

Additional application requirements for collector's licence (weapons) for category H weapon
s 18A ins 2003 No. 37 s 13

Additional application requirements for concealable firearms licence
s 18B ins 2003 No. 37 s 13

Additional application requirements for dealer's licence
s 18C ins 2003 No. 37 s 13

Notice of rejection of application to issue or renew licence
s 19 sub 1996 No. 41 s 8
amd 2003 No. 37 s 14

Term of licence
s 20 sub 1996 No. 41 s 8
amd 1997 No. 48 s 12; 2003 No. 37 s 15

Continuation of licence until renewal application dealt with
s 20A ins 2003 No. 5 s 8

Certain licences transferable
s 21 sub 1996 No. 41 s 8
amd 2003 No. 37 s 16

Reporting loss, destruction or theft of licence
s 22 amd 1994 No. 13 s 3 sch
sub 1996 No. 41 s 8

Replacement licence
s 23 sub 1996 No. 41 s 8

Change in licensee's circumstances
s 24 sub 1996 No. 41 s 8
amd 1997 No. 48 s 13; 2003 No. 5 s 9; 2003 No. 37 s 17

Authorised officer may amend licence conditions
s 25 amd 1994 No. 13 s 3 sch
sub 1996 No. 41 s 8
amd 2003 No. 37 s 18

Authorised officer may require information about licensed dealer's associates
s 25A ins 2003 No. 37 s 19

Change of approved place
s 26 amd 1994 No. 13 s 3 sch
sub 1996 No. 41 s 8

Surrender of licence
s 27 amd 1994 No. 13 s 3 sch
sub 1996 No. 41 s 8

Suspension of licence and related matters after temporary protection order is made
s 27A ins 2002 No. 6 s 47

Notice of intention to revoke because dealer's associate is not fit and proper
s 27B ins 2003 No. 37 s 20

Suspension of licence by giving suspension notice
prov hdg sub 2002 No. 6 s 48
s 28 sub 1994 No. 13 s 9; 1996 No. 41 s 8
amd 1997 No. 48 s 14; 2003 No. 5 s 10; 2003 No. 37 s 21

Revocation or suspension of licence and related matters after protection order is made
s 28A ins 2002 No. 6 s 49

Revocation of licence by giving revocation notice
prov hdg sub 2002 No. 6 s 50
s 29 sub 1996 No. 41 s 8
amd 1997 No. 48 s 15; 1998 No. 19 s 30; 2003 No. 5 s 11; 2003 No. 37 s 22

Action by court if respondent has access to weapons through employment
s 29A ins 2002 No. 6 s 51

Arrangements for surrender of suspended or revoked licences and weapons
s 29B ins 2002 No. 6 s 51
amd 2003 No. 37 s 22A

Suspension or revocation notice
s 30 ins 1996 No. 41 s 8
amd 2003 No. 37 s 23

Licensee's representative
s 31 ins 1996 No. 41 s 8
amd 2003 No. 5 s 12

Temporary recognition of interstate licences for particular purposes
s 32 ins 1996 No. 41 s 8
amd 1997 No. 48 s 16

Interstate residents moving to Queensland
s 33 ins 1996 No. 41 s 8
amd 2003 No. 92 s 67; 2005 No. 17 s 38

Contravention of licence condition
s 34 ins 1996 No. 41 s 8

Effect of an appeal against a domestic violence order
s 34AA ins 2002 No. 6 s 52

PART 3—ACQUISITION, SALE AND DISPOSAL OF WEAPONS
pt hdg ins 1996 No. 41 s 8
sub 1997 No. 48 s 17(1)

Division 1—Preliminary
div hdg ins 1997 No. 48 s 17(1)

Definitions for pt 3
s 34A ins 1997 No. 48 s 17(1)
amd 2003 No. 5 s 13

Division 2—Acquisition, sale and disposal of weapons
div hdg (prev div 1) ins 1996 No. 41 s 8
renum 1997 No. 48 s 17(2)

Acquisition of weapons
s 35 ins 1996 No. 41 s 8
amd 1997 No. 48 s 18; 2003 No. 92 s 56

Sale or disposal of weapons
prov hdg sub 1997 No. 48 s 19(1)
s 36 ins 1996 No. 41 s 8
amd 1997 No. 48 s 19(2)–(5); 2003 No. 37 s 24; 2003 No. 92 s 68

Advertising sale of firearms
s 37 ins 1996 No. 41 s 8

Division 3—Permits to acquire
div hdg (prev div 2) ins 1996 No. 41 s 8
renum1997 No. 48 s 3 sch 2

Issue etc. of permits to acquire
s 38 ins 1996 No. 41 s 8
sub 2003 No. 37 s 25

Limitations on issue of permits to acquire
s 39 ins 1996 No. 41 s 8
amd 1997 No. 48 s 20; 2003 No. 37 s 26

Application for permit to acquire
s 40 ins 1996 No. 41 s 8
amd 2003 No. 37 s 27

Inquiries into application
s 41 ins 1996 No. 41 s 8
amd 1997 No. 48 s 21

Authorised officer decides application
s 42 ins 1996 No. 41 s 8

Issue of permit to acquire
s 43 ins 1996 No. 41 s 8

Notice of rejection of application for permit to acquire
s 44 ins 1996 No. 41 s 8

Term of permit to acquire
s 45 ins 1996 No. 41 s 8

Reporting loss, destruction or theft of permit to acquire
s 46 ins 1996 No. 41 s 8

Replacement permit to acquire
s 47 ins 1996 No. 41 s 8

Surrender of permit to acquire
s 48 ins 1996 No. 41 s 8

Division 4—Firearms register
div hdg (prev div 3) ins 1996 No. 41 s 8
renum 1997 No. 48 s 3 sch 2

Commissioner to maintain firearms register
s 49 prev s 49 om 1996 No. 41 s 18
pres s 49 ins 1996 No. 41 s 8
amd 2001 No. 22 s 10; 2003 No. 37 s 28; 2003 No. 92 s 69

PART 4—POSSESSION AND USE OF WEAPONS
Authority given by licence
s 49A ins 2003 No. 37 s 29
amd 2003 No. 92 s 57

Possession of weapons
s 50 amd 1991 No. 97 s 3 sch 1
sub 1996 No. 41 s 9; 2003 No. 37 s 29

Possession of unregistered firearms
s 50A ins 2003 No. 37 s 29

Unlawful supply of weapons
s 50B ins 2003 No. 37 s 30

Possession of a knife in a public place or a school
prov hdg amd 2003 No. 5 s 14(1)
s 51 ins 1997 No. 48 s 22
sub 1998 No. 19 s 31
amd 2003 No. 5 s 14(2)–(3)

