

Passed by both Houses



New South Wales

Firearms Legislation Amendment Bill 2022

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I certify that this public bill, which originated in the Legislative Assembly, has finally passed the Legislative Council and the Legislative Assembly of New South Wales.

*Clerk of the Legislative Assembly.
Legislative Assembly,
Sydney,*

, 2022



New South Wales

Firearms Legislation Amendment Bill 2022

Act No _____, 2022

An Act to amend the *Firearms Act 1996* to clarify certain requirements in relation to Category D firearms licences and to amend the *Firearms Regulation 2017* to make consequential amendments and update references to government agencies.

I have examined this bill and find it to correspond in all respects with the bill as finally passed by both Houses.

Assistant Speaker of the Legislative Assembly.

The Legislature of New South Wales enacts—

1 Name of Act

This Act is the *Firearms Legislation Amendment Act 2022*.

2 Commencement

This Act commences on the date of assent to this Act.

Schedule 1 Amendment of Firearms Act 1996 No 46

[1] Section 8 Licence categories and authority conferred by licence

Omit “, 10 or 11”, from section 8(1), the matter relating to Category D licence.
Insert instead “or 10”.

[2] Section 21 Term of licence

Omit section 21(2). Insert instead—

- (2) A category D licence issued to a person referred to in section 12, Table, the matter relating to Reason: vertebrate pest animal control, paragraph (c) continues in force until the earlier of the following—
 - (a) the period of 12 months, 2 years or 5 years as specified in the licence,
 - (b) the licence is surrendered, revoked or otherwise ceases to be in force.

[3] Schedule 1 Prohibited firearms

Omit items 5 and 6. Insert instead—

- 5 a self-loading centre-fire rifle that is designed or adapted for military purposes, other than a self-loading centre-fire rifle mentioned in Schedule 3, clause 35
- 6 a self-loading shotgun that is designed or adapted for military purposes, other than a self-loading shotgun mentioned in Schedule 3, clause 35

[4] Schedule 3 Savings and transitional provisions

Insert after clause 34—

Part 12 Provisions consequent on enactment of Firearms Legislation Amendment Act 2022

35 Prohibited firearms

- (1) This clause applies if—
 - (a) a person legally acquires a self-loading centre-fire rifle or a self-loading shotgun under this Act, and
 - (b) self-loading centre-fire rifles or self-loading shotguns of that type are subsequently adapted for military purposes.
- (2) The person’s self-loading centre-fire rifle or self-loading shotgun is not a prohibited firearm under Schedule 1, item 5 or 6 while the rifle or shotgun remains in the person’s possession.

Schedule 2 Amendment of Firearms Regulation 2017

[1] Clause 8 Term of licence

Insert “(other than a category D licence referred to in the Act, section 21(2))” after “D” in clause 8(1).

[2] Clause 8(3A)

Insert after clause 8(3)—

- (3A) In making an application for a category D licence referred to in the Act, section 21(2), the applicant may apply for a licence for a period of 12 months, 2 years or 5 years.

[3] Clause 8(4)

Omit “a category D licence referred to in section 21 (2) of the Act,”.

[4] Clause 35 Vertebrate pest animal control—prescribed government agencies

Omit clause 35(a). Insert instead—

- (a) the Department of Planning and Environment,
(b) the Department of Regional NSW,