



New South Wales

Firearms Amendment (Ammunition and Club Armourers) Regulation 2013

under the

Firearms Act 1996

His Excellency the Lieutenant-Governor, with the advice of the Executive Council, has made the following Regulation under the *Firearms Act 1996*.

MICHAEL GALLACHER, MLC
Minister for Police and Emergency Services

Explanatory note

The object of this Regulation is to amend the *Firearms Regulation 2006* as follows:

- (a) to prescribe additional particulars that must be recorded for each sale and for each purchase of ammunition by a licensed firearms dealer (namely, the quantity of ammunition, the manufacturer's or brand name and its calibre),
- (b) to exempt licensed firearms dealers, on each occasion they sell ammunition that is not ammunition for a pistol, from the requirement under section 65A of the *Firearms Act 1996* to sight the purchaser's notice of registration for the firearm that takes the ammunition or the purchaser's permit to acquire a firearm that takes the ammunition,
- (c) to exempt club armourers, on each occasion they sell ammunition in their capacity as licensed firearms dealers to persons shooting in club competitions, from the requirement referred to in paragraph (b),
- (d) to provide for a new type of permit (called an **ammunition permit**) that will authorise a person to purchase or possess ammunition for a firearm as the holder of such a permit rather than in his or her capacity as the holder of a firearms licence and as the person in whose name the firearm is registered,
- (e) to provide that an ammunition permit can only be issued by the Commissioner of Police if the applicant is employed by, or carries on business in partnership with, a person in whose name a firearm of the kind specified in the permit is registered,
- (f) to waive the \$100 application fee for a firearms dealer licence that is to be held by the club armourer for a shooting club that has never had a club armourer.

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Explanatory note

This Regulation is made under the *Firearms Act 1996*, including section 45A (2) (e) and (3) (b) (as inserted by the *Firearms Amendment (Ammunition Control) Act 2012*) and section 88 (the general regulation-making power).

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1 Name of Regulation

This Regulation is the *Firearms Amendment (Ammunition and Club Armourers) Regulation 2013*.

2 Commencement

- (1) This Regulation commences on the day on which it is published on the NSW legislation website, except as provided by subclauses (2) and (3).
- (2) Schedule 1 [1] commences on 4 March 2013.
- (3) Schedule 1 [7] commences on 8 April 2013.

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Schedule 1 Amendment of Firearms Regulation 2006

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[1] Clause 36A

Insert after clause 36:

36A Recording of ammunition transactions

For the purposes of section 45A (2) (e) and (3) (b) of the Act, the record of each sale and of each purchase of ammunition by a licensed firearms dealer must contain the following particulars:

- (a) the quantity of ammunition sold or purchased,
- (b) the name of the manufacturer (or the brand) of the ammunition and a full description of the calibre of the ammunition.

[2] Clause 69A

Insert after clause 69:

69A Ammunition permit

- (1) The Commissioner may, on application by a person, issue a permit (an *ammunition permit*) authorising the person to purchase or possess ammunition for a firearm of a kind specified in the permit.
- (2) The Commissioner must not issue an ammunition permit unless the Commissioner is satisfied that:
 - (a) the applicant:
 - (i) is employed by a person (including a government agency) in whose name a firearm of the kind specified in the permit is registered, or
 - (ii) carries on business in partnership with a person in whose name such a firearm is registered, and
 - (b) it is part of the applicant's duties in the course of that employment, or in carrying on that business, to purchase ammunition for use in such a firearm.
- (3) This clause does not limit the circumstances in which the Commissioner may issue a permit authorising a person to purchase or possess ammunition.
- (4) For the purposes of this clause, *employ* includes engage under a contract for services.

[3] Clause 99 Fees

Insert after clause 99 (1) (m):

- (m1) application fee for an initial or subsequent ammunition permit—\$30,

[4] Clause 99 (1) (n1)

Insert after clause 99 (1) (n):

- (n1) fee for a duplicate ammunition permit—\$30,

[5] Clause 99 (1) (o)

Omit “permit”. Insert instead “any other type of permit”.

[6] Clause 100 Exemption, waiver or refund of fees

Insert after clause 100 (4):

- (5) A person who is the club armourer of a club is exempt from the requirement to pay an application fee under clause 99 (1) (h) for an initial firearms dealer licence but only if it is established to the satisfaction of the Commissioner that there has never been a club armourer for that club.

[7] Clauses 115A and 115B

Insert after clause 115:

115A Exemption in relation to sales of ammunition by firearms dealers

- (1) A licensed firearms dealer is exempt from the requirements of section 65A of the Act in respect of a sale of ammunition unless the ammunition is for a pistol.
- (2) Ammunition is considered to be for a pistol if:
 - (a) the ammunition is of a calibre that is generally used only in pistols, or
 - (b) the sale is to a person who is the holder of a licence or permit for a pistol (and is not the holder of a licence or permit for any other type of firearm that takes the ammunition).

115B Exemption in relation to sale of ammunition by club armourers

A club armourer for a shooting club is exempt from the requirements of section 65A of the Act in respect of the sale of ammunition by the armourer at the premises of the club to a

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Schedule 1 Amendment of Firearms Regulation 2006

person (whether or not a member of the club), but only if it is a condition of the sale that the ammunition:

- (a) is only used by the person at the premises of the club in a competitive shooting match conducted by the club on the day of the sale, and
- (b) is not removed from those premises.