Physical possession and use of weapon sometimes allowed for the purpose of training a minor
s 52 sub 1994 No. 13 s 10
amd 1996 No. 41 s 3 sch 1; 1997 No. 48 s 23; 2003 No. 92 s 69A

An unlicensed person may use a weapon at an approved range
s 53 sub 1994 No. 13 s 10
amd 1997 No. 48 s 3 sch 2
sub 2003 No. 37 s 31

Possession or use of weapon by unlicensed person in primary production sometimes allowed
s 54 sub 1994 No. 13 s 10
amd 1996 No. 41 s 3 sch 1; 1997 No. 48 s 3 sch 2; 1998 No. 19 s 32; 2003 No. 37 s 32

Use of weapons by particular unlicensed persons at shooting gallery allowed
prov hdg amd 1997 No. 48 s 24(1)
s 55 prev s 55 amd 1994 No. 13 s 3 sch; 1995 No. 57 s 4 sch 1
om 1996 No. 41 s 20
pres s 55 sub 1994 No. 13 s 10
amd 1997 No. 48 s 24(2)–(4)

Possession of weapons supplied by theatrical ordnance supplier
s 55A ins 1997 No. 48 s 25

Discharge of weapon on private land without owner's consent prohibited
s 56 prev s 56 sub 1994 No. 13 s 11
om 1996 No. 41 s 20
pres s 56 sub 1994 No. 13 s 10
amd 1996 No. 41 s 10; 1998 No. 19 s 33; 2003 No. 92 s 70

Particular conduct involving a weapon in a public place prohibited
s 57 prev s 57 amd 1994 No. 13 s 3 sch
om 1996 No. 41 s 20
pres s 57 sub 1994 No. 13 s 10
amd 1996 No. 41 s 11; 1998 No. 19 s 34; 1999 No. 19 s 3 sch; 2003 No. 92 ss 58, 71

Dangerous conduct with weapon prohibited generally
s 58 ins 1994 No. 13 s 10
amd 1996 No. 41 s 3 sch 1; 1998 No. 19 s 35; 2003 No. 92 ss 59, 72

Possession or use of weapon under the influence of liquor or a drug prohibited
s 59 prev s 59 om 1996 No. 41 s 21
pres s 59 ins 1994 No. 13 s 10
amd 1996 No. 41 s 12; 1998 No. 19 s 36; 2003 No. 92 ss 60, 73

Secure storage of weapons
s 60 prev s 60 amd 1994 No. 13 s 3 sch
om 1996 No. 41 s 21
pres s 60 sub 1996 No. 41 s 13; 2003 No. 37 s 33

Lost or stolen weapons
s 60A ins 1997 No. 48 s 26

Shortening firearms
s 61 sub 1996 No. 41 s 13
amd 2003 No. 37 s 34

Modifying construction or action of firearms
s 62 ins 1996 No. 41 s 13
amd 2003 No. 37 s 35

Altering identification marks of weapons
s 63 prev s 63 om 1996 No. 41 s 22
pres s 63 ins 1996 No. 41 s 13
amd 2003 No. 37 s 36

Obtaining weapons by deceit
s 64 om 1996 No. 41 s 14
amd 1999 No. 19 s 3 sch

Unlawful trafficking in weapons
s 65 amd 1996 No. 41 s 3 sch 1; 2003 No. 5 s 15; 2003 No. 92 s 74

Dispatch of weapons
s 66 sub 1996 No. 41 s 15

Notification and recording of particulars of acquisition before possession
s 3.14 om 1996 No. 41 s 16

Possessing and acquiring restricted items
prov hdg sub 1994 No. 13 s 3 sch
s 67 amd 1996 No. 41 s 3 sch 1
sub 1997 No. 48 s 27

Division 2—Dealers, armourers and employees
div hdg sub 1997 No. 48 s 28

Dealers to be licensed
s 68 amd 1998 No. 19 s 37; 2003 No. 92 s 75

Armourers to be licensed
s 69 amd 1998 No. 19 s 38; 2003 No. 37 s 37; 2003 No. 92 s 76

Employees of dealers and armourers
s 70 amd 1996 No. 41 s 3 sch 1
sub 1997 No. 48 s 29
amd 2003 No. 37 s 38

Licensed dealers and armourers to keep register
s 71 amd 1994 No. 13 s 3 sch
sub 1996 No. 41 s 17
amd 1998 No. 19 s 39; 2003 No. 5 s 16; 2003 No. 37 s 39

Annual returns by licensed dealers
s 72 amd 1994 No. 13 s 3 sch; 1997 No. 48 s 30; 2003 No. 37 s 40

Dealer etc. to require information
s 73 amd 1996 No. 41 s 3 sch 1; 1997 No. 48 s 31
sub 2003 No. 37 s 41
amd 2003 No. 92 s 61

Licensed dealer or armourer taken to be in lawful possession
s 74 sub 1996 No. 41 s 18

Collector to be licensed
s 75 amd 1997 No. 48 s 32; 2003 No. 37 s 42

Collector's licence (heirloom)
s 76 ins 1996 No. 41 s 19
sub 2003 No. 37 s 43

Collector's licence (weapons)
s 77 ins 1996 No. 41 s 19
amd 1997 No. 48 s 33; 2001 No. 22 s 11
sub 2003 No. 37 s 43

Weapons not to be discharged or operated
s 78 amd 1998 No. 19 s 40; 2003 No. 37 s 44

Approval of arms fair
s 79 amd 1994 No. 13 s 3 sch; 2003 No. 37 s 45

Application for approval
s 80 amd 1994 No. 13 s 3 sch

Collectors to keep register
s 81 sub 1996 No. 41 s 20

Removal of register and weapons
s 82 amd 2003 No. 37 s 46

Licensed collector leaving Queensland
s 83 amd 2003 No. 37 s 47

Licensed collector taken to be in unlawful possession
s 84 sub 1996 No. 41 s 22

Division 4—Approved shooting clubs
div hdg sub 1994 No. 13 s 12

Approval of club
s 3.38 amd 1991 No. 97 s 3 sch 1
om 1994 No. 13 s 12

Only an approved shooting club may conduct target shooting
s 85 sub 1994 No. 13 s 12 (amd 1996 No. 41 s 37(1))

Application for shooting club permit
s 86 sub 1994 No. 13 s 12

Authorised officer may grant or refuse shooting club permit
s 87 sub 1994 No. 13 s 12

Authorised officer to give reasons for refusing to grant permit
s 88 sub 1994 No. 13 s 12

Conditions to apply to permit
s 89 sub 1994 No. 13 s 12

A representative is required for some applications
prov hdg amd 2003 No. 37 s 48
s 90 sub 1994 No. 13 s 12
amd 2003 No. 37 s 48

