

Queensland



Regulatory Impact Statement for SL 2001 No. 187

Weapons Act 1990

WEAPONS AMENDMENT REGULATION (No. 1) 2001

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GENERAL ABBREVIATIONS

| | |
|---------------------------|-----------------|
| Queensland Police Service | QPS |
| Weapons Licensing Branch | the Branch |
| Weapons Act Licence | weapons licence |

LEGISLATION*Police Service Administration Act 1990**Statutory Instruments Act 1992**Weapons Act 1990* the Act*Weapons Regulation 1996* the Regulation*Weapons Categories Regulation 1997* Categories Regulation**FIREARMS CATEGORIES**

As provided by the *Weapons Categories Regulation 1997*, the meaning of each category of firearm is as follows:

- Category A Air rifles, rimfire rifles (not self-loading) single and double barrel shotguns.
- Category B Muzzle loaders, all centre-fire rifles (not self-loading) shotgun/rifle combinations.
- Category C Semi-automatic (self-loading) rimfire rifles with maximum magazine capacity of 10 rounds, semi-automatic and pump action shotguns with maximum magazine capacity of 5 rounds.
- Category D Self-loading, centre-fire rifles, self loading shotguns, pump action shotguns with a magazine capacity over 5 rounds and self-loading rimfire rifles with magazine capacity over 10 rounds.
- Category H Handguns and concealable firearms under 75 cm in length including air pistols and blank-fire pistols but not power-heads and calibre conversion units.
- Category R Includes machine or submachine guns, antipersonnel gas / substances / devices, hand grenades, rocket launchers, particular knives, a flail, chinese throwing irons, knuckledusters, weighted glove[s] designed as a weapon, mace, silencers, or telescopic batons.

WEAPONS LICENCE CATEGORIES

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| Armourer's licence: | A person who stores, manufactures, modifies or repairs weapons in the course of the person's business. |
| Armourer Corporate: | Includes an individual or body who stores, manufactures, modifies or repairs weapons in the course of business. |
| Blank-fire Licence: | An individual, a theatrical organisation (including an institution of higher or adult learning conducting theatrical productions) or a sporting or athletic organisation. |
| Cat H Corporate Other: | Includes licences issued to an individual or body for use at an approved shooting club, occupational reasons (e.g. primary production or animal control). |
| Collector: | Includes weapons and heirloom collectors licences. |
| Concealable Firearms Licence: | An individual who possess a concealable firearm for reasons that may include use at an approved shooting club or for occupational reasons such as primary production or animal control. |
| Dealer's licence: | An individual or body who, wholly or partially, carry on a business, whether or not for reward or benefit, buying, selling or trading in any way with weapons. |
| Dealer Corporate: | Includes an individual or body who, wholly or partially, carry on a business, whether or not for reward or benefit, buying selling or trading in any way with weapons. |
| Firearms Licence: | The most common licence. It allows possession and use of the firearms (A, B, C and D) or categories of firearms that are registered to a licence. |
| Firearms licence (instructor): | The firearm's licence (instructor) is issued to approved persons for the purposes of possession and use of firearms a part of an approved training course. |
| Group Licence: | A group licence may be issued for a combination of any of the following weapons licences: <ol style="list-style-type: none"> (1) Firearm's licence; (2) Firearm's licence (Instructor); (3) Concealable Firearms licence; or (4) Miscellaneous licence. |

| | |
|---|---|
| Minor's Licence: | Issued to an individual who is at least 11 years until the age of 18 years. The licence authorises minors to physically possess category A, B, C (shotgun) or H firearms for certain circumstances. |
| Other Corporate: | Includes a security licence (organisation) and a theatrical ordnance supplier's licence. A Security licence only applies to a body or organisation which provides security guards and the services of security guards. A theatrical ordnance supplier's licence may be issued to an individual or body that, wholly or partially, carries on a business, whether or not for reward or benefit, of supplying on a temporary basis weapons for use in theatrical, film or television productions. |
| Permit to Acquire: | Includes the purchase or acquisition of a firearm or weapon. Applies to all categories of firearms and weapons and to both individuals or a body. |
| Range Approval: | Includes to a body that is a sports or target shooting club to satisfy its needs in sports or target shooting to possess a weapon. |
| Security Licence (Organisation): | A security licence (organisation) may only be issued to a body or organisation which provides security guards and the services of security guards. |
| Security licence (guard employed/business): | A security licence (guard) may be issued to an individual employed as a security guard by a security organisation, or an individual wishing to operate a security business as a sole provider, or an individual who wishes to provide their own security for their business. |
| Shooting gallery approval: | A shooting gallery approval may be issued to an individual or body for a period of time up to five years. |
| Shooting Club permit: | A Shooting Club permit may only be issued to a body for a period of time up to five years. |

- Theatrical ordnance licence: A theatrical ordnance supplier's licence may be issued to an individual or body that, wholly or partially, carries on a business, whether or not for reward or benefit, of supplying on a temporary basis weapons for use in theatrical, film or television productions.
- Visitor's licence: A visitor's licence may be issued to an individual or body who reside outside but intends to visit Queensland to engage in an activity that permits the possession of a firearm in Queensland.

SUMMARY

1 Objectives of the proposed Amendment Regulation

The objectives underlying this legislative initiative are to:

- (1) provide sufficient funding to meet additional costs associated with the forthcoming weapons re-licensing requirement;
- (2) ensure that persons licensed under weapons legislation make a fair and equitable contribution to the costs of administering weapons licensing systems in Queensland; and
- (3) ensure that Queensland's weapons licensing fees are reasonable and are not excessive when compared with those of other jurisdictions.

Weapons licensing services for Queensland are provided primarily by the Weapons Licensing Branch, Queensland Police Service (QPS). The Branch administers all aspects of the *Weapons Act 1990* and subordinate legislation.

In 1996, the Queensland Government amended the *Weapons Act 1990* to reflect the uniform licensing requirements of the National Uniform Firearm Controls. The amendments required all gun owners and shooters to be licensed, all weapons to be registered and introduced a requirement to obtain a permit to acquire weapons. Under the Act the maximum period for which a weapons licence may be issued is five years.

During the initial licensing period in 1996/97, 165,868 five year licences were issued. Since that time, the total number of holders of weapons licences has increased by approximately 3% per annum and at the end of the 2000/01 financial year was 191,109. These licensed weapons holders account for 536,884 registered firearms.

The five-year maximum life of a licence introduces the need for a continuous process of re-licensing. This will commence in January 2002 and the first phase of renewals will peak over the following three to four years. In addition, the approval of new licence applications will result in continuous growth to the overall re-licensing workload liability. The effect of these factors will be a significant and permanent increase in the annual re-licensing work load from around May 2002.

For some time it has been recognised that this work load could only be met by a significant expansion of staffing and systems at the Weapons Licensing Branch. An analysis of the staffing level for Branch has been

conducted by the Policy and Workforce Planning Section, QPS. It has been identified that the Branch requires an additional 27 staff and support funding to met the additional re-licensing demands.

To address the increased resourcing needs of the Branch, increases to existing licence fees and the introduction of an application fee for new weapons licences are being sought. The proposed fee increases are greater than the Consumer Price Index (CPI) and will have an impact on particular sectors of the community. The nature of the required changes is such as to require amendment to subordinate legislation and public consideration of this regulatory impact.

To implement these fee changes the Queensland Government intends to introduce amendments to the *Weapons Regulation 1996*.

It is proposed that all weapons licensing fees will be increased by 25% of the existing annual fee, with the exception of the following:

- (a) a higher increase in the annual Security Licence (Guard/Business) fee, from \$8 to \$20 per annum; and
- (b) no change in the annual brokerage fee, which will remain at \$10 per transaction.

In addition, the introduction of a new licence application fee of \$30 is proposed. It is proposed that Security Licences (Guard employed/Business) fees be increased from \$8 to \$20 per annum to fairly reflect the additional administrative and licensing checks required for these types of licences. The current licensing fee for Security licences does not reflect the fact that this is a business-related licence.

The impact of the proposed changes on the most common licences (firearms licences) will be to increase the annual cost from \$8 to \$10. This will increase the cost of a maximum life licence from \$40 to \$50 over a five year period. It is intended that these amendments will be in place prior to the commencement of the re-licensing process.

In addition to these immediate fee changes it is intended to adjust weapons licensing fees on an annual basis in line with annual CPI adjustments.

2 Alternatives to the proposed legislation

The following alternatives were assessed:

Option 1 — Make no change to current fees;

Option 2 — Impose a State Wide Tax; or

Option 3 — Amend the Weapons Regulation as proposed.

3 Assessment of the impact of the proposed Amendment Regulation

Under current arrangements, administration of the *Weapons Act* is fully supported by Government appropriation, recognising modest revenue from the current fee structure. Given the new resourcing demands imposed by the requirement for re-licensing, there is a need for different funding arrangements.

It is accepted practice to apply user pays principles across Government functions. It is considered inappropriate that the administration of a process to support a particular user group should be fully subsidised by the public of Queensland. The Government considers that the user pays principle should be applied such that the users of the weapons licensing system should bear a fair and equitable proportion of the total cost of the re-licensing process.

It should be noted that weapons licensees have been provided with substantial financial support over many years. In the first instance, there has been no increase in weapons licensing fees for at least the last 10 years. Secondly, when licensees were transferred to the new system in 1997/98 no new licence fees were applied. Thirdly, despite increasing costs to weapons licensing there has been no increase in fees.

In addition to the introduction of the fee increases it is intended that an annual CPI increase be applied to all weapons licence fees to ensure the continuation of a fair and equitable contribution by users.

This option will ensure that the QPS is able to continue to provide an adequate level of protection and safety to the community, through the management of the weapons licences. This option is consistent with the principles of the Act and the legislative requirements imposed on the QPS by section 2.3 (functions of service) of the Police Service Administration Act 1990.

4 Assessment of the alternatives

4.1 Option 1 — Make no change to current fees

This option would see no change in the current fee structure. There is no way of avoiding increased administrative costs, particularly because an expanded QPS is essential to meet the high volume of licensing demand. If

there is no change to the fee structure the general public will have to bear the full costs of this expansion through the increased Government appropriation required to fund it.

The status quo option would also fail to apply the user pays principle such that licensed weapons users would obtain a higher level of service without contributing.

Comparison with other jurisdictions indicates that the current Queensland licensing fees are particularly low and have not been subject to increase for many years. This option would result in this disparity increasing and becoming more evident over time, especially since most other jurisdictions apply annual CPI increases.

