



NSW Police Force
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FIREARMS REGISTRY

Firearms Dealer - General Legislative Requirements

DEALERS

All persons holding a firearms licence in NSW must comply with specific requirements as outlined in the Firearms Act 1996 (the Act) and the of the Firearms Regulation 2006 (Regulation)..

This FACT sheet provides information on these legislative requirements for Firearms Dealers.

What is a Firearms Licence Dealers licence ?

A firearms dealer licence authorises the licence holder, and any employee authorised in writing by the Commissioner of Police by an employee authority, to possess, manufacture, convert, purchase, sell, transfer, repair, maintain or test firearms in the licence holder's capacity as a firearms dealer, ONLY for the category of firearms specified on the licence AND ONLY at the premises specified on the licence.

The firearms dealer is also authorised to possess, manufacture, purchase or sell ammunition for the categories of firearms specified on the licence.

The firearms dealer licence also authorises test firing of firearms on an approved shooting range with the prior written approval and under the direct supervision of the range approval holder.

What are the legislative requirements for firearms dealers?

General

- * The licence holder (dealer) must sign the licence upon receipt - S18 (2)(b) & (3) of the Act.
- * The firearms dealer licence cannot be transferred to another person. Any change of licence holder must be made by new application - S 19 (2)(e) of the Act.
- * The dealer must carry on the business of a firearms dealer exclusively at the premises specified on the licence - S 8 of the Act - 'Authority conferred by firearms dealer licence'. Any change of premises to which the licence relates must be made by application to the Commissioner of Police (COP) - Cl 35 (1) & (2) of the Regulation.
- * The dealer must notify the Commissioner of Police in writing within fourteen (14) days if the genuine reason for having the licence ceases to exist - Cl 14 (1) of the Regulation.
- * The dealer must ensure that no unauthorised person is allowed to possess and use a firearm in the licensee's possession - S 19 (2)(b).
- * The dealer must take all reasonable precautions to ensure that any firearm in their possession is safely kept, that it is not stolen or lost and that it does not come into the possession of an unauthorised person - S39 (1) of the Act.

- * The dealer is authorised to carry on the business of a firearms dealer only for the types of firearms specified on the licence - S 8 of the Act - 'Authority conferred by firearms dealer licence'.
- * Each firearm in the dealer's possession must have a label affixed showing the register entry number and serial & registration number of the firearm - S47 (1) of the Act.
- * All firearms supplied as a stock order to the firearms dealer must be checked by the dealer upon receipt. Any firearms missing from the order must be reported to the Commissioner within 24 hours of delivery - Cl 39 of the Regulation.
- * The dealer must notify the Commissioner of Police in writing within seven (7) days if any firearm or spare barrel for the firearm, capable of taking and discharging ammunition, is not numbered or is not numbered clearly - Cl 42 of the Regulation.
- * The dealer must not take possession of a firearm for the purpose of maintaining or repairing it unless the current licence and registration certificate (in the case of a firearm which requires registration) has been sighted by the dealer - S 47 (5)(a) & (b).
- * The dealer must not maintain or repair any firearm that is not registered - S 47 (6)
Note: this does not apply if firearm is exempt from the registration requirement S47(6A).
- * Any advertisement, relating to the business of the firearms dealer, must include and display the firearms licence number of the dealer's licence - Cl 41 of the Regulation.
- * Any advertisement for the sale of a firearm must include the licence or permit number of the seller.
- * The dealer must notify the Commissioner in writing within 14 days of any change of details or circumstances which may affect the terms of the firearms dealer licence, or if the licence is lost, stolen or destroyed - Cl 15 of the Regulation.
- * The dealer must notify the Commissioner in writing within 24 hours if a firearm or firearm part is lost, stolen or destroyed - S 47 (3) of the Act.

Display

- * The dealer must ensure that any firearm on display is at all times under the immediate supervision and control of the dealer or an employee of the dealer - S48 (2)(a) of the Act.
- * No firearms may be displayed unless reasonable precautions are taken to prevent it from being stolen - S48 (2)(b) of the Act.
- * Any firearms displayed on the dealer's premises must be secured in a manner to prevent their removal other than by the dealer or employee of the dealer - S 48 (1) of the Act.

Reasonable Precautions

Reasonable precautions for safe keeping & storage, display of firearms and ammunition, safe keeping of registers & requirements for the premises of a firearms dealer, as approved by the Commissioner of Police, are outlined in detail in the FACT Sheets 'Firearms Dealer Safe Storage - Display & Registers' & 'Firearms Dealer Safe Storage - Premises & Safes'.

Ammunition

- * The dealer may only possess ammunition corresponding to the type of firearm specified on the licence - S 8 of the Act - 'Authority conferred by firearms dealer licence'.
- * Ammunition must be stored in a restricted area that is not easily accessible by the public - CI 38 of the Regulation - see also FACT Sheet 'Firearms Dealer Safe Storage - Display and Registers'.

Inspection

- * The licensee must allow inspection by a police officer of the safe keeping & storage arrangements - S19 (2) of the Act, the registers - S45 (6) of the Act and the firearms in possession of the firearms dealer - CI 40 of the Regulation.
- * The dealer must produce, on demand by a Police Officer, at any time:
 1. The record of transactions, and
 2. All firearms or firearm parts in possession of the dealer, and
 3. Provide any information to the Police Officer on any transaction or dealing concerning firearms or firearms parts made by the dealer - S 45 (6) of the Act.

Close Associates

- * The application for a firearms dealer licence must include the name and address of each person who is a close associate of the applicant and specify the nature of the association with the applicant - S 44 (1) of the Act.
- * The dealer must notify the COP in writing within seven (7) days if there is any change in the close associates of the firearms dealer - S 44 (2) of the Act.
- * The dealer must supply information in writing to the COP, upon request, concerning the management of the firearms dealer business or the close associates of the business - S44 (3) of the Act.
- * The dealer must not allow prescribed persons, as described in S 44A (3) of the Act to be employed, act as an agent or participate in the management of the firearms dealer business.

Related Information:

Please also see FACT Sheets:

- 'Firearms Dealer Legislative Requirements - Registers and Reporting'.
- 'Firearms Dealer Safe Storage - Premises and Safes'.
- 'Firearms Dealer Safe Storage - Display & Registers'.
- 'Instructions for completing a Firearms Dealer Licence Application'.
- 'Transportation of Firearms'.

Firearms Registry

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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.



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