Duty of representative
prov hdg amd 2003 No. 37 s 49
s 91 sub 1994 No. 13 s 12
amd 2003 No. 37 s 49

Change of representative
prov hdg amd 2003 No. 37 s 50
s 92 sub 1994 No. 13 s 12
amd 2003 No. 37 s 50

How to decide whether an individual is an appropriate person
s 93 sub 1994 No. 13 s 12 (amd 1996 No. 41 s 37(2)–(3))

Authorised officer may amend permit conditions
s 94 sub 1994 No. 13 s 12

Authorised officer may make temporary amendment of conditions
s 95 ins 1994 No. 13 s 12

Revoking or suspending permit
s 96 ins 1994 No. 13 s 12

Club must keep range use register books
s 97 ins 1994 No. 13 s 12
amd 1997 No. 48 s 3 sch 2
sub 2003 No. 37 s 51

Service of notice on approved shooting club
s 98 ins 1994 No. 13 s 12
amd 2003 No. 37 s 52

Limitation on organised target shooting
s 98A (prev s 51) ins 1996 No. 41 s 9
renum and reloc 1997 No. 48 s 3 sch 2

Membership of approved pistol clubs
s 98B ins 2003 No. 37 s 53

Division 5—Approved ranges
div hdg ins 1994 No. 13 s 12

Application for range approval
s 99 ins 1994 No. 13 s 12

Limits on approvals
s 100 ins 1994 No. 13 s 12 (amd 1996 No. 41 s 37(4))
amd 1997 No. 48 s 34; 2003 No. 5 s 17

Authorised officer may grant or refuse range approval
s 101 ins 1994 No. 13 s 12 (amd 1996 No. 41 s 37(5))
amd 1997 No. 48 s 35; 2003 No. 5 s 18

Authorised officer to give reasons for refusing to grant approval
s 102 prev s 102 amd 1995 No. 58 s 4 sch 1
om 1996 No. 41 s 3 sch 1
pres s 102 ins 1994 No. 13 s 12

Conditions to apply to approval
s 103 ins 1994 No. 13 s 12

Authorised officer may amend approval conditions
s 104 ins 1994 No. 13 s 12

Authorised officer may make temporary amendment of conditions
s 105 ins 1994 No. 13 s 12

Suspending or revoking approval
prov hdg amd 2003 No. 37 s 54(1)
s 106 ins 1994 No. 13 s 12
amd 2003 No. 37 s 54(2)–(5)

Range can be dealt with in conjunction with shooting club permit
s 107 ins 1994 No. 13 s 12

Responsibilities of range operator
s 108 ins 1994 No. 13 s 12 (amd 1996 No. 41 s 37(6))
amd 1997 No. 48 s 36; 2003 No. 37 s 55

Responsibilities of range officer
s 109 ins 1994 No. 13 s 12

Responsibilities of person attending an approved range
s 110 ins 1994 No. 13 s 12
amd 1997 No. 48 s 37; 2003 No. 37 s 56

Approval of shooting galleries
s 111 amd 1991 No. 97 s 3 sch 1; 1994 No. 13 s 3 sch; 1996 No. 41 s 3 sch 1; 2003 No. 37 s 57

Conditions of approval
s 112 amd 1994 No. 13 s 13; 1996 No. 41 s 23

Representative of holder of approval
s 113 amd 1994 No. 13 s 3 sch; 1996 No. 41 s 3 sch 1

Conduct of persons resorting to shooting galleries
s 114 amd 1994 No. 13 s 14; 2003 No. 37 s 58

Theatrical ordnance suppliers to be licensed
s 115 amd 1997 No. 48 s 38; 2003 No. 37 s 59

Employees of theatrical ordnance suppliers
s 116 amd 1996 No. 41 s 3 sch 1
sub 1997 No. 48 s 39

Theatrical ordnance supplier to keep register
s 117 amd 1994 No. 13 s 3 sch
sub 1996 No. 41 s 24

Weapons may be supplied for theatre, film and television productions
s 118 sub 1994 No. 13 s 15
amd 2003 No. 37 s 60

Supervision of use of weapons in theatre, film and television productions
s 119 ins 1994 No. 13 s 16

Removal of register and weapons
s 120 amd 1994 No. 13 s 3 sch; 1996 No. 41 s 3 sch 1; 2003 No. 37 s 61

Annual returns by licensed theatrical ordnance supplier
s 121 amd 1994 No. 13 s 3 sch; 1996 No. 41 s 3 sch 1; 2003 No. 37 s 62

Licensed theatrical ordnance supplier taken to be in unlawful possession
s 122 ins 1996 No. 41 s 25

Division 8—Security guards and security organisations
div hdg sub 1994 No. 13 s 17

Armed security guard must be licensed
s 123 sub 1994 No. 13 s 17 (amd 1996 No. 41 s 38(1))

Training courses for security guards
s 124 sub 1994 No. 13 s 17 (amd 1996 No. 41 s 38(2))

Control of possession and use of weapons by security guards
s 125 sub 1994 No. 13 s 17; 1997 No. 48 s 40

Employed security guard must record prescribed information
prov hdg sub 1997 No. 48 s 41(1)
s 126 amd 1994 No. 13 s 3 sch
sub 1994 No. 13 s 17 (amd 1996 No. 41 s 38(3))
amd 1997 No. 48 s 41(2)–(3)

Obligation of security guard carrying on business to keep register
s 126A ins 1997 No. 48 s 42

Obligations of security organisation in relation to the possession or use of a weapon
s 127 ins 1994 No. 13 s 17 (amd 1996 No. 41 s 38(4))
amd 2003 No. 37 s 63

Obligations of security organisation in relation to register
s 128 ins 1994 No. 13 s 17 (amd 1996 No. 41 s 38(5)–(6))
amd 2000 No. 5 s 461 sch 3

Obligation of members of governing body of security organisation
s 129 ins 1994 No. 13 s 17

PART 5—ADDITIONAL REQUIREMENTS IN RELATION TO CATEGORY H WEAPONS
pt hdg prev pt hdg om 2000 No. 5 s 461 sch 3
pres pt hdg ins 2003 No. 37 s 64

Division 1—Requirements for holders of concealable firearms licence
div hdg ins 2003 No. 37 s 64

Application of div 1
s 130 prev s 130 ins 1994 No. 13 s 17 (amd 1996 No. 41 s 38(7))
om 2000 No. 5 s 461 sch 3
pres s 130 ins 2003 No. 37 s 64

Limitation on number of concealable firearms particular licensees may acquire
s 131 prev s 131 om 2000 No. 5 s 461 sch 3
pres s 131 ins 2003 No. 37 s 64

Conditions for concealable firearms licence
s 132 prev s 132 amd 1994 No. 13 s 3 sch
sub 1996 No. 41 s 26
amd 1998 No. 19 s 41
om 2000 No. 5 s 461 sch 3
pres s 132 ins 2003 No. 37 s 64
amd 2003 No. 92 s 62

