



Firearms (General) Amendment (Firearm Frames Amnesty) Regulation 2001

under the

Firearms Act 1996

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Firearms Act 1996*.

MICHAEL COSTA, M.L.C.,

Minister for Police

Explanatory note

Clause 16 of Schedule 3 to the *Firearms Act 1996* provides for a 6-month amnesty, ending on 31 December 2001, that enables unregistered firearm frames and receivers to be possessed, bought or sold without committing an offence under that Act.

The object of this Regulation is to facilitate the registration or surrender to the police of firearm frames and receivers by extending that amnesty until 30 June 2002. However, the amnesty is only to operate in relation to longarm firearm frames and receivers (being frames and receivers of firearms other than pistols).

This Regulation is made under the *Firearms Act 1996*, including section 88 (2) (r).

2001 No 1009

Clause 1 Firearms (General) Amendment (Firearm Frames Amnesty)
Regulation 2001

**Firearms (General) Amendment (Firearm Frames
Amnesty) Regulation 2001**

1 Name of Regulation

This Regulation is the *Firearms (General) Amendment (Firearm
Frames Amnesty) Regulation 2001*.

2 Commencement

This Regulation commences on 1 January 2002.

3 Amendment of Firearms (General) Regulation 1997

The *Firearms (General) Regulation 1997* is amended as set out in
Schedule 1.

Schedule 1 Amendment

(Clause 3)

Clause 93C

Omit the clause. Insert instead:

93C Amnesty concerning longarm firearm frames

- (1) A person who acquired a longarm firearm frame or receiver before 1 January 2002 that is not registered under Part 3 of the Act (as applied by section 93 of the Act) does not, during the period of the amnesty, commit an offence under section 36 of the Act by possessing, purchasing or selling the frame or receiver.
- (2) However, subclause (1) only operates in respect of the sale or purchase of an unregistered longarm firearm frame or receiver if:
 - (a) the person purchasing the frame or receiver is a licensed firearms dealer, or
 - (b) the transaction has, in accordance with this clause, been arranged through a licensed firearms dealer, or
 - (c) in any case where a licensed firearms dealer is not (as determined by this clause) reasonably available, the transaction is witnessed by a police officer authorised by the Commissioner.
- (3) A person who is the holder of a licence or permit and who applies, on or before the expiry of the period of the amnesty, for the registration of a longarm firearm frame or receiver does not commit an offence under section 36 of the Act in respect of the possession of an unregistered longarm firearm frame or receiver that is capable of forming part of a firearm to which the licence or permit relates before the person is notified of the registration or refusal of registration of the frame or receiver.

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Schedule 1 Amendment

- (4) If, after the expiry of the period of the amnesty, a person who applied for the registration of an unregistered longarm firearm frame or receiver before the expiry of that period is notified that the application has been refused, the person must immediately surrender the frame or receiver to a police officer.

Maximum penalty (subclause (4)): 50 penalty units.

- (5) A person does not contravene any other provision of the Act just by surrendering a firearm frame or receiver in accordance with subclause (4).
- (6) The arrangements referred to in subclause (2) (b) for the sale or purchase of an unregistered longarm firearm frame or receiver through a licensed firearms dealer are as follows:
- (a) the sale must be conducted at the licensed firearms dealer's place of business or at another approved place,
 - (b) the firearms dealer must make the same records in respect of the sale as the dealer would otherwise be required to make under section 45 of the Act.
- (7) For the purposes of subclause (2) (c), a licensed firearms dealer is not reasonably available for the purposes of the sale or purchase of an unregistered longarm firearm frame or receiver if the nearest location of a firearms dealer's place of business is more than 100 kilometres from the ordinary place of residence of both the purchaser and the seller.
- (8) In this clause:

longarm firearm frame or receiver means a frame or receiver in respect of a firearm other than a pistol.

period of the amnesty means the period starting on 1 January 2002 and ending on 30 June 2002.

BY AUTHORITY