

# **Weapons Legislation Amendment Regulation (No. 1) 2014**

## **Explanatory notes for SL 2014 No. 326**

made under the *Weapons Act 1990*

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## **General Outline**

### **Short title**

*Weapons Legislation Amendment Regulation (No.1) 2014*

### **Authorising law**

Section 172 of the *Weapons Act 1990*.

### **Policy objectives and the reasons for them**

The objective of the Regulation is to reduce regulatory burden as it applies to the storage requirements for licensed collectors of category H weapons rendered temporarily inoperable. Sections 39(1) and (2) of the *Weapons Regulation 1996* require licensed collectors of category H weapons rendered temporarily inoperable to store such weapons in a locked container or locked gun rack in a locked room, or in a locked vault. The amendment reduces this storage requirement to the same level as the holder of a concealable weapons licence storing fully operational category H weapons in accordance with sections 60(3) and (4) of the *Weapons Regulation 1996*.

The Regulation also includes provisions to modernise the terminology used to describe the devices available to retain a category H weapon in its holster. Section 17(4) of the *Weapons Regulation 1996* only made mention of a safety strap as a means of securing the firearm in the holster. Modern holster design now incorporates different types of retention devices such as thumb breaks and trigger guard locks. The amendment uses the generic term 'retention device' as a device designed to secure the firearm in the holster and provides examples of some of the different types of retention devices available.

Additionally, the Regulation prescribes four recognised astronomical organisations for the purpose of possessing or acquiring laser pointers as restricted items in accordance with section 67 of the *Weapons Act 1990*.

## **Achievement of policy objectives**

The Regulation will:

- amend section 39(2) of the *Weapons Regulation 1996* to require licensed collectors of temporarily inoperable category H weapons to store such weapons in accordance with sections 60(3) and (4) of the *Weapons Regulation 1996*;
- amend section 17 of the *Weapons Regulation 1996* to recognise retention devices as a means of securing a category H weapon in a holster; and
- insert a new section 10 to the *Weapons Categories Regulation 1997* to list four recognised astronomical organisations for the purpose of lawfully possessing or acquiring laser pointers.

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

The Regulation is consistent with the objectives of the Act.

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

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

## **Benefits and costs of implementation**

The Government will not incur any additional costs in the implementation of this subordinate legislation.

## **Consistency with fundamental legislative principles**

The Regulation is consistent with fundamental legislative principles.

## **Consultation**

The Department of the Premier and Cabinet, Queensland Treasury and Trade, the Department of Justice and Attorney-General, and Queensland Competition Authority (Office of Best Practice Regulation) were consulted. All departments consulted support the Regulation.