The direct costs to the community are that the current level of protection and safety afforded by the weapons licensing program will be placed under threat with the increased re-licensing demands on the QPS. Further, there is a cost to licensed persons, bodies or businesses under the Act. Insufficient funding for management of weapons licensing services for existing licensing and re-licensing of current holders of weapons licences will result in significant time delays in processing applications for licences and renewal applications. These delays may result in the inability to renew licence applications before the expiry of the licence. Therefore the result would be that weapons licence holders would need to reapply for new weapons licences.

In addition, there will be continued subsidisation of weapons licensing services to those individuals or businesses that ought to be meeting the full costs of firearms or weapons licensing and registration. The resultant impact of not varying the fees to recover additional funds is a reduction in the level of service provided by the QPS.

4.2 Option 2 — Impose a State Wide Tax

The second option is the introduction of a tax on all Queenslanders to generate sufficient funding for re-licensing of current weapons holders and to maintain weapons licensing services for existing and new weapons licence applications. Whilst this option would enable the continuance of the existing levels of community protection and safety in accordance with the principles of the Act, it would come at expense to the community. The benefits to weapons licence holders associated with this option are the continuance of the current subsidisation of fees incurred for firearms or weapons licensing relative to the actual costs for licensing services and monitoring services provided by the QPS.

This option avoids bringing significant direct costs to weapons licensed persons, bodies or businesses. There is, however, an additional impost on the broader community. This option is contrary to the general Queensland Government policy of the user pays principle. The Queensland Government has a policy of ensuring that the general community is not subject to additional impost through imposition of a broad tax for services provided to a particular user group.

Accordingly, this alternative is not appropriate as weapons licensing costs should only be paid by persons, bodies or businesses that for genuine reasons possess, use, sell, repair or manufacture a weapon in accordance with the requirements of the Act.

4.3 Option 3 — Proposed Amendment Regulation

Given the disadvantages of the previous options this RIS favours the proposed Amendment Regulation. The proposed Amendment Regulation provides the Government with the opportunity to clearly state its policy intent, that is, to maintain the existing level of community safety and protection as provided by the Act.

To maintain the existing level of community safety and protection as provided by the Act and provide sufficient funding to meet re-licensing demands and increase cost recovery of weapons licensing services, the Cabinet Budget Review Committee (CBRC) in considering fee increases recommended that weapons licence fees increase by \$2 per annum (\$40 to \$50 for a five year firearms licence).

In order to provide an appropriate level of weapons licensing services with the introduction of the re-licensing program, it is fair and equitable that all licences issued under the Act, with the exception of security licences (guard employed/business), be subject to a similar reasonable level of increase. Further, CBRC recommended that a \$30 application fee be introduced for new applications under the Act.

It is proposed that Security licences (guard employed/business) be increased from \$8 to \$20 per annum to fairly reflect the additional administrative and licensing checks required. This fee increase is greater than that recommended by CBRC. It is appropriate that business related fees be subject to the fee increase on the basis of:

1. equity (it would be seen to be fair that the fee increase apply to business as well as individual weapons holders;

2. tax deductibility (business-related fees are tax deductible; and
3. full cost recovery (the increase would allow the QPS to move closer to full cost recovery in the area of weapons licensing.

There are other business related categories, similar to the security licence. The same argument (equity, tax deductibility and increased cost recovery) can be used to justify a 25% increase in these business related fees. The licence categories considered to be business related include:

1. Armourer's licence;
2. Concealable firearms licence;
3. Dealer's licence;
4. Firearms licence (instructor);
5. Security licence (organisation);
6. Security licence (guard employed/business);
7. Theatrical ordnance supplier's licence;
8. Shooting gallery approval;
9. Shooting club permit; and
10. Range approval.

The negative impact of these additional costs on current weapons licensed persons or new applicants for weapons licences are outweighed by the direct benefits, in particular, the maintenance of the existing level of community protection and safety.

This option offers improved cost recovery for weapons licensing services and ensures:

- (1) the QPS maintains the existing level of protection and safety provided to the community, which is consistent with the principles of the Act;
- (2) there are sufficient funds to meet the additional demands of the re-licensing program that are required by the Act; and
- (3) only current weapons licensed persons or new applicants for weapons licences are subject to the additional licensing costs.

While the proposed fee increase will not achieve full cost recovery for the licensing services provided by the QPS, it will have the effect of reducing the Government subsidy of weapons licensing services provided by the QPS, by properly requiring a fair and equitable contribution from persons who gain benefit from the administration of weapons licences.

5 Justification for choice of proposed Amendment Regulation

The proposed Amendment Regulation is the only alternative likely to achieve the objectives required.

REGULATORY IMPACT STATEMENT

1 TITLE: *Weapons Amendment Regulation 2001*

2 BACKGROUND

2.1 National Guidelines for the uniform licensing requirements and objectives

In 1996 the Queensland Government, in support of the implementation of National Guidelines for the uniform licensing requirements, amended the Weapons Act 1990 (the Act). The effect of these amendments was to substantially change the way that the Queensland Police Service (QPS) administered the weapons legislation. In effect, the amendments required all gun owners and shooters to be licensed, all weapons to be registered and the introduction of the requirement to obtain a permit to acquire weapons. Licences issued under the Act have a five-year maximum life.

The guiding principles of the Act are:

- (1) weapon possession and use are subordinate to the need to ensure public and individual safety; and
- (2) public and individual safety is improved by imposing strict controls on the possession of, and the safe and responsible storage of, weapons.

The Weapons Licensing Branch (the Branch) QPS, administers the majority of the Act and Weapons Regulation 1996 (the Regulation). Functions undertaken by the Branch include:

- (1) carrying out the functions and duties of the Authorised Officer under the Act and the delegated duties of the Commissioner of Police;
- (2) provision of accurate and current records on the Weapons Computer System of all licences, authorities, registered weapons and restricted weapons;
- (3) provision of an efficient and effective service to the community and members of the QPS; and
- (4) developing and establishing policies and procedures for the issue of the various licence types permitted under the Act.

2.2 Weapons licensing process

In Queensland, a person wishing to possess or use any firearm or weapon must first obtain a licence under the Act (weapons licence). A weapons licence allows a person to possess, carry and use particular categories of firearms or weapons subject to specific conditions. In order to acquire a weapon a person must first be issued with a “permit to acquire”. The Act limits the categories of persons who may acquire a weapon to a licensed dealer or a person who holds a permit to acquire.

A licence may only be issued if the following criteria are met:

- (1) the applicant has a genuine reason to possess the firearm or category of weapon;
- (2) the applicant is a fit and proper person to hold a licence;
- (3) the applicant has an adequate knowledge of safety practices for the use, storage and maintenance of the category of firearm or weapon the possession of which is to be authorised by the licence;
- (4) the applicant must show that s/he has attended an accredited course in safety training or demonstrated prior skills for weapons prescribed under regulation or if the licence is a security licence (guard) or (instructor) - a training course approved by the Commissioner;
- (5) the applicant is not prevented under any Act or by an order of a court from holding the licence. For example, an order under the Domestic Violence (Family Protection) Act 1989 or any other order of a court prohibiting the possession of a firearm; and
- (6) the applicant has access to secure storage facilities for the firearm or category of weapon or the ammunition possession of which is to be authorised by the licence.

In deciding the application the authorised officer must consider those matters set out in the Act. Further, the authorised officer may consider anything at the officer's disposal and carry out any necessary inquiries. Material or evidence upon which any decision is based must, if required, be substantiated.

2.3 Queensland licence fee, or renewal of licence for each year

The following table (Table 2.3.1) shows the current scale of fees, per annum, for licensing services as legislated by Schedule 1 of the Regulation.

Table 2.3.1 — Current weapons licence fees per annum.

| Weapons licence type | Cost per annum |
|--|---------------------------|
| Armourer's licence | 50.00 |
| Blank-fire firearms licence | 8.00 |
| Collector's licence (heirloom) | 8.00 |
| Collector's licence (weapons) | 8.00 |
| Concealable firearms licence— | |
| (1) For a pistol club member | 12.00 |
| (2) For anyone else | 30.00 |
| Dealer's licence— | |
| (1) for a licence that includes only category A or B weapons | 100.00 100.00 |
| (2) for a licence that includes only category C, D, E, H or R weapons | 200.00 |
| (3) for any other licence | |
| Firearms licence | 8.00 |
| Firearms licence (instructor) | 30.00 |
| Minor's licence | 8.00 |
| Security licence (guard) | 8.00 |
| Security licence (organisation) | 200.00 |
| Theatrical ordnance supplier's licence | 200.00 |
| Visitor's licence | 25.00 |
| Replacement licence | 20.00 |
| Permit to acquire | 15.00 |
| Shooting club permit, for each year | 30.00 |
| Approval— | |
| (1) to conduct a shooting gallery, for each year | 150.00 |
| (2) of a range for weapons target shooting | 150.00 |
| (3) to conduct an arms fair | 100.00 |
| (4) to transfer a collection of weapons to other premises | 50.00 |
| (5) to transfer a transferable licence | 100.00 |
| (6) for an approved shooting club to alter, modify or permit alteration or modification of actual firing range, butts of firing line in a material way | 150.00 |
| Exemption under section 2(1)(m) of the Act | 40.00 |

| Weapons licence type | Cost per annum |
|--|-----------------------|
| Amendment of conditions applying to an approval of a range for weapons target shooting | 20.00 |
| Amendment of conditions applying to shooting club permit | 20.00 |
| Brokerage fee (Subject to GST) | 10.00 |

2.4 Increased funding required for re-licensing of current holders of Weapons Act licences

An administrative concern to the Government, is the significant workload and additional costs which are to be caused from January 2002 due to the re-licensing of 191,109 holders of current weapons licences, albeit, over a three to four year period.

In assessing the enormity of the re-licensing process comparisons can be made with the initial licensing process in 1996/97. During this time staffing of the QPS Weapons Licensing Branch was substantially increased to enable the assessment and approval of 165,868 licence applications. A large number of these applications were for five year weapons licences.

Since this time the staffing of Branch has been consolidated and reduced to 51 for maintenance and implementation of the provisions of the Act. Current staff numbers include six police officers, 40 staff members and five government subsidised trainees. Trainees are employed on a temporary basis. Efficiencies in the Branch indicate that all staff are now fully tasked.

An analysis of the staffing level for the Branch has been conducted by the Policy and Workforce Planning Section, QPS. It has been identified that the Branch requires an additional 27 staff and supporting funding to meet the additional re-licensing demands that will be placed on it from January 2002. In order to meet these forthcoming funding requirements the proposed amendment Regulation has been developed.

