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Dealer Bulletin

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"Did you know that you can use the Firearms Registry Website to check the status of a licence or permit?"

Firearms Registry NSW Police

December 2010

Issue 10

Batons and Handcuffs

There appears to be some confusion amongst firearms dealers concerning who may purchase batons and handcuffs.

Batons and handcuffs are classified as prohibited weapons (see Schedule 1 to the Weapons Act). These items are used by security guards for approved activities during the course of their duties. There is an exemption from the requirement to

hold a permit to authorise possession and use of these items for appropriately licensed security guards. However, the exemption does not authorise the purchase of these items.

Section 23A of the *Weapons Prohibition Act 1998* provides that a person must not purchase a prohibited weapon unless they are authorised to possess the item by a permit.

Therefore, in order to purchase batons and handcuffs, a person must be authorised by a permit to possess the items.

Result.....

Any person wishing to purchase batons and handcuffs must produce a permit authorising possession of these items and the dealer must sight this permit prior to sale.

Sale and Safe Storage of Ammunition

Sale of Ammunition

Prior to selling ammunition to a customer, you must sight the customer's licence or permit authorising possession and use of a firearm which takes that ammunition -section 65(1) of the *Firearms Act 1996*.

You can check whether a licence or permit is in issue. Go to 'Verify a Licence/Permit' on the Home Page of the Firearms Registry Internet Site.

Safe Storage of Ammunition

A firearms dealer may only possess ammunition for sale as authorised by their firearms licence.

In addition, ammunition stored on the dealer premises must be stored in a restricted area, not easily accessible by the public.

What is considered a restricted area?

A restricted area for the storage of ammunition would be any area which is not easily accessed by the public. For example,

behind a counter, in a locked display case, within a locked receptacle or safe, within a room accessed only by the dealer or authorised employees.

Ammunition displayed on the shop floor or on counter tops would be easily accessed by anyone entering the shop and would not comply with the requirements of clause 38 of the *Firearms Regulation 2006*.

For more information, see the FACT Sheets on the 'Safe Storage' page on the Firearms Registry Internet site.



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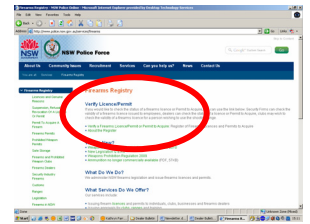
Privacy Laws

Personal privacy laws mean that information held on customers at the Firearms Registry cannot be disclosed to any third party, including address and contact details for licence or permit holders (subject to some exceptions). If you require contact details for customers who have left their firearms in your dealership for safe

keeping, on consignment or for repair, the Firearms Registry cannot assist you with this information.

Similarly, where a customer is making enquiries regarding a Permit to Acquire, the customer must ring the Firearms Registry themselves. We cannot disclose any information regarding PTA's to a dealer.

Remember, you can access information regarding the status of a PTA by entering the PTA number into the Verify a Licence/Permit facility on the Home Page of the Firearms Registry Internet site.



Firearms Registry Website

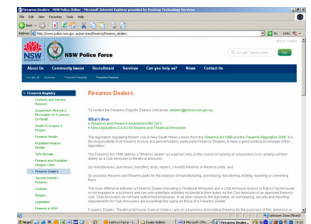
Have you had a look at the Firearms Registry Internet site?

There is a 'Firearms Dealers' page with information for firearms dealers, theatrical armourers and club armourers, including detailed information on safe storage and other legislative requirements for a firearms dealer. The Safe Storage page has information on all the safe storage requirements for licence and permit holders in the form of FACT Sheets.

If customers have enquiries regarding the safe storage applicable to particular firearms, this is a good resource to direct them to.

You can also access the firearms legislation on the Internet site and on the Home Page under 'What's New' area you can find information on new initiatives or pending legislative amendments.

If you have any suggestions for inclusions on the Firearms Registry Internet site, or you wish to provide feedback, please email firearmsenq@police.nsw.gov.au.



"Encourage your customers to access the information on the Firearms Registry Internet site."

Specialised Target Pistols

A specialised target pistol is defined in section 16B of the Act as:

- a) a self-loading pistol with a barrel length of less than 120 mm, or
 - b) a revolver with a barrel length of less than 100 mm
- that, in the opinion of the Commissioner, is of a distinctive size or shape

and is used in International Shooting Sport Federation competition events, but that is not otherwise a prohibited pistol.

If a customer is purchasing one of these specialised target pistols, the PTA must be marked for H6. No other PTA will

be accepted by the Firearms Registry for this type of firearm.

Remember.....

Always check the category of firearm requested and approved on the PTA and the expiry date of the PTA.



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Arms Fair Permits

An Arms Fair is an event involving the temporary display of firearms for the purpose of sale or exhibition and to which the general public has access.