Participation conditions for concealable firearms licence
s 133 prev s 133 om 2000 No. 5 s 461 sch 3
pres s 133 ins 2003 No. 37 s 64

Licensees to keep participation record
s 134 prev s 134 amd 1994 No. 13 s 3 sch
om 2000 No. 5 s 461 sch 3
pres s 134 ins 2003 No. 37 s 64

Show cause notice
s 135 prev s 135 amd 1994 No. 13 s 18
om 2000 No. 5 s 461 sch 3
pres s 135 ins 2003 No. 37 s 64

Consideration of representations
s 136 prev s 136 om 2000 No. 5 s 461 sch 3
pres s 136 ins 2003 No. 37 s 64

Notice to dispose
s 137 prev s 137 om 2000 No. 5 s 461 sch 3
pres s 137 ins 2003 No. 37 s 64

Division 2—Requirements for collectors
div hdg ins 2003 No. 37 s 64

Condition for collector's licence (weapons)
s 138 prev s 138 om 2000 No. 5 s 461 sch 3
pres s 138 ins 2003 No. 37 s 64

Division 3—Requirements for approved pistol clubs
div hdg ins 2003 No. 37 s 64

Endorsement of participation record
prov hdg prev prov hdg amd 1994 No. 13 s 3 sch
s 139 prev s 139 amd 1994 No. 13 s 19; 1996 No. 41 s 3 sch 1; 1998 No. 19 s 42
om 2000 No. 5 s 461 sch 3
pres s 139 ins 2003 No. 37 s 64

Approved pistol club to give annual report
s 140 prev s 140 om 2000 No. 5 s 461 sch 3
pres s 140 ins 2003 No. 37 s 64

Show cause notice
s 141 prev s 141 om 2000 No. 5 s 461 sch 3
pres s 141 ins 2003 No. 37 s 64

Consideration of representations
s 141A ins 2003 No. 37 s 64

Division 4—Disclosure requirements for approved pistol clubs and approved historical societies
div hdg ins 2003 No. 37 s 64

Disclosure requirements
s 141B ins 2003 No. 37 s 64

PART 6—APPEALS AND RIGHTS OF REVIEW
pt hdg sub 2003 No. 37 s 65

Right to appeal against decisions
s 142 sub 1994 No. 13 s 20
amd 2003 No. 37 s 66

Particular provision for appeals against or reviews of decisions based on criminal intelligence
s 142A ins 2003 No. 37 s 67

How to start appeal
s 143 ins 1994 No. 13 s 20

Effect of appeal on decision
s 144 ins 1994 No. 13 s 20

Appellant may carry on business pending appeal
s 145 ins 1994 No. 13 s 20

Stay of operation of decision
s 146 ins 1994 No. 13 s 20

Hearing procedures
s 147 prev s 147 ins 1995 No. 58 s 4
exp 28 May 1996 (see s 147(3))
pres s 147 ins 1994 No. 13 s 20
amd 1995 No. 57 s 4 sch 1

Powers of court on appeal
s 148 ins 1994 No. 13 s 20

Appeal to District Court on questions of law only
s 149 ins 1994 No. 13 s 20
amd 1999 No. 19 s 3 sch

Advisory council
s 150 ins 1996 No. 41 s 27

Disclosure by professional carer of certain information
s 151 ins 1996 No. 41 s 27
sub 2003 No. 37 s 68

Disclosure by approved shooting clubs and approved historical societies of particular information
s 151A ins 2003 No. 37 s 68

Protection of informers
s 151B ins 2003 No. 37 s 68

Source of information not to be disclosed
s 151C ins 2003 No. 37 s 68

Power to prohibit publication of proceedings
s 151D ins 2003 No. 37 s 68

Approved officers
s 152 ins 1996 No. 41 s 27

Authorised officers
s 153 ins 1996 No. 41 s 27

Authorised officers may approve particular weapons to be of particular types
prov hdg prev prov hdg amd 1994 No. 13 s 3 sch
s 154 prev s 154 amd 1994 No. 13 ss 21, 3 sch; 1998 No. 19 s 43; 1999 No. 15 s 137 sch 1
om 2000 No. 5 s 461 sch 3
pres s 154 ins 2003 No. 37 s 69

Disqualification by a court
s 155 amd 1994 No. 13 s 22; 1996 No. 41 s 3 sch 1; 1997 No. 48 s 43

Offences generally
s 156 prev s 156 ins 1996 No. 41 s 32
om R2 (see RA s 37)
pres s 156 (prev s 132) renum 1996 No. 41 s 32
om 2003 No. 37 s 70

Fraud and unlawful possession of licence etc.
s 157 amd 1994 No. 13 s 3 sch; 1996 No. 41 s 3 sch 1; 2003 No. 37 s 71

False or misleading statements
s 158 ins 1994 No. 13 s 23
sub 2003 No. 37 s 72

Allegation and proof of circumstances of aggravation
s 160 om 1997 No. 48 s 44

Proceedings for an offence
s 161 amd 1996 No. 41 s 28
sub 2003 No. 37 s 73

Indictable offences
s 161A ins 2003 No. 37 s 73

Circumstances in which particular charges may be joined
s 161B ins 2003 No. 37 s 73

Evidentiary provisions
s 163 amd 1994 No. 13 s 24; 1995 No. 57 s 4 sch 1; 1996 No. 41 s 29; 1999 No. 19 s 3 sch; 2003 No. 37 s 74

Service of notice, orders etc.
s 164 amd 1994 No. 13 s 25

Landowner incurs no liability merely because permission given
s 168 ins 1996 No. 41 s 30

Particular landowners to keep permit register
s 168A ins 1997 No. 48 s 45

Amnesty declaration
s 168B ins 2003 No. 5 s 19

Dealing with surrendered firearm
s 168C ins 2003 No. 5 s 19

Delegations
s 170 ins 1996 No. 41 s 31

Approval of forms
s 171 ins 1995 No. 58 s 4 sch 1

Regulation-making power
prov hdg sub 1996 No. 41 s 3 sch 1
s 172 sub 1994 No. 13 s 3 sch
amd 1997 No. 48 s 3 sch 2; 2003 No. 5 s 20; 2003 No. 37 s 75

PART 8—TRANSITIONAL PROVISIONS
pt hdg orig pt hdg ins 1994 No. 13 s 27
om 1995 No. 57 s 4 sch 1
prev pt hdg ins 1996 No. 41 s 32
exp 30 September 1998 (see s 180)
pres pt hdg ins 2001 No. 22 s 12

Division 1—Transitional provision for Police Powers and Responsibilities and Another Act Amendment Act 2001
div hdg ins 2003 No. 37 s 76(1)