As required by the *Statutory Instruments Act 1992* a Regulatory Impact Statement (RIS) must be prepared for all subordinate legislation which is "...likely to impose appreciable costs on the community or a part of the community." "Costs" are defined by the *Statutory Instruments Act 1992* and may include:

- (1) burdens and disadvantages; and
- (2) direct and indirect economic, environmental and social costs.

The increase of weapons licence fees and the introduction of an application fee for all new weapons licence applications will impose an appreciable cost on a part of the community. As such, a RIS must be completed.

3 AUTHORISING LAW

The legislation is authorised under *Weapons Act 1990*. Section 172 (Regulation-making power) of the Act states:

- (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 the schedule.*
- (3) *A regulation may provide for an offence punishable by a maximum penalty of 10 penalty units.*

Further authorisation for the prescription of fees is found in Section 74 (Fees) of the Regulation.

4 POLICY OBJECTIVES

4.1 What is the problem?

Currently, the QPS is providing weapons licensing services in accordance with the principles of the Act. These services are ensuring that weapon possession and use are subordinate to the need to ensure public and individual safety through the imposition of strict controls on the possession of, and the safe and responsible storage of, weapons.

The continued provision of these services will be put at risk by the forthcoming weapons re-licensing program if additional funds are not obtained to meet the increased administrative costs that will be caused by re-licensing. This is a significant administrative concern to the Government as there is a significant increased workload on the QPS, commencing in January 2002, with 5,000 weapons licence renewal applications falling due under the weapons re-licensing program.

In the first year of the weapons re-licensing program some 70,000 licences will require renewal. The remaining licences are to be renewed at an average of 60,000 per year. In addition, there will also be the continuing effect of growth from the issue of new weapons licences. There is limited flexibility in the date by which current weapons licences must be renewed.

By law, licences must be renewed on or before the expiry date, unless a restrictive exemption is issued by the Commissioner of Police.

To meet the additional funding demands, an analysis of the staffing level for the Branch was conducted by the Policy and Workforce Planning Section, QPS. The analysis identified that the Branch requires an additional 27 staff and supporting funding to met the re-licensing demands that will be placed on the Branch from January 2002.

The costs to the QPS for the weapons re-licensing program will vary according to the type of licence applied for under the Act. Part of the renewal process involves some form of follow up on licences not submitted for renewal. This is an essential and potentially time consuming component of the renewal process as it can be reasonably assumed that these unlicensed persons will continue to have possession of firearms. Information from the current one year renewal process for specific licences indicates that up to 40% of licences require some form of follow up. For example, renewal applications may be submitted without appropriate documentation, licence holders may have changed address or details of the licence determined during checks and vetting may require clarification.

To address the increased resourcing needs of the QPS, increases to existing licence fees and the introduction of an application fee for new weapons licences are being sought.

4.2 What are the risks to be controlled?

The risks associated with the introduction of the weapons re-licensing program are:

- (1) the need to ensure that the QPS meets the guiding principles of the Act (through maintaining the imposition of strict controls on the possession of and the safe and responsible storage of weapons) and maintains existing levels of community protection and safety;
- (2) the provision of additional funding and resources to QPS to support the weapons re-licensing program;
- (3) preventing failure by the QPS to comply with legislated weapons licence renewal times. The impact of the QPS failing to meet legislated time frames is that previously licensed holders maybe required to make fresh applications for new licences; and
- (4) preventing the compromise of existing comprehensive weapons licence approval procedures for new licence applications and

monitoring existing licence approvals. The licensing procedures adopted by the QPS are particularly rigorous in respect to approval and renewal of licences. The Act deliberately mandates lengthy checking and time delay before any licence application is approved. Because of this rigor all licence or re-licensing applications are subject to the same inquiries conducted by the QPS. These include criminal history and 'fit and proper person' checks of individuals and / or the proposed business and the physical checks of the proposed premises.

4.3 What has the Queensland Police Service done to control these risks?

Because the five-year maximum life of a licence introduces the need for a continuous process of re-licensing, the Policy and Workforce Planning Section QPS has undertaken a work load analysis of the Branch. The workforce analysis was undertaken with consideration of legislative requirements for the renewal process. Further, interviews with management and staff of Branch were undertaken. Observations of current licence issuing processes and collation and analysis of predictive data were also conducted.

The workforce analysis concluded that 27 additional staff members and supporting funding were necessary to meet the additional administrative requirements placed on the Branch by the weapons re-licensing program.

The re-licensing program will commence in January 2002 and the first phase of renewals will peak over the following three to four years. In addition, the approval of new licence applications will result in continuous growth to the overall re-licensing workload liability.

Statistics indicate that the bulk of the licence renewal workload will be conducted from 2002 to 2004. However, the follow-up work and the checking of firearm registrations will provide sufficient work for these additional staff beyond this period and into the next renewal phase. Critical issues for staffing is the ability to meet daily decision volumes. The weapons re-licensing workload is time constrained and is not amenable to averaging out over a financial year. Consequently, 27 additional staff will be required on a permanent basis. As predictions indicate excessive workload for some peak peaks, supplementation with temporary employees may also be required.

The QPS has in place, relevant policy and procedures to be followed by the Branch when determining licence applications or renewal applications

under the Act. These policies and procedures are contained in Chapter 8 (Weapons Act 1990 Policy and Procedures) of the Administration Manual.

5 LEGISLATIVE INTENT

5.1 Intended effect of the proposed legislation — What rights, liberties or obligations will it change or establish?

The effect of the proposed Amendment Regulation will be to provide sufficient funding to meet additional costs associated with the weapons re-licensing program and apply the user pays principle to ensure that all persons or businesses licensed under the Act make a fair and equitable contribution to licensing services provided by the QPS. The proposed Amendment Regulation does not alter existing or establish new rights, liberties or obligations of persons already licensed under the Act.

The proposed Amendment Regulation imposes a new obligation on persons seeking a new licence under the Act by imposing a one-off \$30 application fee.

5.2 Who is likely to be effected?

5.2.1 Licensed persons or bodies under the Act

All persons, bodies or businesses licensed under the Act to possess, use, sell, repair, manufacture or trade in firearms or weapons will be affected by the proposed Amendment Regulation. These groups are:

- (1) sport or target shooters;
- (2) recreational shooters;
- (3) occupational shooters, such as primary producers;
- (4) collectors;
- (5) the security industry;
- (6) museums, clubs such as RSLs;
- (7) sporting organisations (e.g. to start sporting events);
- (8) theatrical organisations; and
- (9) dealers and armourers.

While the proposed Amendment Regulation will impact on these identified groups by increasing all weapons licensing fees by 25% of the

existing per annum fee (with the exception of security licences (guards employed/business), it will enable:

- (1) the QPS to continue to maintain the existing level of protection and safety provided to the community;
- (2) continued effective and efficient management of weapons licensing services provided for existing licensing and re-licensing of current holders of weapons licences;
- (3) legislated weapons licence renewal time frames be able to be met thereby alleviating significant time delays in processing applications for licences and renewal applications;
- (4) a fair and equitable contribution to be paid by these groups for the services provided by the QPS; and
- (5) increased weapons licensing costs to business to continue to be tax deductible.

Holders of current security licences (guard employed/business) will be subject to an increase from \$8 to \$20 in the existing per annum fee to offset additional administrative and licensing costs.

New applicants for a weapons licence will be subject to a new licence application fee of \$30.

5.2.2 Queensland Police Service

The proposed Amendment Regulation will impact on the QPS by enabling the continuation of services provided by the QPS to applicants, weapons licence holders and special interest groups. These services include:

- (1) weapons licensing (consistent with the Act and section 2.3 (Functions of service) of the Police Service Administration Act 1990);
- (2) maintaining comprehensive weapons and licensing databases;
- (3) monitoring and compliance checks of weapons licensed persons and businesses;
- (4) maintaining best practice policies and procedures for the issue of the various licence types permitted under the Act; and
- (5) performing security checks of proposed weapons storage areas.

The proposed Amendment Regulation will also have a positive impact on the QPS by enabling the provision of sufficient funding and resources for the weapons re-licensing program.

Overall, there will be a positive impact of maintenance of existing licensing and the incorporation of re-licensing, thereby ensuring the continuation of the existing level of protection and safety supplied to holders of weapons licences and the general community.

5.2.3 Community

Without the proposed Amendment Regulation there is a threat of significant costs to the community by a reduction in the current level of protection and safety that is afforded to the community by the Act. This could occur from the significantly increased workload resulting in less rigorous checking and investigation of weapons licence applications and renewal applications.

Alternatively, without the proposed Amendment Regulation the costs of the weapons re-licensing program will be required to be met by an increased Government appropriation to meet full costs of the program.

6. CONSISTENCY WITH THE AUTHORISING LAW

6.1 State legislation

The proposed Amendment Regulation is consistent with the Act and the Regulation, each provision being within the scope of the authorising law. Fees for the licensing of persons authorised to possess various categories of weapons are contained within Schedule 1 of the Regulation. In addition, a brokerage fee is regulated by section 74 of the Regulation.

Section 172 (Regulation-making power) of the Act states:

- (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 the schedule.*
- (3) A regulation may provide for an offence punishable by a maximum penalty of 10 penalty units.*

Section 74 (Fees) of the Regulation provides that:

-
- (1) *The fees payable under the Act (other than a brokerage fee) are in schedule 1.*
 - (2) *If a person applies for a miscellaneous weapons licence to authorise in substance what the person may already do under an exemption granted under section 2(1)(m) of the Act, the person is exempt from the fee for the licence.*
 - (2A) *The fee for a group licence is the total of the application fees for each class of licence mentioned in section 25B that is appropriate to the weapons to which the application relates.*
 - (3) *If the holder of a licence applies for a licence of the same class with an endorsement for additional weapons and the licence will expire on the same day as the holder's existing licence the only fee payable is \$8.00.*
 - (4) *If an application for a licence, licence renewal, approval, permit or exemption is refused, the fee less \$20.00 for administration must be refunded.*
 - (5) *The brokerage fee under section 35(3) of the Act is \$10.00.*
 - (6) *The fees (other than a brokerage fee) and penalties payable under the Act are to be paid to the consolidated fund and costs incurred in relation to proceedings under the Act are payable from the consolidated fund.*
 - (7) *In this section-*
"former Act" see section 173 of the Act.
"new Act" see section 173 of the Act.

