



NSW Police Force  
www.police.nsw.gov.au

# Dealer Bulletin

January 2011

Issue 1

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•Firearms Legislation Amendment Act 2010

More details on the 'What's New' section of the Firearms Registry website:

www.police.nsw.gov.au

*A record of all transactions and dealings concerning a firearm or firearm part must be recorded and sent to the Firearms Registry.*

## Firearms Registry NSW Police

### Legislative changes

A Private Members' Bill was introduced into Parliament in 2009. This Bill has progressed and was recently passed.

The *Firearms Legislation Amendment Act 2010 (the Amendment Act)* is due to commence on 4 February 2011 and makes various amendments to the *Firearms Act 1996* (the Firearms Act) and the *Firearms Regulation 2006* (the Regulation).

This month's Bulletin deals exclusively with the Amendment Act and the impact it may have on your business and your recording requirements.

This information is provided as a guide only.

**A copy of the Bill can be accessed at:**

<http://www.legislation.nsw.gov.au>

#### Remember.....

*The Firearms Legislation Amendment Bill 2010 is due to commence on 4 February 2011*

*Check the Firearms Registry website 'What's New' section for detailed information – [www.police.nsw.gov.au](http://www.police.nsw.gov.au)*

### Recording of transactions

**Currently**, details of all transactions and dealings concerning firearms or firearm parts such as a spare barrel for a firearm, a firearm frame or a firearm receiver are required to be recorded and sent to the Firearms Registry within seven days.

**From 4 February**, details of transactions where the dealing does not involve a change of ownership of the firearm or firearm part (eg safe keeping, consignment or repair) will be required to be recorded and sent to the Firearms Registry with your quarterly return.

#### Relevant legislation

*Provisions relating to dealer transactions can currently be found in section 45 of the Firearms Act. The new provisions will be inserted as section 45(1A) of the Firearms Act.*

*Provisions relating to quarterly returns can be found in section 46 of the Firearms Act.*

*A copy of the Firearms Act, the Regulation and the Amendment Act is located on our website:*

**[www.police.nsw.gov.au/firearms](http://www.police.nsw.gov.au/firearms)**

**Remember....** You must keep a record of all transactions and dealings involving firearms and firearm parts.

*Those dealings that involve a change of ownership of a firearm or firearm part must be sent to the Firearms Registry within seven days.*

*Those dealings that do not involve a change of ownership must be sent to the Firearms Registry with your quarterly return.*

**Note:** This office highly recommends that you continue to forward advices relating to safe storage, consignment and repair within the current seven day timeframe. This will assist your customers, yourselves and police to keep track of the location of firearms.



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*Quarterly returns must be forwarded to the Firearms Registry within 14 days after the end of March, June, September and December and must include all dealing and transactions relating to firearms or prescribed firearm parts.*

*“Advertising firearms for sale – the seller’s licence or permit number must be included”*

*Antique revolvers are defined in section 6A of the Firearms Act.*

### Quarterly Returns

**No change – just a reminder** that all transactions and dealings concerning a firearm or firearm part must be recorded.

In addition, all records regarding the purchase, receipt, sale or transfer of a firearm or firearm part must be forwarded to the Firearms Registry each quarter within 14 days after the end of the months of March, June, September and December in each year.

Each firearm or firearm part that is or has been in the possession of the dealer must have recorded:

- Dates of initial purchase or receipt, and
- Name and address of person giving possession to the dealer, and
- Description of the firearm when this is sold or transferred out of the possession of the dealer.

### Advertising firearms for sale

**Currently**, advertisements for the sale of firearms require both the seller’s licence or permit number and the name and address of the dealer concerned.

**From 4 February**, advertisements for the sale of a firearm will require the licence or permit number of the seller only.

#### **Dealer stock for sale**

If you are selling a firearm which is registered as dealer stock, then your licence number must appear in the advertisement.

However, it will no longer be necessary to include your address.

#### **Non-dealer stock for sale**

If you are selling a firearm on behalf of a licence or permit holder, the licence or permit number of the seller must appear in the advertisement. It will not be necessary to include your dealer’s licence number or address.

#### **Remember.....**

*When advertising a firearm for sale, you must include the licence or permit number of the seller.*

### Antique revolvers

**Currently**, Category H Sport / Target Shooters are restricted to possession and use of non-prohibited pistols.

**From 4 February 2011**, a Category H Sport / Target Shooting licence will authorise the possession and use of antique revolvers (an antique firearm that is a percussion lock pistol equipped with a revolving cylinder).

However, it will not authorise the possession or use of an antique revolver that is a prohibited pistol.

*See section 4C of the Firearms Act for the meaning of ‘prohibited pistol’.*

**For more information refer to our website**

**[www.police.nsw.gov.au/firearms](http://www.police.nsw.gov.au/firearms)**



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*“Permits to acquire – issued for 90 days; changes to waiting period.”*

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## Permits to acquire

### Term of Permit to Acquire

The legislation has been amended to allow a Permit to Acquire a firearm (PTA) to be issued for 90 days. *This amendment reflects current Firearms Registry practice.*

**No change - PTAs are currently issued for 90 days in most instances.**

### Waiting periods - new provisions

Where a person makes application for a PTA, there is no mandatory 28 day waiting period for the issue of the PTA if the person had a firearm of the same type registered to them in the 90 days prior to receipt of the PTA application.

This provision does not apply if the registration of the firearm was cancelled under section 35 of the Act during the 90 day period.

### **Information for your customers?**

*Customers can be referred to the PTA fact sheet on the Firearms Registry website for full information.*

## Repairs to firearms not requiring registration

Currently, section 47(5) of the Firearms Act requires a firearms dealer to sight the registration certificate for any firearm prior to taking possession of that firearm for maintenance or repair; the amendment clarifies that this does not apply to a firearm that is not required to be registered.

Section 47(6) of the Firearms Act prohibits a firearms dealer maintaining or repairing an unregistered firearm. The amendment at section 47(6A) provides that any firearms that are not required to be registered are excluded from this provision.

## Fee exemptions

Pensioners will receive a fee exemption for an application and re-application for a Probationary Pistol Licence and a category H firearms licence issued for the genuine reason of Sport/Target Shooting.

This brings this category of licence in line with the current exemption provided for category A and B licences issued to pensioners. There will be no fee for an initial category ABH licence issued to a pensioner and therefore no fee for a subsequent licence and no fee for a duplicate, if required.

The pre-existing exemptions regarding PTA'S and registration remains unchanged.

***From 4 February 2011, pensioner fee exemptions will apply for Probationary Pistol licences and Category H target shooting licences.***

## Further information

The information provided in this Bulletin is a guide only and is not an exhaustive list of all the legislative amendments covered by the Amendment Bill.

You can access a copy of the Amendment Act at the Firearms Registry website [www.police.nsw.gov.au](http://www.police.nsw.gov.au) or at [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au)