



New South Wales

# Firearms Amendment (Provisional Licensees) Regulation 2013

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 GALLACHER, MLC  
Minister for Police and Emergency Services

## Explanatory note

The object of this Regulation is to prescribe the requirements for direct supervision for the purposes of a statutory condition imposed on a provisional pistol (business/employment) licence under the *Firearms Act 1996* which requires licensees to be under the direct supervision of certain competent persons for the first 6 months of the term of the licence.

This Regulation is made under the *Firearms Act 1996*, including sections 16C (2) (d) and 88 (the general regulation-making power).

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### **1 Name of Regulation**

This Regulation is the *Firearms Amendment (Provisional Licensees) Regulation 2013*.

### **2 Commencement**

This Regulation commences on 9 December 2013 and is required to be published on the NSW legislation website.

## Schedule 1 Amendment of Firearms Regulation 2006

### Clause 26A

Insert after clause 26:

#### 26A Direct supervision of provisional pistol (business/employment) licensees

For the purposes of section 16C (2) (d) of the Act, the holder of a provisional pistol (business/employment) licence (the *provisional licensee*) is under the direct supervision of a natural person referred to in that paragraph (the *competent person*) if:

- (a) the provisional licensee receives detailed written instructions (which may, for example, be in the form of standard operating procedures, employment policies or an employment procedure manual) from the master licensee who is the employer of the provisional licensee on the work to be performed, and
- (b) the provisional licensee performs tasks that are part of an overall work routine that is documented, and
- (c) the provisional licensee is subject to regular personal progress checks, in writing, by a nominated supervisor on the work being performed, and
- (d) the provisional licensee is as far as practicable in the line of sight of the competent person, and
- (e) the competent person is able to immediately render assistance to the provisional licensee if required, and
- (f) there is at least the same number of competent persons as provisional licensees on premises at which provisional licensees are carrying out security activities of a kind authorised by their class 1F licence under the *Security Industry Act 1997*.