



New South Wales

Firearms (General) Amendment (Temporary 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*.

PAUL WHELAN, M.P.,

Minister for Police

Explanatory note

The object of this Regulation is to provide a 3-month amnesty with respect to offences under the *Firearms Act 1996* that relate to the unlawful possession of firearms. Under the proposed amnesty:

- (a) a person who is in possession of a firearm (but who is not authorised by a licence or permit under the Act to possess it) is exempt from the requirement for a licence or permit to possess the firearm if the person is surrendering it to the police (or is proceeding to a police station to surrender it), and
- (b) a person who is in possession of an unregistered firearm (but who is otherwise authorised by a licence or permit to possess it) is exempt from the offence under the Act of being in possession of an unregistered firearm so long as the person has made an application for registration of the firearm.

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

2001 No 469

Clause 1 Firearms (General) Amendment (Temporary Amnesty) Regulation 2001

Firearms (General) Amendment (Temporary Amnesty) Regulation 2001

1 Name of Regulation

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

2 Amendment of Firearms (General) Regulation 1997

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

3 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendment

(Clause 2)

Clause 119

Insert after clause 118:

119 Temporary amnesty to enable surrender or registration of firearms

(1) In this clause:

period of the amnesty means the period starting on the commencement of this clause and ending 3 months after that commencement.

(2) A person is, during the period of the amnesty, exempt from the requirement under the Act to hold a licence or permit authorising possession of a firearm if the person:

- (a) is surrendering the firearm to a member of the Police Service in accordance with such directions as are issued by the Commissioner, or
- (b) is proceeding to a police station (or other nominated place) for the purpose of surrendering the firearm.

(3) A person who holds a licence or permit authorising possession of a firearm does not, if the firearm is unregistered, commit an offence under section 36 of the Act of possessing an unregistered firearm.

(4) Subclause (3):

- (a) only applies in respect of a person if the person has made an application to the Commissioner for the firearm to be registered, and
- (b) continues to apply in respect of that person until the end of the period of the amnesty or until such time as the application is determined by the Commissioner.

(5) Nothing in this clause authorises the use of a firearm.

BY AUTHORITY