Transitional provision for Police Powers and Responsibilities and Another Act Amendment Act 2001
s 173 prev s 173 ins 1996 No. 41 s 32
amd 1997 No. 48 s 46
exp 30 September 1998 (see s 180)
pres s 173 ins 2001 No. 22 s 12

Division 2—Transitional provisions for Weapons (Handguns and Trafficking) Amendment Act 2003
div hdg ins 2003 No. 37 s 76(2)

Definitions for div 2
s 174 prev s 174 ins 1996 No. 41 s 32
amd 1997 No. 48 s 47
exp 31 March 1998 (see s 174(5))
pres s 174 ins 2003 No. 37 s 76(2)

Compensation—prohibited handguns and parts of prohibited handguns
s 175 prev s 175 ins 1996 No. 41 s 32
exp 30 September 1998 (see s 180)
pres s 175 ins 2003 No. 37 s 76(2)

Compensation—other handguns and related matters
s 176 prev s 176 ins 1996 No. 41 s 32
exp 30 September 1998 (see s 180)
pres s 176 ins 2003 No. 37 s 76(2)

Possession of prohibited handguns during amnesty period
s 177 prev s 177 ins 1996 No. 41 s 32
exp 30 September 1998 (see s 180)
pres s 177 ins 2003 No. 37 s 76(2)

Licensed collectors
s 178 prev s 178 ins 1996 No. 41 s 32
exp 30 September 1998 (see s 180)
pres s 178 ins 2003 No. 37 s 76(2)

Participation records for s 18B
s 179 prev s 179 ins 1996 No. 41 s 32
amd 1997 No. 48 s 48; 1998 No. 19 s 44
exp 30 September 1998 (see s 180)
pres s 179 ins 2003 No. 37 s 76(2)

Joinder of charges
s 180 prev s 180 ins 1996 No. 41 s 32
amd 1997 No. 48 s 49
exp 30 September 1998 (see s 180)
pres s 180 ins 2003 No. 37 s 76(2)

Transitional regulation-making power
s 181 ins 2003 No. 37 s 76(2)
exp 1 July 2004 (see s 181(4))

Amendment of regulation by Weapons (Handguns and Trafficking) Amendment Act 2003 does not affect powers of Governor in Council
s 182 ins 2003 No. 37 s 76(2)

Division 3—Transitional provisions for Police Powers and Responsibilities and Other Legislation Amendment Act 2003
div 3 ins 2003 No. 92 s 63

Transitional provision about authorised officers powers
s 183 ins 2003 No. 92 s 63

Amendment of regulation by Police Powers and Responsibilities and Other Legislation Amendment Act 2003 does not affect powers of Governor in Council
s 184 ins 2003 No. 92 s 63

Declaration relating to s 33(3)(a)
s 185 ins 2005 No. 17 s 43

Transitional provision about category M crossbows
s 185 ins 2003 No. 92 s 77

Transitional regulation-making power
s 186 ins 2003 No. 92 s 77
exp 1 November 2005 (see s 186(4))

Saving of licences issued under Firearms and Offensive Weapons Act 1979
s 7.1 ins 1994 No. 13 s 27
om 1995 No. 57 s 4 sch 1
AIA s 20A applies (see 1995 No. 57 s 5(3) sch 9)

Saving of certificates etc.
s 7.2 ins 1994 No. 13 s 27
om 1995 No. 57 s 4 sch 1
AIA s 20A applies (see 1995 No. 57 s 5(3) sch 9)

Saving of approvals
s 7.3 ins 1994 No. 13 s 27
om 1995 No. 57 s 4 sch 1
AIA s 20A applies (see 1995 No. 57 s 5(3) sch 9)

Numbering and renumbering of Act
s 7.4 ins 1994 No. 13 s 27
om 1995 No. 57 s 4 sch 1

SCHEDULE 1—SUBJECT MATTER FOR REGULATIONS
sch hdg (prev sch 2 hdg) amd 1997 No. 48 s 51(1)
(prev sch hdg) renum 2003 No. 5 s 21
sch prev sch 1 sub 1996 No. 41 s 33
om 1997 No. 48 s 50
pres sch 1 (prev sch) renum 2003 No. 5 s 21

Eligibility requirements for licences
s 1 ins 1996 No. 41 s 34(1)

Authorising things under a licence
s 2 ins 1996 No. 41 s 34(1)

Categorising weapons
s 2A ins 1997 No. 48 s 51(2)
amd 2003 No. 92 s 64(1)

Limiting or prohibiting licensing of particular weapons
s 3 prev s 3 om 1994 No. 13 s 3 sch
pres s 3 ins 1996 No. 41 s 34(1)

Limiting or prohibiting acquisition, possession or use of weapons and magazines
s 4 ins 1996 No. 41 s 34(1)
sub 2003 No. 37 s 77(1)–(2)

Secure storage facilities for weapons
s 5 ins 1996 No. 41 s 34(1)
sub 2003 No. 37 s 77(1)–(2)

Functions, powers and duties
s 6 (prev s 1) renum 1996 No. 41 s 34(2)

Instruments
s 7 (prev s 2) renum 1996 No. 41 s 34(2)

Fees etc.
s 8 (prev s 3) renum 1996 No. 41 s 34(2)

Qualifications and appointments
s 9 (prev s 4) renum 1996 No. 41 s 34(2)

Funds
s 10 (prev s 5) renum 1996 No. 41 s 34(2)

Terms of approvals, permits and exemptions
s 11 ins 2003 No. 37 s 77(2)

Approved historical societies
s 12 ins 2003 No. 37 s 77(2)

Record-keeping
s 13 ins 2003 No. 37 s 77(2)

Production of weapons
s 14 ins 2003 No. 37 s 77(2)

Disclosing licence information to approved shooting clubs and approved historical societies
s 15 ins 2003 No. 37 s 77(2)
amd 2003 No. 92 s 64(2)

Registration of antique handguns
s 16 ins 2003 No. 37 s 77(2)

Providing for approved shooting ranges
s 17 ins 2003 No. 37 s 77(2)