An Arms Fair permit is issued to a firearms dealer or licensed club official to conduct the Arms Fair.

The Arms Fair permit authorises both NSW and Interstate licensed firearms dealers who are the holders of a firearms collector licence or the

holders of an ammunition collector permit to participate in the Arms Fair.

The permit also authorises licensed firearms dealers to conduct transactions at the Arms Fair in accordance with the requirements of the Firearms Act.

Result.....*The holder of the equivalent of a firearms dealer licence, firearms collector licence*

or ammunition collector permit issued in another State or Territory does not need to make application to participate in an Arms Fair in NSW for which an Arms Fair permit has been issued.

For further information go to the Firearms Permit page on the Internet site.



“All the information on Arms Fairs can be found on the Firearms Permit page on the Firearms Registry Internet site.”

Faxing Acquisitions

Please, only fax requests for registration of firearms if these are required urgently.

Faxes must be marked ‘Urgent’ and have a return fax number, otherwise they will be processed as routine requests.

Disposals on Firearms Link

Remember.....

When processing a disposal transaction on Firearms Link, use the actual disposal date, not the date of processing.

If there is a discrepancy between the purchase date and the disposal date, the transaction will reject.

Safe Storage, Consignment & Repair

All firearms received for safe storage, consignment or for repair must be recorded in the PAB28 ‘Register of Acquisition and Disposal of Firearms’ (or on Firearms Link).

In addition, you must use either the PAB30 (Bulk) or PAB31(Standard) ‘Notice of Acquisition or Disposal of a Firearm’ (or Firearms Link) noting the reason for acquisition ie ‘Safe

Keeping’, ‘Consignment’ or ‘Repair’ and the date the firearm came into your possession.

When the firearms are subsequently returned to the owner, sold or otherwise disposed, both the PAB28 and the PAB31 must be completed notifying the transaction.

The PAB30 and PAB31 must identify the registered owner’s details,

which may not necessarily be the details of the person delivering the firearms to you.

Further information can be found in the Dealers Handbook on the Firearms Registry Internet site



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"You must sight the licence / permit and registration certificates for any firearm that comes into your possession for maintenance or repair."

"Only when inquiries have been made and the Firearms Registry has given approval is it acceptable to record a transaction with the person listed as unknown."

Firearms Registry

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We're on the Web!

See us at:

www.police.nsw.gov.au

Disposal Notices

A requirement exists for a licensed firearms dealer to sight both the licence / permit AND notice of registration for the firearm when taking possession of any firearm for maintenance or repair – see s. 47 (5) of the *Firearms Act 1996*.

Maintenance can be defined as: to keep; to retain; to take care of; or to otherwise look after.

Where a customer wishes to sell / dispose of firearms registered to them, the person completes the notice of disposal on the reverse side of the registration certificate.

If the customer does not have a registration certificate, they must request a duplicate prior to presenting at the dealership.

Firearms Registry will not issue a disposal notice to a dealer except where the customer's licence is either in renewal or in an invalid status and duplicate registration certificates cannot be produced.

Remember.....

Your business, your responsibility – know your statutory requirements.

Transactions

PAB28

All transactions and dealings concerning firearms and firearms parts must be recorded by the firearms dealer – see section 45(1) of the *Firearms Act 1996*.

These records are kept in the PAB28 'Register of Acquisition and Disposal of Firearms' (or on Firearms Link) and must be kept in a place of safe keeping, on the premises of the dealership, but separate from the firearms safe keeping – section 47(4) of the *Firearms Act 1996*.

PAB31

Each purchase, receipt, sale or transfer of a firearm or firearm part must provide the name, address, licence / permit number, dates of acquisition or disposal, PTA number, name and address of the person who initially gave possession of the firearm and details of the firearm – see section 45(2) of the *Firearms Act 1996*.

It is not acceptable to write 'left at counter', 'deceased', 'surrendered', 'found on doorstep' etc.

In such cases, you must make all reasonable enquiries to identify the owner.

If reasonable inquiries have not been made you may be liable to be charged with 'Larceny by Finding' - stealing.

The easiest way to protect yourself is to record the name and address of the person handing you the firearm or surrender it to police as found property.

Consultation Paper - Customs legislation

The Commonwealth Attorney-General's Department is seeking public feedback regarding proposed amendments to Customs legislation.

The proposed amendments relate to the importation of firearms, firearm accessories, firearm parts, ammunition, etc.

For further information, go to the Australian Government Attorney-General's Department website www.ag.gov.au

Upcoming Issues..

Legislative amendments are due to commence in February 2011. You can view the amendments

under 'What's New' on the Firearms Registry Internet site later this month and the next Dealer Bulletin

will provide detailed information on the amendments affecting firearms dealers.