



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

FIREARMS REGISTRY

Right of Review - Prohibited Weapons

This FACT sheet provides information on the reviewable decisions as provided by section 35 of the *Weapons Prohibition Act 1998* and the appeal process for customers to follow.

A person may apply for a review of a decision made by an administrator and initially, an internal review of the decision is conducted by the Firearms Registry. If the outcome of that review is unacceptable, an external review to the NSW Civil & Administrative Tribunal (NCAT) may be requested.

What decisions are reviewable?

Section 35 of the *Weapons Prohibition Act 1998* (Act) outlines the decisions that may be reviewed. These include:

- * The refusal of or failure to issue a permit,
- * Any condition imposed on a permit,
- * The revocation or suspension of a permit.

How does the review process work?

If you are not satisfied with a decision made and that decision is a reviewable decision as described above, you may request an Internal Review. The Internal Review is conducted by the Case Management Unit within the Firearms Registry.

The Internal Review is an independent review of the decision by a member of staff who was not involved in the making of the original decision.

How do I make application for an Internal Review?

Your request for an Internal Review must:

- * Be CLEARLY MARKED "INTERNAL REVIEW REQUEST"
- * Be made in writing, via post or email, by you or your representative (eg solicitor), and
- * Be lodged with the Firearms Registry, Locked Bag 5102, Parramatta NSW 2124, or by email to frreview@police.nsw.gov.au within 28 days of being notified of the reviewable decision, and
- * Provide information on why you disagree with the decision, and
- * Supply any supporting documentation you believe is relevant and applicable.

A legal representative may request an internal review on your behalf. If someone other than your legal representative requests the review, they must include your written authorisation to do so.

How long does the Internal Review take?

An Internal Review is usually finalised within 21 days, but this may vary.

What are the possible outcomes of an Internal Review?

The internal reviewer may: affirm (agree with) the decision; vary the decision; set aside the decision and make a decision in substitution.

How will I be notified?

You, or your representative, will be notified in writing of the outcome of the Internal Review.

What if I am not happy with the Internal Review decision?

If you are not satisfied with the decision made at INTERNAL Review, you may make application for an EXTERNAL Review by the NSW Civil & Administrative Tribunal (NCAT).

What is the Civil & Administrative Tribunal?

The Civil & Administrative Tribunal is an independent body that reviews decisions made by administrators.

How do I make application to the Civil & Administrative Tribunal?

Visit the NSW Civil & Administrative Tribunal (NCAT) website for information relating to the application process and any applicable fees associated with seeking an external review.

Right of Review - Prohibited Weapons

What if I do not wish to request a review?

The original decision will stand.

What do I do with my weapons?

Weapons must remain with police until the finalisation of any internal or external review.

If the decision is affirmed on review, you will need to arrange to dispose of your weapons through a Prohibited Weapon Dealer or you may authorise police to destroy the weapons.

If the decision is set aside or varied, when your permit is reinstated, you will be authorised to possess and use your weapons once again. In this case, both you and the police will be informed in writing that you may collect your weapons.

RELATED INFORMATION

Section 35 of the *Weapons Prohibition Act 1998*,
Sections 53 & 55 of the *Administrative Decisions Review Act 1997*.

Firearms Registry Customer Service line: 1300 362 562
Email: frreview@police.nsw.gov.au.
Firearms Registry, Locked Bag 5102, Parramatta NSW 2124

Firearms Registry

Address

Locked Bag 5102
Parramatta NSW 2124

Telephone

1300 362 562

Interstate

02 66708590

Fax

02 66709813

Email

frreview@police.nsw.gov.au
OR
firearmsenq@police.nsw.gov.au

Website

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 *Weapons Prohibition Act 1998* and the associated Regulation which are available on the NSW Legislation website - www.legislation.nsw.gov.au.



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