6.2 Consistency with other State legislation

The proposed Amendment Regulation is not inconsistent with any other legislation.

6.3 Consistency with weapons legislation from other jurisdictions

Tables 6.3.1, 6.3.2 and 6.3.3 show the comparative costs for individual weapons licences across Australian jurisdictions. Costs for Queensland licences are generally lower, and to a marked degree, than those of other jurisdictions. The only weapons licensing costs lower than Queensland are for categories A and B firearms in the Northern Territory.

In preparing the tables of comparative costs, adjustments have been made to ensure "like fees" are compared with "like fees". This method was adopted as the approach of each jurisdiction to licensing and the associated fee structure varies considerably. Across the jurisdictions there are marked differences in definitions, types and conditions of licences, and in the time periods they cover.

There is also considerable variability in fees applied across initial and renewal applications. The standardised costs presented are for one and five year periods for each of the categories of weapons. Further, the information has been restricted to those licences that generate a recurring workload from a re-licensing viewpoint. The balance are business oriented, specialised or already being renewed annually. The exclusion of the one year and business licence avoids substantial complexity.

Table 6.3.1 — Individual Shooter's Licence Equivalent.

| Category | Individual Shooter's Licence Equivalent | | | | | | | | | |
|--------------------|---|------|-------|------|-------|------|-------|------|-------|------|
| | A | | B | | C | | D | | H | |
| | 1 yr | 5 yr | 1 yr | 5 yr | 1 yr | 5 yr | 1 yr | 5 yr | 1 yr | 5 yr |
| State or Territory | | | | | | | | | | |
| Qld | 8 | 40 | 8 | 40 | 8 | 40 | 8 | 40 | 12 | 60 |
| NSW | 15 | 75 | 15 | 75 | 15 | 75 | 15 | 75 | 20 | 100 |
| Vic | 27 | 135 | 32 | 160 | 50 | 250 | 32 | 160 | 40 | 200 |
| WA | 93 | 171 | 93 | 171 | 93 | 171 | 93 | 171 | 93 | 171 |
| NT | 6 | 30 | 6 | 30 | 10 | 50 | 30 | 150 | 30 | 150 |
| ACT | 15 | 75 | 15 | 75 | 15 | 75 | 15 | 75 | 15 | 75 |
| SA | 46.25 | 186 | 46.25 | 186 | 46.25 | 186 | 46.25 | 186 | 46.25 | 186 |

Table 6.3.2 — Licence Equivalent

| Category | Collector | | Cat H Corporate Other | | Dealer Corporate | | Armourer Corporate | |
|----------|--------------------|------|-----------------------------|------|---------------------|------|-----------------------|------|
| | 1 yr | 5 yr | 1 yr | 5 yr | 1 yr | 5 yr | 1 yr | 5 yr |
| | State or Territory | | | | | | | |
| Qld | 8 | 40 | 30 | 150 | 200 | 1000 | 50 | 250 |
| NSW | 15 | 75 | 20 | 100 | 100 | 100 | 100 | 500 |
| Vic | 40 | 200 | 60 | 300 | 400 | 2000 | 200 | 1000 |
| WA | 17 | 84 | 0 | 0 | 148 | 440 | 148 | 308 |
| NT | 20 | 100 | 50 | 250 | 200 | 1000 | 50 | 250 |

| Category | Collector | | Cat H Corporate Other | | Dealer Corporate | | Armourer Corporate | |
|----------|-----------|------|-----------------------------|------|---------------------|------|-----------------------|------|
| | 1 yr | 5 yr | 1 yr | 5 yr | 1 yr | 5 yr | 1 yr | 5 yr |
| ACT | 15 | 75 | 75 | 375 | 150 | 750 | | |
| SA | 46.30 | 186 | 0 | 0 | 248 | 1195 | | |

Table 6.3.3 — Licence Equivalent

| Category | Other corporate | | Range approval | | Permit to acquire One Off |
|----------|-----------------|------|----------------|------|---------------------------------|
| | 1 yr | 5 yr | 1 yr | 5 yr | |
| Qld | 200 | 1000 | 150 | | 15 |
| NSW | 20 | 100 | 100 | | 30/10 |
| Vic | 200 | 1000 | | | 8 |
| WA | 148 | 436 | 111 | 271 | 19 |
| NT | 50 | 250 | 66 | 330 | 15 |
| ACT | 75 | 375 | | | 10 |
| SA | | | | | 16.50 |

7 OPTIONS AND ALTERNATIVES

7.1 Option 1 — Make no change to current fees

This option would see no change in the current fee structure. There is no way of avoiding increased administrative costs, particularly because an expanded Weapons Licensing Branch within the QPS is essential to meet the high volume of licensing demand. If there is no change to the fee structure the general public will have to bear the full costs of this expansion through the increased Government appropriation required to fund it.

The status quo option would also fail to apply the user pays principle such that licensed weapons users would obtain a higher level of service without making any contribution.

Comparison with other jurisdictions indicates that the current licensing fees are particularly low and have not been subject to increase for many years. This option would result in this disparity increasing and becoming

more evident over time, especially since most other jurisdictions apply annual CPI increases.

The direct costs to the community are that the current level of protection and safety afforded by the weapons licensing program will be placed under threat with the increased re-licensing demands on the QPS. Further, there is a cost to licensed persons, bodies or businesses under the Act. Insufficient funding for the effective and efficient management of weapons licensing services provided for existing licensing and re-licensing of current holders of weapons licences will result in significant time delays in processing applications for licences and renewal applications. These delays may result in the inability to renew licence applications before the expiry of the licence. This would result in weapons licence holders having to reapply for a new weapons licence.

In addition, there will be continued subsidisation of weapons licensing services to those persons, bodies or businesses that ought to be meeting the full costs of firearms or weapons licensing and registration. The resultant impact of not varying the fees to recover additional funds is a reduction in the level of service provided by the QPS.

7.2 Option 2 — Impose a State Wide Tax

The second option is the introduction of a tax on all Queenslanders to generate sufficient funding for re-licensing of existing weapons holders and to maintain weapons licensing services for existing and new weapons licence applications. Whilst this option would enable the continuance of the existing levels of community protection and safety in accordance with the principles of the Act, it would come at expense to the community.

The benefits to weapons licence holders associated with this option are the continuance of the current subsidisation of fees incurred for firearms or weapons licensing relative to the actual costs for licensing services and monitoring services provided by the QPS.

This option avoids bringing significant direct costs to weapons licensed persons, bodies or businesses. There is, however, an additional impost on the broader community. This option is contrary to the general Queensland Government policy of the user pays principle. The Queensland Government has a policy of ensuring that the general community is not subject to additional impost through imposition of a broad tax for services provided to a particular user group.

Accordingly, this alternative is not appropriate as weapons licensing costs should only be paid by persons, bodies or businesses that for genuine reasons possess, use, sell, repair or manufacture a weapon in accordance with the requirements of the Act.

7.3 Option 3 — Amend the Weapons Regulation as proposed

To maintain the existing level of community safety and protection as provided by the Act and provide sufficient funding to meet re-licensing demands and increase cost recovery of weapons licensing services, the CBRC, in considering fee increases, recommended that weapons licence fees increase by \$2 per annum (\$40 to \$50 for a five year firearms licence). This is a 25% increase in licensing fees for holders of firearms licences. No other weapons licence holders were to be subject to licence fee increases. Further, CBRC recommended that a \$30 weapons licence application fee be introduced for new applications under the Act.

In order to provide an appropriate level of weapons licensing services with the introduction of the recurring re-licensing program, it is fair and equitable that all licences issued under the Act, with the exception of security licences (guard employed/business), be subject to a similar reasonable level of increase.

It is proposed that Security licences (guard employed/business) be increased from \$8 to \$20 per annum. While, this fee increase is greater than that recommended by CBRC the increase is necessary to offset the additional costs, identified by the QPS, that are required to appropriately investigate and determine these types of licences.

It is appropriate that business-related fees be subject to fee increases based on:

1. equity (it would be seen to be fair that the fee increase apply to business as well as individual weapons holders;
2. tax deductibility (business-related fees are tax deductible; and
3. full cost recovery (the increase would allow the QPS to move closer to full cost recovery in the area of weapons licensing.

There are other business related categories, similar to the security licence. The same argument (equity, tax deductibility and increased cost

recovery) can be used to justify a 25% increase in these business related fees. The licence categories considered to be business related include:

1. Armourer's licence;
2. Concealable firearms licence;
3. Dealer's licence;
4. Firearms licence (instructor);
5. Security licence (organisation);
6. Security licence (guard employed/business);
7. Theatrical ordnance supplier's licence;
8. Shooting gallery approval;
9. Shooting club permit; and
10. Range approval.

Accordingly, the objectives underlying this legislative initiative are to:

- (1) provide sufficient funding to meet additional costs associated with the forthcoming weapons re-licensing requirement;
- (2) ensure that persons licensed under weapons legislation make a fair and equitable contribution to the costs of administering weapons licensing systems in Queensland; and
- (3) ensure that Queensland's weapons licensing fees are reasonable and are not excessive when compared with those of other jurisdictions.

While the proposed fee increase will not achieve full cost recovery for the licensing services provided by the QPS, it has the effect of reducing Government subsidisation of weapons licensing services and properly requires a fair and equitable contribution from persons who gain benefit from the administration of weapons licences.

8. COST—BENEFIT ASSESSMENT

8.1 General impacts on Government, business and community

Overall, the impact of the proposed Amendment Regulation will ensure the provision of sufficient funding for the weapons re-licensing program thereby maintaining existing levels of safety and protection provided by the QPS to weapons users and the community through the administration of the Act.

8.2 Impacts on Government

This option offers direct benefits to the Government by:

- (1) enabling the QPS to maintain the existing level of protection and safety provided to the community consistent with the principles of the Act;
- (2) providing sufficient funding to the QPS to ensure proper management of administrative processes associated with the requirements of the weapons re-licensing program;
- (3) applying the user pays principle to ensure that all licensed weapons users contribute a fair and equitable cost to weapons licensing services;
- (4) not imposing any additional cost on persons or businesses in the community who are not owners of weapons;
- (5) providing for future cost recovery to be maintained with the costs of licensing services (including monitoring) through periodic reviews and CPI increases; and
- (6) removing the emerging disparity between Queensland's weapons licensing costs and those of other jurisdictions.

8.3 Impacts on Business / weapons licensed persons

The proposed Amendment Regulation will impose additional costs to businesses or persons licensed under the Act.

