



NSW Police Force  
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## LEGISLATIVE REQUIREMENTS FIREARMS LICENCE HOLDER

*Firearms Act 1996 & Firearms Regulation 2017*

### **Authority**

The licensee is authorised to possess and use a registered firearm of the kind to which the licence applies, but only in connection with the purpose established by the licensee as the genuine reason for possessing or using the firearm.

The licensee is authorised to possess a firearm of the kind to which the licence applies for the purpose of taking it to a licensed firearms dealer to sell it or have it altered, maintained, tested or repaired and subsequently retrieving it from the dealer.

The licensee is authorised to possess a firearm of the kind to which the licence applies for the purpose of taking it to a police officer for surrender or to have it inspected and retrieving it from the police officer.

The licensee must comply with the legislative requirements of the *Firearms Act 1996* and the *Firearms Regulation 2017*.

### **Legislative Requirements:**

1. The licensee must comply with the relevant safe keeping and storage requirements prescribed by Part 4 of the *Firearms Act 1996* in relation to any firearm to which the licence relates.

The licensee may only store a firearm in an inhabited dwelling or in a dwelling where the licensee, or someone on their behalf, can easily observe the premises where the firearm is stored. An inhabited dwelling is a person's principal place of residence, where the licensee may or may not also live, or where a person lives while the firearm is stored there.

If a licensee stores their firearms in a place other than an inhabited dwelling, they can do so provided the following safe storage requirements are met or exceeded:

All firearms must be –

- stored in a safe of an approved type, and
- fitted with a trigger or barrel lock that prevents the firearm from being discharged, and
- secured individually on, or in, a locked device within the safe.

The safe must be fitted with an alarm of an approved type that is monitored off-site.

The premises on which the firearm is stored must have an intruder alarm and duress facilities that are monitored offsite and are of an approved type.

- Refer clause 28B of the *Firearms Regulation 2017*.

2. The licensee must not allow any person to possess or use any firearm in the licence holder's possession if that person is not authorised to possess or use the firearm.

3. Where a person comes into possession of a firearm that they are not authorised to possess, the person must immediately surrender the firearm to police.
4. The licensee must allow inspection by a police officer or an authorised officer of the facilities for storage and safe keeping of the firearms in possession of the licensee at a mutually agreed time, or in the case of an authorised firearms dealer or authorised theatrical armourer, at any reasonable time. A licensee must make all reasonable efforts to accommodate any reasonable request to inspect your safe storage arrangements – clause 37 of the *Firearms Regulation 2017*.
5. Upon service of a notice on the licensee, the holder of any category C, category D, category H, or firearms collector licence must produce any prohibited firearm or pistol to which the licence applies (other than those rendered permanently inoperable in accordance with clause 34), including any spare barrel capable of taking and discharging ammunition for the firearm, for inspection by a police officer or other authorised person.
6. The licensee must ensure that any certificate of inspection, issued by the police officer or other authorised person in relation to the inspection of firearms as described above and in accordance with clause 150 of the *Firearms Regulation 2017*, is provided to the Commissioner.
7. A person carrying a firearm, or in possession of a firearm in the immediate vicinity, must produce for inspection the firearm and any licence that authorises the person to possess the firearm upon demand of a police officer.
8. If the licensee does not have the licence in their immediate possession they must provide their full name and residential address to the officer and produce the licence within 6 hours of the demand to the officer, or to another person nominated by that officer.
9. To acquire any firearm a person must be authorised by a licence and a permit to acquire and the transaction must be conducted by a licensed firearms dealer (or in prescribed cases by a police officer).
10. Within seven (7) days of the acquisition of a firearm, the licensee (other than a licensed firearms dealer) must notify the Commissioner of:
  - (a) The date of acquisition,
  - (b) The name and address of the person from whom the firearm was acquired,
  - (c) The make, the model and serial number of the firearm,
  - (d) The identifying number of any spare barrel for the firearm, and
  - (e) The licence and permit to acquire number of the buyer.
11. Any advertisement for the supply of a firearm or firearm part must include the licence or permit number of the supplier.
12. A firearm or firearm barrel must not be sent by mail to an address in New South Wales except where the delivery is made in person to a licensed firearms dealer from another licensed firearms dealer.
13. A firearm or firearm barrel must not be received by mail at an address in New South Wales except where the delivery is made in person from a licensed firearms dealer to another licensed firearms dealer.

14. A firearm or firearm barrel must not be sent outside New South Wales by mail except where the delivery is made in person to an appropriately licensed firearms dealer from a New South Wales licensed firearms dealer.
15. The licensee must notify the Commissioner in writing within fourteen (14) days if the genuine reason for the issue of the licence can no longer be established.
16. The licensee must notify the Commissioner in writing within seven (7) days of any change of residential address.
17. The licensee must notify the Commissioner, in writing within fourteen (14) days of any change of safe storage facilities and/or location of firearms.
18. Within fourteen (14) days of acquiring any firearm the licensee must notify the Commissioner in writing of the address where the firearm is being kept and the arrangements for safe keeping and storage of the firearm for compliance with the requirements of the *Firearms Act 1996* and the *Firearms Regulation 2017*.
19. The licensee must notify the Commissioner in writing within fourteen (14) days of any change of details or circumstances which may affect the terms of the licence (eg name of the licence holder).
20. If any firearm registered in the licence holder's name is lost, stolen or sold, the licence holder must immediately notify police and within seven (7) days notify the Commissioner in writing of the fact.
21. The licensee must notify the Commissioner in writing within 14 days if the licence is lost, stolen, destroyed, defaced or mutilated.
22. A person in whose name a firearm is registered must notify the Commissioner in writing of the change of address within fourteen (14) days of becoming a permanent resident of another State or Territory.
23. The licensee must immediately surrender the licence and any firearms in their possession to police upon suspension, revocation or whenever the licence otherwise ceases to be in force.
24. The licence is not transferable.