SCHEDULE 2—DICTIONARY
prev sch 2 om 1996 No. 41 s 33
pres sch 2 ins 2003 No. 5 ss 3(1), 22
Note—definitions for this Act were originally located in prev s 5
def **"accredited event"** ins 2003 No. 37 s 78(2)
def **"acquire"** ins 1996 No. 41 s 6(2)
reloc 2003 No. 5 s 3(2)
def **"ammunition"** sub 1997 No. 48 s 5(1)–(2); 1999 No. 15 s 137 sch 1
reloc 2003 No. 5 s 3(2)
def **"amnesty period"** ins 2003 No. 37 s 78(2)
def **"antique firearm"** sub 1996 No. 41 s 6(1)–(2); 1997 No. 48 s 5(1)–(2)
reloc 2003 No. 5 s 3(2)
sub 2003 No. 37 s 78(1)–(2)
def **"antique handgun"** ins 2003 No. 37 s 78(2)
def **"approved club"** om 1994 No. 13 s 6(1)
def **"approved form"** ins 1994 No. 13 s 6(2)
sub 1995 No. 58 s 4 sch 1
reloc 2003 No. 5 s 3(2)
def **"approved historical society"** ins 2003 No. 37 s 78(2)
def **"approved officer"** ins 1996 No. 41 s 6(2)
reloc 2003 No. 5 s 3(2)
def **"approved pistol club"** ins 2003 No. 37 s 78(2)
def **"approved range"** ins 1994 No. 13 s 6(2)
reloc 2003 No. 5 s 3(2)
def **"approved shooting club"** ins 1994 No. 13 s 6(2)
reloc 2003 No. 5 s 3(2)
def **"armourer"** sub 1997 No. 48 s 5(1)–(2)
reloc 2003 No. 5 s 3(2)
def **"associate"** ins 2003 No. 37 s 78(2)
def **"authorised officer"** sub 1996 No. 41 s 6(1)–(2)
reloc 2003 No. 5 s 3(2)
def **"black-powder pistol"** ins 2003 No. 37 s 78(2)
def **"blank-fire firearm"** ins 1996 No. 41 s 6(2)
reloc 2003 No. 5 s 3(2)
def **"business"** ins 2003 No. 37 s 78(2)
def **"category"** ins 2003 No. 37 s 78(2)
def **"category A"** ins 1996 No. 41 s 6(2)
sub 1997 No. 48 s 5(1)–(2)
reloc 2003 No. 5 s 3(2)
def **"category B"** ins 1996 No. 41 s 6(2)
sub 1997 No. 48 s 5(1)–(2)
reloc 2003 No. 5 s 3(2)
def **"category C"** ins 1996 No. 41 s 6(2)
sub 1997 No. 48 s 5(1)–(2)
reloc 2003 No. 5 s 3(2)
def **"category D"** ins 1996 No. 41 s 6(2)
sub 1997 No. 48 s 5(1)–(2)

reloc 2003 No. 5 s 3(2)
def **"category E"** ins 1996 No. 41 s 6(2)
sub 1997 No. 48 s 5(1)–(2)
reloc 2003 No. 5 s 3(2)
def **"category H"** ins 1996 No. 41 s 6(2)
sub 1997 No. 48 s 5(1)–(2)
reloc 2003 No. 5 s 3(2)
def **"category M"** ins 2003 No. 37 s 78(2)
def **"category M crossbow"** ins 2003 No. 92 s 78(1)
def **"category R"** ins 1996 No. 41 s 6(2)
sub 1997 No. 48 s 5(1)–(2)
reloc 2003 No. 5 s 3(2)
def **"class"** ins 2003 No. 37 s 78(2)
def **"club organised shoot"** ins 2003 No. 37 s 78(2)
def **"collection register"** ins 1996 No. 41 s 6(2)
reloc 2003 No. 5 s 3(2)
def **"collector"** sub 1996 No. 41 s 6(1)–(2)
amd 2001 No. 22 s 8
reloc 2003 No. 5 s 3(2)
def **"commissioned officer"** ins 1996 No. 41 s 6(2)
reloc 2003 No. 5 s 3(2)
def **"commissioner"** sub 1994 No. 13 s 6
reloc 2003 No. 5 s 3(2)
def **"court"** ins 1994 No. 13 s 6
reloc 2003 No. 5 s 3(2)
def **"criminal history"** ins 2003 No. 37 s 78(2)
def **"criminal intelligence"** ins 2003 No. 37 s 78(2)
def **"dealer"** sub 1998 No. 19 s 27(1)–(2)
reloc 2003 No. 5 s 3(2)
def **"deputy commissioner"** ins 2003 No. 37 s 78(2)
def **"domestic violence order"** ins 1996 No. 41 s 6(2)
reloc 2003 No. 5 s 3(2)
sub 2002 No. 6 s 46
def **"executive officer"** ins 1996 No. 41 s 6(2)
reloc 2003 No. 5 s 3(2)
def **"explosive"** sub 1999 No. 15 s 137 sch 1
reloc 2003 No. 5 s 3(2)
def **"firearm"** sub 1994 No. 13 s 6
amd 1996 No. 41 s 6(3); 1998 No. 19 s 27(2)
reloc 2003 No. 5 s 3(2)
amd 2003 No. 92 s 65(2)
def **"firearms register"** ins 1996 No. 41 s 6(2)
reloc 2003 No. 5 s 3(2)
def **"genuine reason"** ins 1996 No. 41 s 6(2)
reloc 2003 No. 5 s 3(2)
def **"handgun shooting competition"** ins 2003 No. 37 s 78(2)
def **"heirloom firearm"** ins 1996 No. 41 s 6(2)
reloc 2003 No. 5 s 3(2)
def **"identifying particular"** ins 1996 No. 41 s 6(2)
reloc 2003 No. 5 s 3(2)

def **"interstate domestic violence order"** ins 1996 No. 41 s 6(2)
reloc 2003 No. 5 s 3(2)
sub 2002 No. 6 s 46
def **"landowner"** ins 1996 No. 41 s 6(2)
reloc 2003 No. 5 s 3(2)
def **"licence"** sub 1996 No. 41 s 6(1)–(2)
reloc 2003 No. 5 s 3(2)
def **"licensed armourer"** reloc 2003 No. 5 s 3(2)
def **"licensed collector"** reloc 2003 No. 5 s 3(2)
def **"licensed dealer"** reloc 2003 No. 5 s 3(2)
def **"licensed theatrical ordnance supplier"** reloc 2003 No. 5 s 3(2)
def **"licensee"** reloc 2003 No. 5 s 3(2)
def **"magazine"** ins 2003 No. 37 s 78(2)
def **"major component part"** amd 1996 No. 41 s 6(4); 1997 No. 48 s 5(3)
reloc 2003 No. 5 s 3(2)
def **"Minister"** om 1991 No. 97 s 3 sch 1
def **"modern handgun"** ins 2003 No. 37 s 78(2)
def **"occupier"** ins 1996 No. 41 s 6(2)
reloc 2003 No. 5 s 3(2)
def **"officer in charge of police"** amd 1994 No. 13 s 6(3)
reloc 2003 No. 5 s 3(2)
def **"ordnance register"** ins 1996 No. 41 s 6(2)
reloc 2003 No. 5 s 3(2)
def **"paint-pellet gun"** ins 1994 No. 13 s 6(2)
reloc 2003 No. 5 s 3(2)
def **"paint-pellet sports"** ins 1994 No. 13 s 6(2)
reloc 2003 No. 5 s 3(2)
def **"participation condition"** ins 2003 No. 37 s 78(2)
def **"participation record"** ins 2003 No. 37 s 78(2)
def **"part of a prohibited handgun"** ins 2003 No. 37 s 78(2)
def **"permanently inoperable"** ins 1996 No. 41 s 6(2)
reloc 2003 No. 5 s 3(2)
def **"permit to acquire"** ins 1996 No. 41 s 6(2)
reloc 2003 No. 5 s 3(2)
def **"physically possess"** ins 2003 No. 37 s 78(2)
def **"place"** reloc 2003 No. 5 s 3(2)
def **"police establishment"** reloc 2003 No. 5 s 3(2)
def **"police officer"** om 1994 No. 13 s 6(1)
def **"possession"** reloc 2003 No. 5 s 3(2)
def **"pre–percussion handgun"** ins 2003 No. 37 s 78(2)
def **"primary producer"** amd 1994 No. 13 s 6(4)
reloc 2003 No. 5 s 3(2)
def **"prohibited handgun"** ins 2003 No. 37 s 78(2)
def **"prohibited person"** ins 2003 No. 37 s 78(2)
def **"protection order"** ins 2002 No. 6 s 46(2)
def **"psychologist"** ins 1996 No. 41 s 6(2)
sub 2001 No. 15 s 255 sch 2
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def **"public place"** ins 1997 No. 48 s 5(2)
reloc 2003 No. 5 s 3(2)

