

FIREARMS REGISTRY



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Firearms Dealer Safe Storage - Level Seven Display & Registers

All persons possessing firearms in NSW must comply with the safe storage requirements prescribed by the *Firearms Act 1996*, the associated Regulation and as recommended by the Commissioner.

This fact sheet provides information fore Firearms Dealers on the requirements for safe keeping and display of firearms and safe keeping of registers.

There are general requirements for the safe storage of firearms for all licence holders. What are these requirements?

All licence holders in NSW, including Firearms Dealers, are subject to the general requirement for safe storage of firearms under Part 4 - Section 39 of the *Firearms Act 1996* (the Act). Any person in possession of a firearm must take all reasonable precautions to ensure the firearm is kept safely, is not lost or stolen and does not come into the possession of an unauthorised person.

All firearms in the possession of a firearms dealer must have a label affixed showing the register entry number and the serial & registration number of the firearm - section 47(1) of the Act.

What requirements must be met for displayed firearms?

Section 48 of the Act prescribes the minimum standards for display of firearms by a firearms dealer. Any firearms on display must be under the immediate supervision and control of the dealer or employee of the dealer - section 48(2) (a) of the Act.

No firearms can be displayed unless reasonable precautions have been taken to secure the firearms and prevent them from being stolen - section 48(2)(b) of the Act.

Firearms displayed on the premises must only be able to be removed by the dealer or an employee of the dealer - section 48(1) of the Act.

The Commissioner of Police has determined the following as reasonable precautions for display of category A & B firearms.

Display Case

- Any display case or cabinet should be of solid construction, and
- All glass panelling must be a minimum grade of 6.38mm and be laminated, and
- When mounted onto brick, stone or concrete it should be attached by at least four (4) masonry anchors 90mm in length and 10mm in diameter, and
- When mounted onto main wall studs or wall bearers, it should be fitted flush against the wall and secured to the wall studs or wall bearers by four (4) galvanized hexagon head coach screws not less than 65mm in length and 8mm in diameter, and
- The display case must be fitted with a metal lock which is either an internal locking mechanism operated by means of a key or combination lock or other similar locking mechanism (pin number etc), or
- Locked by the use of a hasp and staple (or similar) and fitted with a padlock.

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 associated Regulation, which are available on the NSW Legislation website - www.legislation.nsw.gov.au.

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Gun racks

Any gun rack used for display should be of solid construction - either metal or timber and firearms displayed within the rack must be secured at the top via a fixed barrier to prevent removal, that is through holes in a fixed metal or timber barrier AND secured at the base by:

- Plastic coated flexible steel cable, no less than 4mm passing through the trigger guards and secured to the wall, or
- Chain of equivalent strength passing through the trigger guards and secured to the wall; or
- A solid metal bar of not less than 10mm in diameter, or metal sash not less than 3mm thickness and 2cm wide expanding across the length of the cabinet and secured to the wall/cabinet at either end by way of a padlock or similar.

When the gun display rack is mounted onto brick, stone or concrete, it should be attached by at least four (4) masonry anchors 90mm in length and 10mm in diameter.

When the gun display rack is mounted onto timber or gyprock, it should be fitted flush against the wall and secured to the wall studs and floor bearers by four (4) galvanized hexagon head coach screws, not less than 65mm in length and 8mm in diameter.

The Commissioner of Police has determined the following as reasonable precautions when firearms are on display.

Category A & B firearms on display must be secured by a padlock and plastic coated flexible steel cable (min 4mm diameter) or metal chain of a similar strength.

The cable must pass through each trigger guard and be anchored by expanding anchor bolts or coach screws, or

- A purpose built and lockable metal or hardwood rack, secured to prevent the firearms from being removed, or
- A lockable caged cabinet that prevents the firearms from being removed.

Category C, D & H firearms if displayed, should have substantial added security and be locked in a specially designed display case made of polycarbonate resin thermoplastic (lexan) or a similar product that is not easily penetrated.

What about security of firearms after hours?

Firearms must be secured in a manner to prevent their removal except by the dealer or authorised employee - section 48(2) of the Act.

What about display of ammunition?

Any ammunition the firearms dealer is authorised to possess must be stored in a restricted area that is not easily accessible by the public - clause 47 of the *Firearms Regulation 2017* (the Regulation). The ammunition may still be on display but locked in a display case behind a counter.

A firearms dealer is only authorised to possess ammunition corresponding to the categories of licence held - section 8 of the Act - Firearms Dealer Licence.

The Commissioner of Police has determined the following as reasonable precautions for storage of ammunition.

All ammunition, when not on display, should be stored in a locked receptacle constructed of hardwood or steel.

The receptacle must be fitted with metal locks with either:

- An internal locking mechanism operated by means of a key, combination lock or other similar mechanism (e.g. keypad, pin number etc), or
- A hasp and staple, or similar, and fitted with a padlock.

Ammunition must be stored separately to the firearms. A separate locked cabinet within the safe, strongroom or vault is acceptable.

Where are the registers kept?

The registers must be kept in a place of safe keeping, on the premises, (separate from firearms safe keeping) and be kept indefinitely.

When can police inspect firearms, safe keeping & storage?

At application, re-application or at any reasonable time.

Clause 49 of the Regulation provides for inspection by police of firearms at the premises to which the licence relates, at any reasonable time.

Section 19 (2)(c) of the Act provides for inspection of the storage and safe keeping arrangements of a firearms dealer at any reasonable time.

'Any reasonable time' would be considered to be during business hours or when the dealer or authorised employee is on the premises. No prior written notification is required. A licensee must make all reasonable efforts to accommodate any reasonable request by police to inspect your safe storage and safe keeping facilities - clause 37 of the Regulation.

Section 45 (6) of the Act provides for the register, all firearms and firearm parts to be produced on demand by police at any time and requires any information to be produced to police with respect to any firearm or firearm part either in possession, manufactured, purchased, received, sold or transferred under the authority of the firearms dealer licence.

Is there a fee for inspection?

No prescribed fee is payable for an inspection.