



Queensland

# Weapons Legislation Amendment Regulation (No. 1) 2012

## Explanatory Notes for SL 2012 No. 187

made under the

*Weapons Act 1990*

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## General outline

### Short title

*Weapons Legislation Amendment Regulation (No. 1) 2012.*

### Authorising law

Section 172 of the *Weapons Act 1990* (the Act).

### Policy objectives and the reasons for them

The objective of the Regulation is to reduce regulatory burden as it applies to legitimate firearm ownership. The Regulation includes provisions to clarify aspects of firearm licensing and possession.

Specifically, the Regulation will enable a person whose licence authorises them to possess a category D firearm, to have up to two category D firearms endorsed on their licence, where a reasonable need exists. The amendment benefits occupational shooters and primary producers required to cull feral animals in the course of their employment.

Currently, the *Weapons Categories Regulation 1997* (Categories Regulation) classifies all combination rifles as category B weapons.

Although combination rifles are available in rim- fire and centre-fire, the Categories Regulation does not distinguish between these two types of combination rifles.

Consequently, in accordance with s 40(2) of the Act, a person seeking to obtain a permit to acquire for a break action shotgun and rim-fire combination, must demonstrate why they need the weapon and why that need cannot be satisfied in another way. This is despite the fact that no such requirement is imposed with respect to the acquisition of a rim-fire rifle or break action shotgun on its own, as the individual firearms are category A weapons.

Accordingly, the amendment distinguishes between centre-fire and rim-fire combination rifles by categorising rim-fire and break action shotgun combinations as category A weapons. Break action shotgun and centre-fire rifle combinations will continue to be classified as category B weapons.

The Regulation clarifies requirements for the lawful carriage of firearms when moving across paddocks divided by a road. An amendment to the Regulation will specify that the storage requirements imposed by s 60A(2) of the Regulation, including the requirement to remove the bolt of a weapon, do not apply in such circumstances.

### **Achievement of policy objectives**

The Regulation supports the Act by providing an effective and efficient regulatory system to ensure the rights of legitimate firearm owners are balanced against community safety. The Regulation achieves its purpose by clarifying the safe carriage of firearms when moving between paddocks divided by a road.

The Regulation gives effect to the Government's commitment to reduce the burden on business by allowing occupational shooters to have their licence endorsed for the possession of up to two category D firearms where a need can be established.

Category B break action shotguns and rim-fire rifle combinations are re-categorised as category A firearms, recognising that separately these firearms are category A weapons.

### **Consistency with policy objectives of authorising law**

The Regulation is consistent with the purposes of the Act.

### **Inconsistency with policy objectives of other legislation**

The Regulation is consistent with the policy objectives of other legislation.

### **Alternative ways of achieving policy objectives**

There are no alternative means to effectively achieve the policy objectives.

### **Benefits and costs of implementation**

The Regulation reduces the regulatory burden that applies to licensed firearm owners. The Regulation does not increase costs to Government.

### **Consistency with fundamental legislative principles**

The Regulation has been drafted in a manner consistent with fundamental legislative principles.

### **Consultation**

Consultation with key government and non-government stakeholders was undertaken during the preparation of the Regulation.

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#### ENDNOTES

- 1 Laid before the Legislative Assembly on . . .
- 2 The administering agency is the Queensland Police Service.