def **"purchase"** ins 1997 No. 48 s 5(2)
reloc 2003 No. 5 s 3(2)
def **"range"** om 1994 No. 13 s 6(1)
def **"range officer"** ins 1994 No. 13 s 6(2)
reloc 2003 No. 5 s 3(2)
def **"range operator"** ins 1994 No. 13 s 6(2)
reloc 2003 No. 5 s 3(2)
def **"range use register"** ins 1996 No. 41 s 6(2)
reloc 2003 No. 5 s 3(2)
def **"reasonably believes"** ins 2003 No. 37 s 78(2)
def **"refuse"** ins 2003 No. 37 s 78(2)
def **"registered owner"** ins 2003 No. 37 s 78(2)
def **"reject"** ins 2003 No. 37 s 78(2)
def **"relevant financial interest"** ins 2003 No. 37 s 78(2)
def **"relevant position"** ins 2003 No. 37 s 78(2)
def **"relevant power"** ins 2003 No. 37 s 78(2)
def **"replacement licence"** ins 1996 No. 41 s 6(2)
reloc 2003 No. 5 s 3(2)
def **"replica"** sub 1994 No. 13 s 6; 1997 No. 48 s 5(1)–(2)
reloc 2003 No. 5 s 3(2)
def **"representative"** ins 2002 No. 6 s 46(2)
def **"respondent"** ins 2002 No. 6 s 46(2)
def **"rural land"** ins 1996 No. 41 s 6(2)
reloc 2003 No. 5 s 3(2)
def **"security guard"** sub 1997 No. 48 s 5(1)–(2)
reloc 2003 No. 5 s 3(2)
def **"security guard's register"** ins 1997 No. 48 s 5(2)
reloc 2003 No. 5 s 3(2)
def **"security organisation"** amd 1998 No. 19 s 27(3)
reloc 2003 No. 5 s 3(2)
def **"security organisation register"** ins 1996 No. 41 s 6(2)
reloc 2003 No. 5 s 3(2)
def **"sell"** ins 1997 No. 48 s 5(2)
reloc 2003 No. 5 s 3(2)
def **"shanghai"** ins 2003 No. 92 s 65(1)
def **"shooting club"** ins 1994 No. 13 s 6(2)
reloc 2003 No. 5 s 3(2)
amd 2003 No. 92 s 78(2)
def **"shooting club permit"** ins 1994 No. 13 s 6(2)
reloc 2003 No. 5 s 3(2)
def **"shooting gallery"** ins 1994 No. 13 s 6(2)
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def **"slingshot"** ins 1998 No. 19 s 27(2)
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def **"special condition"** ins 2003 No. 37 s 78(2)
def **"spent conviction"** ins 2003 No. 37 s 78(2)
def **"State"** ins 1996 No. 41 s 6(2)
reloc 2003 No. 5 s 3(2)
def **"supply"** ins 2003 No. 37 s 78(2)
def **"sword"** ins 2003 No. 92 s 65(1)

def **"temporarily inoperable"** ins 1996 No. 41 s 6(2)
reloc 2003 No. 5 s 3(2)
def **"temporary protection order"** ins 1996 No. 41 s 6(2)
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def **"theatrical ordnance supplier"** reloc 2003 No. 5 s 3(2)
def **"unlawful"** ins 2003 No. 92 s 65(1)
def **"unlawfully"** om 1991 No. 97 s 3 sch 1
def **"unloaded"** sub 1996 No. 41 s 6(1)–(2)
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def **"vehicle"** reloc 2003 No. 5 s 3(2)
def **"weapon"** sub 1994 No. 13 s 6; 1996 No. 41 s 6(1)–(2)
amd 1997 No. 48 s 5(4)
reloc 2003 No. 5 s 3(2)
sub 2003 No. 37 s 78(1)–(2)
def **"weapons register"** ins 1996 No. 41 s 6(2)
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SCHEDULE 3—UNRESTRICTED WEAPONS
sch hdg sub 1991 No. 97 s 3 sch 1
s 2 ins 1994 No. 13 s 3 sch
sch om 1996 No. 41 s 33

SCHEDULE 5
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8 List of forms notified or published in the gazette

(The following information about forms is taken from the gazette. Because failure to notify or publish a form in the gazette does not invalidate the form, it may be necessary to check with the relevant government department for the latest information about forms (see SIA s 58(8)).)