The cost benefits to businesses / persons licensed under the Act are:

1. with the introduction of the weapons re-licensing program, the existing level of weapons licensing services can be maintained. This ensures that only fit and proper persons are licensed, thereby maintaining the level of protection and safety provided;
2. by providing sufficient funding to the QPS to ensure proper management of administrative processes associated with the requirements of the re-licensing program, the risk of a licence renewal being made void, by a failure to complete the renewal in the legislated time, is avoided;
3. the application of the user pays principle ensures that all licensed weapons users fairly and equitably contribute to the cost of maintaining and improving weapons licensing services;

4. business related fees are tax deductible; and
5. licensed weapon holders continue to benefit from some Government subsidy of weapons services when compared with weapons licensing costs in other jurisdictions.

It is proposed that Security licences (guard employed/business) be increased from \$8 to \$20 per annum. While, this fee increase is greater than that recommended by CBRC the increase is necessary to offset the additional cost required to appropriately investigate and determine these types of licences.

The resultant impact of the fee increase is the maintenance of comprehensive licence approval procedures for new licence applications, the re-licensing of current firearms licence holders and the monitoring of existing licence approvals. There is unlikely to be any significant impact on businesses not licensed under the Act.

8.4 Impacts on Community

The proposed Amendment Regulation will not have a cost impact on the broader community.

The cost of the proposed Amendment Regulation to the broader community are:

1. an additional tax impost is not placed on the broader community;
2. the current level of protection and safety to the community, in accordance with the guiding principles of the Act, is continued with the introduction of the weapons re-licensing program; and
3. continued public confidence in weapons licensing services provided by the QPS.

9. FUNDAMENTAL LEGISLATIVE PRINCIPLES

The proposed Amendment Regulation does not breach any fundamental legislative principles. Before the Amendment Regulation is commenced, certification will be sought from the Office of the Parliamentary Counsel.

10. NATIONAL COMPETITION POLICY

The proposed Amendment Regulation will apply equally to all persons and businesses licensed under the Act. Current licensees will not be subject to the proposed \$30 application fee.

10.1 What is the impact of the proposed legislation on competition – i.e., to what extent does it impose or encourage any restrictions?

While the proposed Amendment Regulation will result in additional cost for persons and businesses licensed under the Act, it will provide for sufficient funding for the QPS to effectively administer the provisions of the Act during the weapons re-licensing program. It is considered that there will not be increased restrictions on licensees under the Act.

The introduction of the new \$30 application fee will impose a new cost on applicants for a weapons licence. The imposition of this application fee provides for greater cost recovery for weapons licensing services provided by the QPS and is consistent with the guiding principles of the Act.

The proposed Amendment Regulation removes disparity between Queensland weapons licensing fees and those of other jurisdictions and maintains a reasonable level of subsidy of weapons licensing services for persons and businesses licensed under the Act.

10.2 Do the associated benefits outweigh the costs from an economy-wide perspective?

The QPS provides weapons licensing services as required by the Act. The services provided are consistent with those provided by National Guidelines for the uniform licensing requirements and other jurisdictions.

The provision of sufficient funding to the QPS is essential to enable it to comply with the principles of the Act. The Amendment Regulation will enable the QPS to meet the additional funding requirements imposed by the re-licensing of existing weapons licence holders, and at the same time continue to maintain the rigorous licensing standards prescribed by the Act.

10.3 If there are restrictions, how and why are they in the public interest?

The proposed Amendment Regulation is restricted to persons and businesses licensed under the Act and applicants for weapons licences.

This restriction is in the public interest because it ensures that the broader community is not additionally burdened by the cost of the weapons licensing program. Further, the application of the user pays principle ensures that all persons and businesses licensed under the Act pay a fair and equitable contribution to weapons licensing services provided by the QPS.

10.4 How do the competitive impacts of the proposed legislation compare with any reasonable alternative?

There is no viable alternative that is likely to achieve the policy objectives.

11. RISK ASSESSMENT

11.1 Have the risk levels inherent in the situation being regulated been formally assessed?

A risk assessment using Australian / NZ Standard for Risk Management AS/NZS 4360:1995 was conducted to identify and assess the risk inherent in increasing weapons licensing fees.

11.2 Is the regulation responsive to risks or does it respond to the perceived risk?

This legislative initiative addresses the risks associated with the weapons re-licensing program that were previously identified by the workforce analysis.

11.3 Does the regulation allow for compliance options that are reflective of the assessed level of risk?

The provisions in the proposed Amendment Regulation are designed to adjust the fee structure, on a user pays / cost recovery basis, as it applies to holders of weapons licences under the Act. Without the proposed Amendment Regulation the risks identified are likely to occur.

11.4 Risk Assessment

Risk was assessed according to the Australian / NZ Standard for Risk Management AS/NZS 4360:1995. The risk assessment process consisted of identifying the hazards and undertaking a risk assessment of the

consequences and probability of occurrence to derive a risk score. To do this the Australian / NZ Standard for Risk Management AS/NZS 4360:1995 was broken down into several tables.

Tables 11.4.1 and 11.4.2 show the potential consequences and the probability rating of the risks. Table 11.4.3 shows the risk score and recommended action. Table 11.4.4 identifies and scores each risk in accordance with Tables 11.4.1 - 11.4.3.

Table 11.4.1 — Potential consequences

| Potential Consequence | | |
|------------------------------|--------------------------|----------------------|
| Category | Description Title | Damage |
| 1 | Catastrophic | more than \$10 M |
| 2 | Major | \$1 - 10M |
| 3 | Moderate | \$0.1 - 1M |
| 4 | Minor | \$10,000 - \$100,000 |
| 5 | Insignificant | less than \$10,000 |

Table 11.4.2 — Probability rating

| Probability rating | | | | | |
|---------------------------|------------------|--------------------------|-------------------|-----------------|-------------|
| Category | Frequency | Reasonably likely | Occasional | Unlikely | Rare |
| 1 | 8 | 7 | 6 | 5 | 4 |
| 2 | 7 | 6 | 5 | 4 | 3 |
| 3 | 6 | 5 | 4 | 3 | 2 |
| 4 | 5 | 4 | 3 | 2 | 1 |
| 5 | 4 | 3 | 2 | 1 | 0 |

Table 11.4.3 — Risk Score Action Levels

| Risk Score | Recommended Action |
|-------------------|--|
| 8, 7, 6 | Risk suppression imperative. Significant senior management evaluation required. |
| 5 | Significant risk. Risk suppression required. Senior management evaluation desirable. |

| Risk Score | Recommended Action |
|-------------------|---|
| 4 | Medium risk. Corrective action required, level of evaluation should be specified. |
| 3, 2, 1 | Low risk. Correct where practicable, manage by routine procedures. |

Table 11.4.4 — Risk Assessment of identified hazards

| Identified Risk | Category | Risk Score |
|---|-----------------|-------------------|
| (1) Failure to ensure that the QPS meets the guiding principles of the Act and maintains community protection and safety, through maintaining the imposition of strict controls on the possession of and the safe and responsible storage of weapons. | 4 | 4 |
| (2) Insufficient resourcing of QPS to support the re-licensing of 191,109 holders of current weapons licences over the next three to four year period. | 4 | 4 |
| (3) Failure to comply with legislated licence renewal times. | 4 | 3 |
| (4) Failure to maintain existing comprehensive licence approval procedures for new licence applications and monitoring existing licence approvals. | 4 | 4 |

12. COST BENEFIT METHODOLOGY

A cost benefit analysis has been conducted using the BRRU Model (RISASSIST)

12.1 PRELIMINARY IMPACT ASSESSMENT

12.1.1 Option 1 — Make no change to current fees

This option would see no change in the current fee structure. The impact of Option 1 is outlined below:

- (1) on Government - the need to increase Government appropriation to meet the full costs of this unavoidable expansion;
- (2) on the QPS - the inability to provide sufficient funding and resources to meet the additional demands from the re-licensing

program and the inability to maintain existing levels of protection and safety for licensees and the broader community;

- (3) on holders of licences under the Act - the risk that current licences maybe not renewed prior to the legislated time, a reduction in the quality of service currently provided by the QPS and ultimately a decrease in the level of safety and protection offered by the QPS; and
- (4) on the broader community - the imposition of an additional tax to support firearm use and possession by a number of groups within the community and the decrease in the level of safety and protection for the broader community.

12.1.2 Option 2 — Impose a State Wide Tax

The introduction of a tax on all Queenslanders to generate sufficient funding to maintain weapons licensing services for new applications and renewal applications is also not a viable option. The primary reason for this is that while the funding objectives would be met, the option imposes an unnecessary impost on the broader community.

The option is contrary to the general Queensland Government policy of the user pays principle. Accordingly, this alternative is not appropriate as weapons licensing fees should only be paid by persons, bodies or businesses that chose to possess, use, sell, repair, manufacture a weapon in accordance with the requirements of the Act.

12.1.3 Option 3 — Amend the Weapons Regulation as proposed

Impacts for this option have been previously outlined in the Cost - Benefit assessment. In addition to the direct benefits to the Government, persons and businesses licensed under the Act and to the broader community, this option would result in a change to the current arrangement of administration of the Act which is fully supported by Government appropriation, recognising modest revenue from the current fee structure.

Licensees under the Act have been offered substantial support over many years. In the first instance, there has been no increase in weapons licensing fees for at least the last 10 years. Secondly, when licensees were transferred to the new system in 1997/98 no new licence fees were applied. Thirdly, despite increasing costs to weapons licensing there has been no increase in fees.

In addition to the introduction of the immediate fee increases the Government intends to apply annual CPI increases to all weapons licences to ensure the continuation of a fair and equitable contribution by all individuals and business licensed under the Act.

This option will ensure that the QPS is able to continue to provide an adequate level of protection and safety to the community, through the management of weapons licences. This option is consistent with the principles of the Act and the legislative requirements imposed on the QPS by section 2.3 (functions of service) of the Police Service Administration Act 1990.

Additionally, the impact of the increased licensing costs when compared with similar costs for individual weapons licences in other jurisdictions demonstrates that these costs are not excessive. Further, that Queensland licensing costs will remain generally lower than those of other jurisdictions. Finally, increased costs of licences issued under the Act remain tax deductible, if they are business related.

13. QUALITATIVE IMPACT ASSESSMENT

13.1 Comparison of costs

Table 13.1.1 shows a comparison of the current and proposed costs to existing weapons licences as proposed by the Amendment Regulation.

