

# POLICE OFFENCES (FIREARMS) AMENDMENT ACT.

Act No. 34, 1947.

An Act to make further provision relating to firearms and other lethal weapons; for these purposes to amend the Police Offences Act, 1901-1946; and for purposes connected therewith. [Assented to, 10th December, 1947.]

George VI.  
No. 34, 1947.

**B**E it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

**1.** (1) This Act may be cited as the "Police Offences (Firearms) Amendment Act, 1947."

Short title,  
citation,  
and com-  
mencement.

(2) The Police Offences Act, 1901, as amended by subsequent Acts and by this Act, may be cited as the Police Offences Act, 1901-1947.

(3) This Act shall commence on a day to be appointed by the Governor and notified by proclamation published in the Gazette.

**Police Offences (Firearms) Amendment Act.****No. 34, 1947.**Amendment  
of Act No. 5,  
1901.Sec. 41B.  
(Interpre-  
tation.)**2.** The Police Offences Act, 1901-1946, is amended—

(a) (i) by omitting from the definition of “Firearm” in section 41B the words “whether by an explosive or by any other means whatsoever but does not include a hand grenade, machine gun or sub-machine gun” and by inserting in lieu thereof the words “or could, but for some omission or mechanical defect, be discharged, whether by an explosive or by any other means whatsoever, but does not include a hand grenade, military rifle, machine gun or sub-machine gun”;

(ii) by inserting in the same section next after the definition of “‘Machine gun’ or ‘sub-machine gun’” the following new definitions:—

“Military ammunition” means any ammunition which is capable of being discharged from a military rifle.

“Military rifle” means any rifle of larger calibre than twenty-two one-hundredths of an inch which is of a type used by the naval, military or air forces of any country, but does not include any rifle used by the naval, military or air forces of any country prior to the year one thousand eight hundred and ninety.

“Pistol dealer” means a registered pistol dealer under the Pistol License Act, 1927-1946.

(iii) by inserting in the same section next after the definition of “Prescribed” the following new definition:—

“Rifle club” means a rifle club formed under the Defence Act 1903-1941 of the Parliament of the Commonwealth.

(b)

- (b) by inserting next after section 41ca the following new section:—

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New sec.  
41CB.

41CB. (1) No person shall use, discharge, carry, have in his possession, sell or otherwise dispose of any military rifle or military ammunition.

Possession,  
etc., of  
military  
rifles or  
military  
ammunition.

(2) Any person who is guilty of a contravention of this section shall be liable to a penalty not exceeding one hundred pounds or to imprisonment for a term not exceeding six months.

(3) This section shall not apply to—

- (a) any member of the defence forces of the Commonwealth or of the Commonwealth junior or senior cadets or of the police force of the Commonwealth or of this State or any other State or territory of the Commonwealth, or any peace officer under the Peace Officers Act 1925 of the Parliament of the Commonwealth, in respect of his possession of any military rifle or military ammunition prescribed for the use of such force, cadet or officer, and used or carried in the performance of his duty or when engaged in or proceeding to or from drill or target practice at an authorised rifle range;
- (b) any member of a rifle club in respect of his possession of any military rifle or military ammunition prescribed for the use of such club and used or carried when engaged in or proceeding to or from target practice at an authorised rifle range: Provided that nothing contained in this paragraph shall authorise any such member to be in possession of more than four military rifles at any one time;
- (c) any pistol dealer or his servant in respect of his possession or carrying of any military rifle or military ammunition

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ammunition in the ordinary course of the trade or business of such dealer;

- (d) the sale or disposal of any military rifle or military ammunition to a pistol dealer, or to the sale or disposal by a pistol dealer of any military rifle or military ammunition to a person whom the pistol dealer believes on reasonable grounds to be a member of a rifle club and who produces a statement to that effect signed by the captain of the rifle club of which he is a member;
- (e) any person whilst engaged in the manufacture, assembly or handling of any military rifle or military ammunition for or on behalf of the Commonwealth; or
- (f) any person engaged in scientific or experimental work with any military rifle or military ammunition in pursuance of an authority in that behalf granted by the Minister and in compliance with the terms and conditions imposed by any such authority.

cf. Act No.  
10, 1927,  
s. 10A.

(4) (a) It shall be the duty of every pistol dealer who sells or purchases any military rifle or military ammunition to keep a book in which he shall record or cause to be recorded a true record of all purchases and sales of such rifles and ammunition. Such record shall set out in respect of each sale or purchase the date thereof and the name, occupation and address of the purchaser or vendor and full particulars of the military rifle or military ammunition purchased or sold.

(b) Every such pistol dealer shall at all times permit any member of the police force to inspect and make copies of any entries in the book so kept by him as aforesaid and shall at all times on demand afford to any member of the police force all information in his possession with respect to any sales or purchases

purchases made by him of military rifles and military ammunition. No. 34, 1947.

(c) Every pistol dealer who fails to keep such record or permit such inspection or furnish such information shall be liable on summary conviction to a fine not exceeding twenty pounds or to imprisonment for a term not exceeding three months.

- (c) by inserting in subsection two of section 41D after the words "hand grenade" wherever occurring the words "military rifle"; Sec. 41D.  
(Firearms, etc., carried in parts.)
- (d) by inserting in section 41G after the words "hand grenade" wherever occurring the words "military rifle, military ammunition"; Sec. 41G.  
(Seizure of firearm, etc.)
- (e) by inserting in section 41H after the word "firearm" wherever occurring the words "military rifle"; Sec. 41H.  
(Precaution to be taken by owners.)
- (f) by inserting in sections 41I and 41N after the words "hand grenade" wherever occurring the words "military rifle, military ammunition"; Secs. 41I and 41N.  
(Power to search for firearms; illegal possession of firearms.)
- (g) (i) by inserting in section 41R after the words "hand grenade or" the words "a military rifle or military ammunition or"; Sec. 41R.  
(Search of suspected person, etc.)
- (ii) by inserting in the same section after the words "hand grenade" where secondly occurring the words "military rifle, military ammunition."

