



NSW Police Force  
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# FIREARMS REGISTRY

## Things Declared Not To Be Firearms

*All persons wishing to possess & use firearms in NSW must be authorised to possess and/or use those firearms by a firearms licence or permit.*

*This FACT sheet provides information on items not considered to be firearms as defined by the Firearms Act 1996 and the Firearms Regulation 2006. .*

Before making an application for a firearms licence or permit, you should first determined whether the item that you are wishing to possess or use is a "**firearm**".

A firearm is defined in Section 4 of the *Firearms Act 1996* as being:

*'a gun, or other weapon, that is (or at any time was) capable of firing a projectile by means of an explosive'.*

The definition is also expanded to include:

*'blank fire firearms or an air gun, but not anything declared by the regulations not to be a firearm'.*

Clause 4 of the *Firearms Regulation 2006* sets out the things declared not to be a firearm and include:

- \* An explosive-powered tool within the meaning of Part 9.2 of the *Occupational Health and Safety Regulation 2001*.
- \* A heavy bench-mounted rifle of an approved kind that is used for experimental purposes.
- \* A tool designed to be used to split or break rock or concrete by means of the firing of an explosive cartridge, such as the tool known as the "Boulder Buster".
- \* An industrial tool designed to be used in the mining and steel industries to remove refractory material (eg slag) from kilns or for other similar purposes, such as the tool known as the "Slag Buster Kiln Gun".
- \* A captive bolt gun of the kind designed for use in an abattoir in the humane killing of livestock.
- \* Any piece of artillery manufactured before 1946:
  - i. That has been rendered permanently inoperable, AND
  - ii. The breech, chamber and barrel of which have been permanently sealed, AND
  - iii. That is on permanent display in a public place for memorial or commemorative purposes.

- \* Cannon and field guns:
  - i That have been constructed as pieces of military ordnance, AND
  - ii That have a calibre of more than 25 millimetres, AND
  - iii That have been rendered permanently inoperable, AND
  - iv The breech, chamber and barrel of which have been permanently sealed.
- \* A firearm designed to be used for life saving or distress signalling purposes (such as line-throwing guns or the "Very" type of firearm).
- \* A firearm designed to be used in film, television or theatrical productions for the purposes of breaking glass or ceramic articles and that is only capable of firing a projectile over a short range (such as the firearm known as the "Trunion" gun).
- \* A firearm designed to be used to train dogs by firing retrievable projectiles (such as the firearm known as the "Turner Richards Dummy Launcher").
- \* A tool designed to discharge a nail, spike or other fastener into or through material by means of compressed air or carbon dioxide (such as a nail gun).

NOTE: In the case of replica/imitation/reproduction firearms, if the item is capable (or ever was capable) of firing a projectile (as set out above) then it is a firearm.

If however, it is incapable (and never was capable) of firing a projectile, then it is a prohibited weapon.

### What about imitation firearms?

An imitation firearm is defined in section 4D of the Act as an object that, regardless of its colour, weight or composition or the presence or absence of any moveable parts, substantially duplicates in appearance a firearm but that is not a firearm.

An imitation firearm does not include anything that is produced and identified as a children's toy.

A person must obtain a firearms permit to possess or use imitation firearms. For more information on imitation firearms, see the FACT Sheet '*Imitation Firearms Permit*' available on the Firearms Permit page on the Firearms Registry Internet site.

## Firearms Registry

### Address

Locked Bag 1  
Murwillumbah NSW 2484

### Telephone

1300362562

### Interstate

02 66708590

### Fax

02 66708558

### Email

[firearmsenq@police.nsw.gov.au](mailto:firearmsenq@police.nsw.gov.au)

### Website

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

### Where can I find more information?

The information provided in the FACT Sheet is for general guidance only. Applicants and licensees should familiarise themselves with the *Firearms Act 1996* and the *Firearms Regulation 2006*, which are available on the NSW Legislation website - [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au).



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