Table 13.1.1 Comparison of current and proposed costs to existing licences

| Weapons | Current | Proposed |
|--|----------------|-----------------|
| Armourer's licence | 50.00 | 62.50 |
| Blank-fire firearms licence | 8.00 | 10.00 |
| Collector's licence (heirloom) | 8.00 | 10.00 |
| Collector's licence (weapons) | 8.00 | 10.00 |
| Concealable firearms licence— | | |
| (i) For a pistol club member | 12.00 | 15.00 |
| (ii) For anyone else | 30.00 | 37.50 |
| Dealer's licence— | | |
| (i) for a licence that includes only category A or B weapons | 100.00 | 125.00 |
| (ii) for a licence that includes only category C, D, E, H or R weapons | 100.00 | 125.00 |
| (iii) for any other licence | 200.00 | 250.00 |
| Firearms licence | 8.00 | 10.00 |

| Weapons | Current | Proposed |
|---|----------------|-----------------|
| Firearms licence (instructor) | 30.00 | 37.50 |
| Minor's licence | 8.00 | 10.00 |
| Security licence (guard / business) | 8.00 | 20.00 |
| Security licence (organisation) | 200.00 | 250.00 |
| Theatrical ordnance supplier's licence | 200.00 | 250.00 |
| Visitor's licence | 25.00 | 31.25 |
| Replacement licence | 20.00 | 25.00 |
| Permit to acquire | 15.00 | 18.75 |
| Shooting club permit, for each year | 30.00 | 37.50 |
| Approval— | | |
| (i) to conduct a shooting gallery, for each year | 150.00 | 187.50 |
| (ii) of a range for weapons target shooting | 150.00 | 187.50 |
| (iii) to conduct an arms fair | 100.00 | 125.00 |
| (iv) to transfer a collection of weapons to other premises | 50.00 | 62.50 |
| (v) to transfer a transferable licence | 100.00 | 125.00 |
| (vi) for an approved shooting club to alter, modify or permit alteration or modification of actual firing range, butts of firing line in a material way | 150.00 | 187.50 |
| Exemption under section 2(1)(m) of the Act | 40.00 | 50.00 |
| Amendment of conditions applying to an approval of a range for weapons target shooting | 20.00 | 25.00 |
| Amendment of conditions applying to shooting club permit | 20.00 | 25.00 |
| Brokerage fee | 10.00 | 10.00 |

13.2 Each type of licence and impacts of proposed legislation on stakeholders that are weapons licensed or are new applicants for weapons licences

The following tables (Tables 13.2.1 to 13.2.19) show the current numbers of licensees for each type of licence issued under the Act. Further, the tables reflect the proposed increase in fees and forecast the funding increase (based on a forecast increase per annum for each type of licence for the 2000/01 financial year). Additionally, the following tables show new applications made during the 1999/00 and 2000/01 financial years for

each type of weapons licence. An average of these applications has been used to estimate the impact of the proposed Amendment Regulation on new weapons licence applications for the 2001/02 financial year.

Comment is provided on the impact of the proposed Amendment Regulation on relevant stakeholder groups.

13.2.1 Armourer's licence

An armourer's licence may be issued to a person who stores, manufactures, modifies or repairs weapons in the course of the person's business. The effect of this alternative on licensed armourers is an additional cost and is rated as (L-) Low Negative Impact. As reflected by Table 13.2.1(A) the increase is a minor additional cost. As a business related fee the proposed increase of licence fees is tax deductible.

Table 13.2.1(A) — Current armourer's licences

| No. of licences | No. of firearms | Current Fee | Proposed Fee | Forecast fee increase per annum |
|------------------------|------------------------|--------------------|---------------------|--|
| 85 | 345 | 50 | 62.50 | 1062.50 |

The effect of this alternative for new Armourer's licence applications is rated as (L-) Low Negative Impact. As a business related expense, the proposed new application fee is tax deductible. Table 13.2.1(B) shows the new applications for two previous financial years.

Table 13.2.1(B) — New armourer applications

| Financial Year | 1999 - 2000 | 2000 - 2001 | 2001 - 2002 |
|---|--------------------|--------------------|--------------------|
| New Applications | 11 | 8 | 9 |
| Proposed Initial Application Fee | 0 | 0 | 270 |

13.2.2 Blank-fire Licence

A blank-fire firearms licence may only be issued to an individual, a theatrical organisation (including an institution of higher or adult learning

conducting theatrical productions) or a sporting or athletic organisation. A licence issued to an individual authorises the licensee to physically possess and use, for an authorised purpose, any blank-fire firearm in the category stated on the licence and owned by the licensee.

The effect of this alternative on licensed individuals, theatrical organisations (including an institution of higher or adult learning conducting theatrical productions) or sporting or athletic organisations is an additional cost and is rated as (L-) Low Negative Impact. As a business related fee the proposed increase of licence fees is tax deductible.

Table 13.2.2(A) — Current blank fire firearms licences

| No. of licences | No. of firearms | Current Fee | Proposed Fee | Forecast fee increase per annum |
|------------------------|------------------------|--------------------|---------------------|--|
| 57 | 69 | 8 | 10 | 114 |

The effect of this alternative for new Blank fire firearms licence applications is as (L-) Low Negative Impact. As a business related expense, the proposed new application fee is tax deductible. Table 13.2.2(B) shows the new applications for two previous financial years.

Table 13.2.2(B) — New blank fire firearms licence applications

| Financial Year | 1999 - 2000 | 2000 - 2001 | 2001 - 2002 |
|---|--------------------|--------------------|--------------------|
| New Applications | 10 | 11 | 10 |
| Proposed Initial Application Fee | 0 | 0 | 300 |

13.2.3 Collector's licence (heirloom)

A person may collect a single heirloom firearm or a set of heirloom firearms. Firearms possessed under this licence must be made permanently inoperable and must be acquired as a result of testamentary disposition. A person can collect any firearm of the category stated in the licence. However, category D and R firearms may only be collected if they are made permanently inoperable. Category A, B, C or H firearms

manufactured after 1900 may be collected only if they are made temporarily or permanently inoperable.

The effect of this alternative on licensed collectors of heirloom is an additional cost and is rated as (L-) Low Negative Impact. As a business related fee the proposed increase of licence fees is tax deductible.

Table 13.2.3(A) — Current collector's licences (heirloom)

| No. of licences | No. of firearms | Current Fee | Proposed Fee | Forecast fee increase per annum |
|------------------------|------------------------|--------------------|---------------------|--|
| 150 | 141 | 8 | 10 | 300 |

13.2.4 Collector's licence (weapons)

A Collector's licence (weapons) may be issued to an individual or body who collect or hold out as being ready to collect weapons that are identifiable as curiosities or ornaments. Other weapons to be held on a Collector's licence (weapons) need to be clearly of commemorative, historic, artistic or investment value or of mechanical uniqueness. Groups such as private museums, historical societies and R.S.L.s wishing to display firearms require this licence. The effect of this alternative on licensed collectors is an additional cost and is rated as (L-) Low Negative Impact. As a business related fee the proposed increase of licence fees is tax deductible.

Table 13.2.4(B) — Current collector's licences (weapons)

| No. of licences | No. of firearms | Current Fee | Proposed Fee | Forecast fee increase per annum |
|------------------------|------------------------|--------------------|---------------------|--|
| 2,068 | 13,346 | 8 | 10 | 4,136 |

The effect of this alternative for new Collector's licence applications is rated as (L-) Low Negative Impact. As a business related expense, the proposed new application fee is tax deductible. Table 13.2.4(C) shows the new applications for two previous financial years for Tables 13.2.3 and 13.2.3.

Table 13.2.4(C) — Total new collector's licence Applications

| Financial Year | 1999 - 2000 | 2000 - 2001 | 2001 - 2002 |
|---|--------------------|--------------------|--------------------|
| New Applications | 80 | 53 | 66 |
| Proposed Initial Application Fee | 0 | 0 | 1,980 |

13.2.5 Concealable Firearms Licence

A concealable firearms licence may be issued to an individual or body for a number of reasons, including: use at an approved shooting club; and occupational reasons such as primary production or animal control. Conditions for the use of the firearm are outlined when a person receives the licence. The effect of this alternative on licensed individuals or bodies is an additional cost and is rated as (L-) Low Negative Impact. As a business related fee the proposed increase in licence fees is tax deductible.

Table 13.2.5(A) — Current concealable firearms licences (Club & Primary Producer)

| No. of licences | No. of firearms | Current Fee | Proposed Fee | Forecast fee increase per annum |
|------------------------|------------------------|--------------------|---------------------|--|
| 13,269 | 28,368 | 12 (club) | 15.00 | 32,850 |
| | | 30 (prim. prod) | 37.50 | 17,910 |
| | | 42 (comb) | 52.50 | 9,082 |

The effect of this alternative for new Concealable Firearms Licence (Club & Primary Producer) applications is rated as (L-) Low Negative Impact. As a business related expense, the proposed new application fee is tax deductible. Table 13.2.4(B) shows the new applications for two previous financial years.

Table 13.2.5(B) — Total new concealable firearms licence (Club & Primary Producer) applications

| Financial Year | 1999 - 2000 | 2000 - 2001 | 2001 - 2002 |
|---|--------------------|--------------------|--------------------|
| New Applications | 1,736 | 1,094 | 1,415 |
| Proposed Initial Application Fee | 0 | 0 | 42,450 |

The breakdown of concealable firearms licences for Clubs & Primary Producers is shown in Table 13.2.5(C).

Table 13.2.5(C) — Breakdown of concealable firearms licence types

| Concealable firearms licence type | Licence numbers |
|--|------------------------|
| Clubs | 10,950 |
| Primary Producers | 2,388 |
| Primary Producers and Clubs | 173 |

13.2.6 Dealer's licence

A Dealer's licence may be issued to an individual or body who, wholly or partially, carry on a business, whether or not for reward or benefit, buying, selling or trading in any way with weapons.

The effect of this alternative on licensed individuals or bodies is an additional cost and is rated as (L-) Low Negative Impact. As a business related fee the proposed increase in licence fees is tax deductible.

Table 13.2.6(A) — Current dealer's licences

| No. of licences | No. of firearms | Current Fee | Proposed Fee | Forecast fee increase per annum |
|------------------------|------------------------|---------------------|---------------------|--|
| 152 | 20,645 | 100 (A & B) | 125 | 7,600 |
| | | 100 (C,D,E, H or R) | 125 | (Majority of Dealers have |
| | | 200 (any other) | 250 | A,B,C,D,E,H) |

The effect of this alternative for new Dealer's licence applications is rated as (L-) Low Negative Impact. As a business related expense, the proposed new application fee is tax deductible. Table 13.2.6(B) shows the new applications for two previous financial years.