Form 1 Version 4—01/07/2003—Application for a Licence
Annexure Version 1—01/07/2003—Collectors
Annexure Version 1—01/07/2003—Occupational Armourer
Annexure Version 1—01/07/2003—Occupational Dealer
Annexure Version 1—01/07/2003—Occupational Other
Annexure Version 1—01/07/2003—Occupational Rural Purposes
Annexure Version 1—01/07/2003—Occupational Security
Annexure Version 1—01/07/2003—Other Reason(s)
Annexure Version 2—04/11/2004—Recreational Shooting
Annexure Version 2—04/11/2004—Sports or Target Shooting
Annexure Version 1—04/11/2004—Historical or Military Demonstrated Use and Training
pubd gaz 15 April 2005 pp 1210–11

Form 2 Version 1—15 January 1997—Licence
pubd gaz 30 May 1997 p 476

Form 2a Version 1—15 January 1997—Licence Conditions
pubd gaz 30 May 1997 p 476

Form 2b Version 1—15 January 1997—Weapons List
pubd gaz 30 May 1997 p 476

Form 3 Version 1—15/01/97—Application for a Replacement Licence
pubd gaz 15 April 2005 p 1210

Form 3 Version 1—15/01/97—Application for a Replacement Permit to Acquire
pubd gaz 15 April 2005 p 1210

Form 3 Version 2—27 July 2001—Application for Replacement—Licence/Permit to Acquire
pubd gaz 19 October 2001 p 577

Form 4 Version 2—27/07/01—Application for a Change of Particulars (Business)
pubd gaz 15 April 2005 p 1210

Form 4 Version 2—27/07/01—Application for a Change of Particulars (Personal)
pubd gaz 15 April 2005 p 1210

Form 4A Version 1—01/07/2003—Change of Address (Residential/Postal Only); Change of Name(s); Change of Weapon(s) Storage Facility
pubd gaz 15 April 2005 pp 1210–11

Form 4B Version 1—01/07/2003—Change of Weapon(s) Category and/or; Change of Condition(s) of a Licence, Permit or Approval
pubd gaz 15 April 2005 pp 1210–11

Form 4C Version 1—01/07/2003—Change of Business Particulars; Change of Representative
pubd gaz 15 April 2005 pp 1210–11

Form 4D Version 1—01/07/2003—Change of Business Particulars — Other Reasons
pubd gaz 15 April 2005 pp 1210–11

Form 4E Version 1—01/07/2003—Application for Transfer of Weapon(s)
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Form 5 Version 2—27 July 2001—Application for a Change of Particulars—Personal
pubd gaz 19 October 2001 p 577

Form 6 Version 3—1 April 1997—Application to Renew Licence
pubd gaz 15 April 2005 p 1210

Form 7 Version 3—01/10/2003—Suspension or Revocation Notice
pubd gaz 15 April 2005 pp 1210–11

Form 8 Version 2—01/07/2003—Receipt for Surrendered Weapon(s)
pubd gaz 15 April 2005 pp 1210–11

Form 9 Version 1—15 January 1997—Notice of Appeal
pubd gaz 30 May 1997 p 476

Form 10 Version 2—15 October 1998—Notice of Acquisition or Disposal of a Weapon
pubd gaz 20 November 1998 p 1064

Form 10 Version 3—01/07/2003—Notice of Transactions Involving a Weapon Dealer's Advice Book
pubd gaz 15 April 2005 pp 1210–11

Form 11 Version 1—20 April 1997—Weapons Register—Armourer
pubd gaz 17 April 1998 p 1609

Form 12 Version 1—21 April 1997—Licence Dealers and Theatrical Suppliers Annual Return
pubd gaz 30 May 1997 p 476

Form 13 Version 1—15 January 1997—Approval to Conduct an Arms Fair
pubd gaz 30 May 1997 p 476

Form 14 Version 1—15 January 1997—Notice of Refusal of an Arms Fair Licence
pubd gaz 30 May 1997 p 476

Form 15 Version 2—09/10/00—Application for a Permit, an Approval or Exemption
pubd gaz 15 April 2005 p 1210

Form 15B Version 1—28/02/2005—Application for a Shooting Range Approval or Modification
pubd gaz 17 June 2005 p 566

Form 15G Version 1—01/11/2004—Application for an Approval of a Weapons Club
Annexure Version 1—01/11/2004—Recreational Shooting
Annexure Version 1—01/11/2004—Sports or Target Shooting
Annexure Version 1—01/11/2004—Historical or Military Re-Enactment Demonstration Use
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Form 16 Version 1—15 January 1997—Register of Acquisitions
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Form 16 Version 2—01/07/2003—Register of Transactions Involving a Weapon
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Form 17 Version 1—15/01/97—Complaint to Ground Issue of Warrant
pubd gaz 15 April 2005 p 1210

Form 18 Version 1—15/01/97—Warrant
pubd gaz 15 April 2005 p 1210

Form 19 Version 1—15 January 1997—Approval for Range
pubd gaz 30 May 1997 p 479

Form 20 Version 2—01/07/03—Range Attendance Register
pubd gaz 15 April 2005 p 1210

Form 20A Version 1—01/07/2004—Club -Range Use Register (Category H Only)
pubd gaz 15 April 2005 pp 1210–11

Form 20B Version 1—01/07/2004—Club -Range Use Register (Other than Category H)
pubd gaz 15 April 2005 pp 1210–11

Form 22 Version 1—21 April 1997—Weapons Register—Government Service Entity
pubd gaz 17 April 1998 p 1609

Form 23 Version 1—21 April 1997—Employee Issue Register—Government Service Entity
pubd gaz 17 April 1998 p 1609

Form 24 Version 1—15 January 1997—Security Organisation Register
pubd gaz 30 May 1997 p 476

Form 24 Version 2—01/07/2003—Register for Security Organisations and Record of Incidents
pubd gaz 15 April 2005 pp 1210–11

Form 25 Version 1—15/01/97—Register of Searches (Form 5 Drugs Misuse Act)
pubd gaz 15 April 2005 p 1210

Form 26 Version 1—15 January 1997—Notice to Attend and Give Evidence
pubd gaz 30 May 1997 p 476

Form 27 Version 1—15 January 1997—Permit to Acquire
pubd gaz 30 May 1997 p 476

Form 28 Version 3—09/05/2005—Application for Permit to Acquire
pubd gaz 17 June 2005 p 566

Form 29 Version 1—15/01/1997—Notice of Rejection of Application for Permit to Acquire
pubd gaz 22 April 2005 p 1301

Form 30 Version 4—01/07/2003—Proof of Identity
pubd gaz 15 April 2005 pp 1210–11

Form 31 Version 1—14 November 1997—Certificate of a Firearm/Weapon being Permanently Inoperable
pubd gaz 17 April 1998 p 1609

Form 33 Version 2—28/02/2005—Declaration by Unauthorised Person for Use of a Weapon at an Approved Range
pubd gaz 17 June 2005 p 566

Form 33A Version 1—01/10/2003—Declaration by Unlicensed Person to Possess a Weapon at an Approved Range (Group)
pubd gaz 15 April 2005 pp 1210–11

Form 34 Version 1—01/07/2003—Licensed Dealer's Associate Details
pubd gaz 15 April 2005 pp 1210–11

Form 35 Version 1—01/07/2003—Notice Of Abandonment (National Handgun Buy Back System)
pubd gaz 15 April 2005 pp 1210–11

Form 36 Version 1—01/07/2003—Statement of Eligibility
pubd gaz 15 April 2005 pp 1210–11

9 Tables of renumbered provisions

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