

1995—No. 579

PROHIBITED WEAPONS ACT 1989—REGULATION

(Relating to the prohibited weapons amnesty)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Prohibited Weapons Act 1989, has been pleased to make the Regulation set forth hereunder.

PAUL WHELAN MP
Minister for Police.

Commencement

1. This Regulation commences on 22 September 1995.

Amendment

2. The Prohibited Weapons Regulation 1990 is amended by omitting clause 13 and by inserting instead the following clauses:

Temporary amnesty for surrender of prohibited weapons

13. (1) A person is authorised by this clause to possess (but not use) a prohibited weapon, but only for the following purposes:

- (a) surrendering the prohibited weapon to the Commissioner of Police by delivering it, in accordance with such guidelines as may be fixed by the Commissioner with the approval of the Minister, to any police station or other place nominated by the Commissioner for that purpose;
- (b) proceeding to a police station or other nominated place for the purpose of surrendering the prohibited weapon as referred to in paragraph (a).

(2) In the case of a prohibited weapon that is a firearm as defined in the Firearms Act 1989, a person is also authorised by this clause to possess (but not use) the prohibited weapon for the

purpose of selling the prohibited weapon to an authorised firearms dealer or proceeding to a place for the purpose of selling the prohibited weapon to an authorised firearms dealer.

(3) In this clause, “**authorised firearms dealer**” means a person who holds a firearms dealer licence under the Firearms Act 1989 and is authorised to possess the prohibited weapon by a permit under the Prohibited Weapons Act 1989.

(4) This clause ceases to operate at the end of 30 June 1996.

Person who previously held shooter licence not required to pass permit test during amnesty

14. A person who applies for a permit before the end of 30 June 1996 is not required (despite clause 7A (2)) to pass a firearms safety awareness course, firearms safety test or firearms law knowledge test, if the person holds or has at any time held a shooter licence, shooter licence—class 1 or shooter licence—class 2 under the Firearms Act 1989 or a shooter’s licence under the Firearms and Dangerous Weapons Act 1973.

EXPLANATORY NOTE

This Regulation has the following objects:

- (a) At present a temporary amnesty allows the surrender of prohibited weapons that are firearms to the Police. The amnesty has effect until 30 June 1996. This Regulation extends the amnesty so that it applies to any prohibited weapons (not just firearms). During the amnesty a prohibited weapon that is a firearm may also be sold to a licensed firearms dealer who is authorised by the appropriate permit to take possession of the weapon.
- (b) The Prohibited Weapons Regulation 1990 provides that the Commissioner of Police is not to issue certain prohibited weapons permits unless the applicant has passed a firearms safety awareness course and certain related tests. This Regulation modifies that requirement so that, during the amnesty, an applicant for such a permit who holds or has previously held a shooter licence under the Firearms Act 1989 or former legislation (the Firearms and Dangerous Weapons Act 1973) is not required to pass the course and tests.

This Regulation is made under the Prohibited Weapons Act 1989, in particular sections 5 (1), 9 (1A) and 20.