Table 13.2.6(B) — Total new dealer's licence applications

| Financial Year | 1999 - 2000 | 2000 - 2001 | 2001 - 2002 |
|---|--------------------|--------------------|--------------------|
| New Applications | 8 | 4 | 6 |
| Proposed Initial Application Fee | 0 | 0 | 180 |

13.2.7 Firearms Licence

This is the most common licence. It allows possession and use of the firearms or categories of firearms that are registered to a licence. This can include category A, B, C and D firearms, depending on the individual's need to possess a firearm.

The effect of this alternative on licensed persons is an additional cost and is rated as (L-) Low Negative Impact. As a business related fee the proposed increase in licence fees is tax deductible.

Table 13.2.7(A) — Current firearms licences

| No. of licences | No. of firearms | Current Fee | Proposed Fee | Forecast fee increase per annum |
|------------------------|------------------------|--------------------|---------------------|--|
| 171,397 | 464,499 | 8 | 10 | 342,794 |

The effect of this alternative for new Firearms licence applications is rated as (L-) Low Negative Impact. As a business related expense, the proposed new application fee is tax deductible. Table 13.2.7(B) shows the new applications for two previous financial years.

Table 13.2.7(B) — Total new firearms licence applications

| Financial Year | 1999 - 2000 | 2000 - 2001 | 2001 - 2002 |
|---|--------------------|--------------------|--------------------|
| New Applications | 3,226 | 2,548 | 2,887 |
| Proposed Initial Application Fee | 0 | 0 | 86,610 |

13.2.8 Firearms licence (instructor)

The firearms licence (instructor) is issued to approved persons for the purposes of possession and use of firearms a part of an approved training course. These licences are issued subject to the condition that the licensee becomes a registered training provider or is employed by a registered training provider with Training Queensland formerly the Vocation, Education, Training and Employment Commission (VETEC). The effect of this alternative on licensed individuals is an additional cost and is rated as (L-) Low Negative Impact. As a business related fee the proposed increase in licence fees is tax deductible.

Table 13.2.8(A) — Current firearms licence (Instructor)

| No. of licences | No. of firearms | Current Fee | Proposed Fee | Forecast fee increase per annum |
|------------------------|------------------------|--------------------|---------------------|--|
| 153 | 588 | 30 | 37.50 | 1,147.50 |

The effect of this alternative for new Firearms Licence (Instructor) licence applications is rated as (L-) Low Negative Impact. As a business related expense, the proposed new application fee is tax deductible. Table 13.2.8(B) shows the new applications for two previous financial years.

Table 13.2.8(B) — Total new firearms licence (Instructor) applications

| Financial Year | 1999 - 2000 | 2000 - 2001 | 2001 - 2002 |
|---|--------------------|--------------------|--------------------|
| New Applications | 45 | 63 | 54 |
| Proposed Initial Application Fee | 0 | 0 | 1,620 |

13.2.9 Minor's Licence

A minor's licence may be issued to an individual who is at least 11 years until the age of 18 years. The licence authorises minors to physically possess category A, B, C (shotgun) or H firearms only whilst transporting such firearm/s to and from an approved range and to use such firearm/s under the supervision of a range officer on an approved range.

The effect of this alternative on licensed persons is an additional cost and is rated as (L-) Low Negative Impact.

Table 13.2.9(A) — Current minor's licences

| No. of licences | No. of firearms | Current Fee | Proposed Fee | Forecast fee increase per annum |
|------------------------|------------------------|--------------------|---------------------|--|
| 616 | 0 | 8 | 10 | 1,232 |

The breakdown of the types of minor's licences is shown in Table 13.2.9(B)

Table 13.2.9(B) — Breakdown of minor's licence types

| Minor's licence type | Licence numbers |
|-----------------------------|------------------------|
| Club membership | 538 |
| Primary Producer (Cat A) | 1 |
| Primary Producer (Cat A,B) | 82 |

The effect of this alternative for new Minor's licence applications is as (L-) Low Negative Impact and is an additional cost. Table 13.2.9(C) shows the new applications for two previous financial years.

Table 13.2.9(C) — Total new minor's licence applications

| Financial Year | 1999 - 2000 | 2000 - 2001 | 2001 - 2002 |
|---|--------------------|--------------------|--------------------|
| New Applications | 275 | 245 | 260 |
| Proposed Initial Application Fee | 0 | 0 | 7,800 |

13.2.10 Security Licence (Organisation)

A security licence (organisation) may only be issued to a body or organisation that provides security guards or the services of security guards. This licence may be endorsed for Category C, E and/or H firearms/weapons.

The effect of this alternative on licensed security organisations is an additional cost and is rated as (L-) Low Negative Impact. As a business related fee the proposed increase of licence fees is tax deductible.

Table 13.2.10(A) — Current security licence (Organisation)

| No. of licences | No. of firearms | Current Fee | Proposed Fee | Forecast fee increase per annum |
|------------------------|------------------------|--------------------|---------------------|--|
| 215 | 1,296 | 200 | 250 | 10,750 |

The effect of this alternative for new security licence (organisation) applications is as (L-) Low Negative Impact. As a business related expense, the proposed new application fee is tax deductible. Table 13.2.10(B) shows the new applications for two previous financial years.

Table 13.2.10(B) — Total new security licence (Organisation) applications

| Financial Year | 1999 - 2000 | 2000 - 2001 | 2001 - 2002 |
|---|--------------------|--------------------|--------------------|
| New Applications | 36 | 20 | 28 |
| Proposed Initial Application Fee | 0 | 0 | 840 |

13.2.11 Security licence (guard employed/ business)

A security licence (guard) may be issued in a number of circumstances. These include an individual employed as a security guard by a security organisation, an individual wishing to operate a security business as a sole provider, or an individual who wishes to provide their own security for their business. The maximum term of a security licence (guard) is 12 months. This licence may be endorsed for Category C, E and/or H firearms/weapons. The effect of this alternative on licensed security is an additional cost and is rated as (L-) Low Negative Impact. As a business related fee the proposed increase of licence fees is tax deductible.

Table 13.2.11(A) — Current security licence (Guard - employed)

| No. of licences | No. of firearms | Current Fee | Proposed Fee | Forecast fee increase per annum |
|------------------------|------------------------|--------------------|---------------------|--|
| 1,874 | 0 | 8 | 20 | 22,488 |

The effect of this alternative for new Security licence (guard - employed) applicants is an additional cost and is rated as (L-) Low Negative Impact. As a business related fee the proposed increase of licence fees is tax deductible.

Table 13.2.11(B) shows the new applications for two previous financial years.

Table 13.2.11(B) — Total new security licence (guard employed) applications

| Financial Year | 1999 - 2000 | 2000 - 2001 | 2001 - 2002 |
|---|--------------------|--------------------|--------------------|
| New Applications | 762 | 765 | 763 |
| Proposed Initial Application Fee | 0 | 0 | 22,890 |

Table 13.2.11(C) — Current security licence (Guard - business)

| No. of licences | No. of firearms | Current Fee | Proposed Fee | Forecast fee increase per annum |
|------------------------|------------------------|--------------------|---------------------|--|
| 88 | 82 | 8 | 20 | 1,056 |

The effect of this alternative on licensed security guards (guard - business) is rated as (L-) Low Negative Impact and is an additional cost. As a business related fee the proposed increase of licence fees is tax deductible.

Table 13.2.11(D) shows the new applications for two previous financial years.

Table 13.2.11(D) — Total new security licence (Guard - business) applications

| Financial Year | 1999 - 2000 | 2000 - 2001 | 2001 - 2002 |
|---|--------------------|--------------------|--------------------|
| New Applications | 31 | 2 | 16 |
| Proposed Initial Application Fee | 0 | 0 | 480 |

13.2.12 Theatrical ordnance supplier's licence

A theatrical ordnance supplier's licence may be issued to an individual or body that, wholly or partially, carries on a business, whether or not for reward or benefit, of supplying on a temporary basis weapons for use in theatrical, film or television productions. The supply of the weapons must not incur any change of ownership of the weapons. This licence authorises the possession and supply of blank-fire, replica or permanently inoperable firearms only. Limited weapons that are not firearms under category R may also be licensed.

The effect of this alternative on licensed individuals or bodies is an additional cost and is rated as (L-) Low Negative Impact. As a business related fee the proposed increase of licence fees is tax deductible.

Table 13.2.12(A) — Current theatrical ordnance supplier's licences

| No. of licences | No. of firearms | Current Fee | Proposed Fee | Forecast fee increase per annum |
|------------------------|------------------------|--------------------|---------------------|--|
| 13 | 435 | 200 | 250 | 650 |

The effect of this alternative for new theatrical ordnance supplier's licence applications is rated as (L-) Low Negative Impact. As a business related expense, the proposed new application fee is tax deductible. Table 13.2.12(B) shows the new applications for two previous financial years.

Table 13.2.12(B) — Total new theatrical ordnance supplier's licence applications

| Financial Year | 1999 - 2000 | 2000 - 2001 | 2001 - 2002 |
|---|--------------------|--------------------|--------------------|
| New Applications | 8 | 5 | 6 |
| Proposed Initial Application Fee | 0 | 0 | 180 |

13.2.13 Visitor's licence

A visitor's licence may be issued to an individual or body who reside outside but intend to visit Queensland to engage in an activity that permits the possession of a firearm in Queensland. A visitor's licence is only available for up to three months. The effect of this alternative on licensed individuals or bodies is an additional cost and is rated as (L-) Low Negative Impact. As a business related fee the proposed increase in licence fees is tax deductible.

Table 13.2.13(A) — Current visitor's licences

| No. of licences | No. of firearms | Current Fee | Proposed Fee | Forecast fee increase per annum |
|------------------------|------------------------|--------------------|---------------------|--|
| 14 | 11 | 25 | 31.25 | 87.50 |

The effect of this alternative for new visitor's licence applications is rated as (L-) Low Negative Impact. As a business related expense, the proposed new application fee is tax deductible. Table 13.2.13(B) shows the new applications for two previous financial years.

Table 13.2.13(B) — Total new visitor's licence applications

| Financial Year | 1999 - 2000 | 2000 - 2001 | 2001 - 2002 |
|---|--------------------|--------------------|--------------------|
| New Applications | 181 | 288 | 234 |
| Proposed Initial Application Fee | 0 | 0 | 7,020 |

13.2.14 Shooting gallery approval

A shooting gallery approval may be issued to an individual or body for a period of time up to five years. The effect of this alternative on licensed individuals or bodies is an additional cost and is rated as (L-) Low Negative Impact. As a business related fee it is tax deductible.

Table 13.2.14(A) — Current shooting gallery approvals

| No. of licences | No. of firearms | Current Fee | Proposed Fee | Forecast fee increase per annum |
|------------------------|------------------------|--------------------|---------------------|--|
| 43 | 0 | 150 | 187.50 | 1,612.50 |

The effect of this alternative for new shooting gallery approval applications is rated as (N) Neutral Impact. As a business related expense, the proposed new application fee is tax deductible. Table 13.2.14(B) shows the new applications for two previous financial years.

Table 13.2.14(B) — Total new shooting gallery approval applications

| Financial Year | 1999 - 2000 | 2000 - 2001 | 2001 - 2002 |
|---|--------------------|--------------------|--------------------|
| New Applications | 37 | 56 | 46 |
| Proposed Initial Application Fee | 0 | 0 | 1,380 |

13.2.15 Shooting Club permit

A Shooting Club permit may only be issued to a body for a period of time up to five years. The effect of this alternative on licensed individuals or bodies is an additional cost and is rated as (L-) Low Negative Impact. As a business related fee it is tax deductible.

Table 13.2.15 (A) — Current shooting club permits

| No. of licences | No. of firearms | Current Fee | Proposed Fee | Forecast fee increase per annum |
|------------------------|------------------------|--------------------|---------------------|--|
| 305 | 0 | 30 | 37.50 | 2,287.50 |

The effect of this alternative for new Shooting club permits applications is rated as (N) Neutral Impact. As a business related expense, the proposed new application fee is tax deductible. Table 13.2.15(B) shows the new applications for two previous financial years.

Table 13.2.15(B) — Total new shooting club permit applications

| Financial Year | 1999 - 2000 | 2000 - 2001 | 2001 - 2002 |
|---|--------------------|--------------------|--------------------|
| New Applications | 4 | 2 | 3 |
| Proposed Initial Application Fee | 0 | 0 | 90 |

13.2.16 Range approval

A range approval may only be issued to a body for a period of time up to five years. The effect of this alternative on licensed individuals or bodies is

an additional cost and is rated as (L-) Low Negative Impact. As a business related fee it is tax deductible.

Table 13.2.16(A) — Current range approvals

| No. of licences | No. of firearms | Current Fee | Proposed Fee | Forecast fee increase per annum |
|------------------------|------------------------|--------------------|---------------------|--|
| 304 | 0 | 150 | 187.50 | 11,400 |

The effect of this alternative for new range approval applications is rated as (N) Neutral Impact. As a business related expense, the proposed new application fee is tax deductible. Table 13.2.16 (B) shows the new applications for two previous financial years.

Table 13.2.16(B) — Total new range approval applications

| Financial Year | 1999 - 2000 | 2000 - 2001 | 2001 - 2002 |
|---|--------------------|--------------------|--------------------|
| New Applications | 12 | 19 | 15 |
| Proposed Initial Application Fee | 0 | 0 | 450 |

13.2.17 Exemptions (Includes dealers, armourers - weapons to arms fairs)

The effect of this alternative on licensed individuals or bodies is an additional cost and is rated as (L-) Low Negative Impact. As a business related fee it is tax deductible.

Table 13.2.17(A) — Current exemptions

| No. of licences | No. of firearms | Current Fee | Proposed Fee | Forecast fee increase per annum |
|------------------------|------------------------|--------------------|---------------------|--|
| 71 | 4,324 | 40 | 50 | 710 |

The effect of this alternative for new Exemption applications is rated as (L-) Low Negative Impact. As a business related expense, the proposed new application fee is tax deductible. Table 13.2.17(B) shows the new applications for two previous financial years.

Table 13.2.17(B) — Total new exemptions applications

| Financial Year | 1999 - 2000 | 2000 - 2001 | 2001 - 2002 |
|---|--------------------|--------------------|--------------------|
| New Applications | 64 | 110 | 87 |
| Proposed Initial Application Fee | 0 | 0 | 2,610 |

13.2.18 Permit to acquire

A permit to acquire authorises a weapons licence holder to purchase or acquire a firearm or weapon. The permit to acquire system was introduced as part of the Queensland gun laws in 1997. A permit to acquire must be obtained from the police before a firearm or weapon is purchased. To obtain a permit to acquire, the prospective owner must have a licence authorising possession of the firearm or weapon they wish to purchase or acquire. Anyone who wants to purchase or acquire a firearm or weapon must firstly apply for a permit to acquire at a police station. This applies to all categories of firearms and weapons. The effect of this alternative on licence holders is an additional cost and is rated as (L-) Low Negative Impact. As a business related fee it is tax deductible.

Table 13.2.18(A) — Current permits to acquire

| No. of Permits | Financial year | Current Fee | Proposed Fee | Forecast fee increase per annum |
|-----------------------|-----------------------|--------------------|---------------------|--|
| 16,432 | 2000 - 2001 | 15 | 18.75 | 61,620 |

13.2.19 Group licences

A group licence may be issued for a combination of any of the following weapons licences:

- (1) Firearms licence;
- (2) Firearms licence (Instructor);

- (3) Concealable firearms licence; or
- (4) Miscellaneous licence.

The effect of this alternative on licensed individuals or bodies is an additional cost and is rated as (L-) Low Negative Impact. As a business related fee it is tax deductible.

Table 13.2.19(A) — Current group licences

| No. of licences | No. of firearms | Current Fee | Proposed Fee | Forecast fee increase per annum |
|------------------------|------------------------|--------------------|---------------------|--|
| 71 | 4,324 | 40 | 50 | 710 |

The effect of this alternative for new Permit to acquire approval is an additional cost and is rated as (L-) Low Negative Impact. As a business related fee it is tax deductible. Table 13.2.19(B) shows the new applications for two previous financial years.

Table 13.2.19(B) — Total group licences applications

| Financial Year | 1999 - 2000 | 2000 - 2001 | 2001 - 2002 |
|---|--------------------|--------------------|--------------------|
| New Applications | 74 | 139 | 106 |
| Proposed Initial Application Fee | 0 | 0 | 3,180 |

13.3 Impacts of proposed legislation on Government

The proposed Amendment Regulation will have a positive impact on the Government and is rated as (M+) Medium Positive Impact. The proposal benefits Government by:

- (1) enabling the QPS to maintain the existing level of protection and safety provided to the community consistent with the principles of the Act;
- (2) ensuring sufficient funding to the QPS to ensure proper management of administrative processes associated with the requirements of the weapons re-licensing program;

- (3) applying the user pays principle and ensuring that users contribute a fair and equitable amount to the provision of weapons licensing services in Queensland;
- (4) providing for future cost recovery to be maintained with the costs of weapons licensing services (including monitoring) through periodic reviews and CPI increases; and
- (5) ensuring Queensland's weapons licensing costs remain comparable with weapons licensing costs in other jurisdictions.

13.3.1 Total forecast funding increase per annum for existing holders of weapons licences

Table 13.3.1 shows the combined totals of (Table 13.2.1 to 13.2.19) and the forecast increase in revenue that will be generated by the proposed Amendment Regulation by existing holders of weapons licences.

Table 13.3.1 — Forecast funding increase per annum for existing weapons licences

| No. of licences | Forecast fee increase per annum |
|------------------------|--|
| 191,109 | 531,599.50 |

13.3.2 Total forecast funding increase per annum for new applicant for weapons licences

Table 13.3.2 shows the combined totals of the relevant Tables 13.2.1 to 13.2.19 and the proposed forecast increase that will be generated by the proposed Amendment Regulation for new applicants for weapons licences.

Table 13.3.2 — Total New Applications

| Financial Year | 1999 - 2000 | 2000 - 2001 | 2001 - 2002 |
|---|--------------------|--------------------|--------------------|
| New Applications | 6,603 | 5,432 | 6,017 |
| Proposed Initial Application Fee | 0 | 0 | 180,330 |

13.3.3 Total new application and combined forecast funding increase per annum

The following table (Table 13.3.3) shows the combined forecast funding increase of Tables 13.3.1 and 13.3.2.

Table 13.3.3 — Total Forecast revenue increase per annum based on 2000-01 financial year

| Financial Year | 2000 - 2001 |
|----------------------------------|--------------------|
| Proposed Initial Application Fee | 180,330 |
| Increase of weapons licence fees | 531,599.50 |
| Total | 711,929.50 |

13.4 Impacts of proposed legislation on the Community

The proposed Amendment Regulation will have a positive impact on the Community and is rated as (M+) Medium Positive Impact. The impact on the community is positive as it:

- (1) ensures that the current level of protection and safety provided by the QPS is maintained in accordance with the principles of the Act; and
- (2) does not impose an additional cost on persons in the community who do not possess a weapons licence.

14. QUANTITATIVE IMPACT ASSESSMENT

14.1 Summary of impacts of proposed legislation

The proposed Amendment Regulation will maintain the productivity of the QPS Weapons Licensing Branch by providing the additional funding required to meet additional re-licensing demands that will be placed on the QPS commencing January 2002.

14.2 Quantitative impact assessment conclusion

The appreciable costs of the proposed amendments can be summarised as follows:

- (1) weapons licence holders will pay an additional 20% of the existing per annum fee for a weapons licence;

- (2) holders of security licences (guards) will be subject to an increase of \$12 in the existing per annum fee (from \$8 to \$20); and
- (3) new weapons licence applications will be subject to the payment of a new \$30 application fee.

The negative impact of these additional costs on current weapons licensed persons or new applicants for weapons licences are outweighed by the direct benefits, in particular, the maintenance of the existing level of community protection and safety.

The preferred option offers improved cost recovery for weapons licensing services and ensures that:

- (1) the QPS maintains the existing level of protection and safety provided to the community, which is consistent with the principles of the Act;
- (2) there are sufficient funds to meet the additional demands of the re-licensing program required by the Act;
- (3) legislated weapons licence renewal time frames will be able to be met, alleviating significant time delays in processing applications for licences and renewal applications;
- (4) the user pays principle is effectively employed;
- (5) increased weapons licensing costs to business are tax deductible;
- (6) there is provision for future cost recovery to be maintained in line with the cost of licensing services (including monitoring) through periodic reviews and CPI increases; and
- (7) the disparity between Queensland's current licensing fees and those of other jurisdictions is removed.

ENDNOTES

1. Laid before the Legislative Assembly on . . .
2. The administering agency is the Department of Police.