



NSW Police Force
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FIREARMS REGISTRY

Firearms Dealer - Legislative Requirements Registers and Reporting

DEALERS

All persons holding a firearms licence in NSW must comply with specific requirements as outlined in the *Firearms Act 1996* and the associated Regulation.

This FACT sheet provides information on the legislative requirements for the keeping of registers and reporting requirements for Firearms Dealers.

What are the legislative requirements for the keeping of registers by firearms dealers?

Record Keeping

- * The firearms dealer must maintain a record of all transactions and dealings concerning firearms and firearm parts to which the firearms dealer licence relates and a record of the acquisition and supply of ammunition by the firearms dealer - sections 45(1)(a) & 45A(1) of the *Firearms Act 1996* (the Act).
- * Any record kept must be kept in a form approved by the Commissioner - sections 45(4) & 45A(5) of the Act.
- * Records relating to a transaction or dealing concerning a firearm, a spare barrel for a firearm, a firearm frame or a firearm receiver are to be sent to the Commissioner - section 45(1)(b) of the Act and must be sent within seven (7) days of being made and may be sent to the Commissioner by electronic means - clause 45 of the *Firearms Regulation 2017* (the Regulation).
- * Records of transactions or dealings concerning firearms or firearms parts where a firearm does not require registration, or where the firearm or firearm part has not changed ownership are not required to be sent to the Commissioner - section 45(1A) of the Act. However, these transactions must still be recorded by the dealership - section 45(1B) and are included in the quarterly returns.
- * Each record relating to the transaction or dealing concerning the acquisition, receipt, supply or transfer of a firearm, firearm frame, firearm receiver or supply or acquisition of ammunition must be recorded within 24 hours of being made - sections 45(3) & 45A(4) of the Act.
- * Any alteration to entries made must be made by strikeout or interlineation, not by erasure - sections 45(7) and 45A(8) of the Act.
- * If the firearms dealer ceases to hold the licence, the former dealer must provide the Commissioner with a record of all transactions during the 2 years immediately preceding the date on which the licence ceased to be in force - sections 45(5) & 45A(6) of the Act.
- * The dealer must supply the Commissioner with particulars relating to the acquisition, disposal, possession or any dealing or transaction by the dealer involving a firearm or firearm parts. Notice must be served in writing on the dealer by the Commissioner and may state the timeframe for supply of information - section 47(2) of the Act.
- * On demand made by a police officer at any time, the firearms dealer must produce the register of firearms and the register of ammunition acquisition and supply and allow the police officer to inspect and make copies of any entries in the register - sections 45(6) & 45A(7) of the Act.
- * The dealer must ensure that each record required by the *Firearms Act 1996* to be kept, is stored in a place of safe keeping, on the premises specified on the licence, separate from the place of safe keeping where firearms are kept - section 47(4) of the Act.

Registers - Firearms

The following particulars must be recorded for each acquisition, receipt, supply or transfer of a firearm or firearms part by the dealer - section 45(2) of the Act:

1. The name and address of the other person, and
2. The licence or permit number of the other person authorising the possession of the firearm or firearm part, and
3. The permit to acquire number of the other person, and
4. The dates of the initial acquisition, receipt, supply or transfer of the firearm or firearm part by the dealer, and
5. The name and address of the person initially giving possession of the firearm or firearm part to the dealer, and
6. The date the firearm or firearm part was supplied or transferred out of the possession of the dealer, including the make, serial number, calibre, type, action and magazine capacity (if any).

Registers - Supply of Ammunition - 4 March 2013

The following particulars must be recorded for each supply of ammunition by a firearms dealer - section 45A(2) of the Act:

1. The name and address of the person (the buyer) to whom the ammunition was supplied, and
2. The number of the buyer's licence or permit for a firearm that takes that ammunition, or for a permit that authorises the buyer to acquire the ammunition, and

From 8 April 2013

3. In the case of ammunition that is subject to the requirements of section 65A of the Act, the number of the relevant notice of registration for a firearm or permit to acquire a firearm that was seen by the dealer at the time of supply, and
4. In the case of the supply of ammunition by a club armourer to a member of shooting club for use in a club firearm, the number of the relevant notice of registration for the club firearm.

Registers - Acquisition of Ammunition

Acquisition of ammunition must record the name and address of the person from whom the ammunition was acquired - section 45A(3) of the Act.

Firearms Dealer - Registers and Reporting

[Quarterly Returns](#)

- * The dealer must, as a minimum submit a quarterly return of all recorded transactions or dealings concerning firearms or firearm parts to the Commissioner - section 46(1) of the Act.
- * The quarterly return must be submitted within fourteen (14) days after the end of the months of March, June, September and December each year - section 46(1) of the Act.
- * The dealer must also submit a return to the Commissioner if the firearms dealer licence is cancelled, revoked or expires - section 45(5) of the Act.

[Inspection](#)

The licensee must allow inspection by a police officer of the safe keeping & storage arrangements - section 19(2) of the Act, the registers - sections 45(6) & 45A(7) of the Act and the firearms in possession of the firearms dealer at any reasonable time - clause 49 of the Regulation.

The dealer must comply with any such requirement to 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 on the part of the dealer - sections 45(6) & 45A(7) of the Act.

What is considered to be 'any reasonable time'?

'Any reasonable time' would be considered to be during business hours or when the dealer is on the premises. Prior written notification is not required.

Do police have the authority to seize firearms not kept safely?

Yes - section 42 of the *Firearms Act 1996* provides that a police officer must seize any firearm or ammunition that they have reasonable cause to believe is not being kept in accordance with Part 4 of the Act.

What about the use of mail for sending and receiving firearms or firearm parts?

No firearm or firearm barrel may be sent to an address in NSW by mail - section 52(1) of the Act.

No firearm or firearm barrel may be received by mail to an address in NSW - section 52(2) of the Act.

It is an offence for a person to direct or request another person, whether that person is within or outside NSW, to send a firearm or firearm barrel by mail to an address in NSW - section 52(3) of the Act.

If a person accepts an offer made by another person, whether the person is within or outside NSW, to forward a firearm or firearm barrel by mail to an address in NSW, the person accepting the offer is deemed to have made a request, which is an offence under section 52(3) & 52(4) of the Act.

What about the use of mail by a firearms dealer?

A licensed firearms dealer may send firearms or firearm parts by registered mail to or receive them from another licensed firearms dealer in NSW or Interstate - sections 52(4A) & 52(4B) of the Act.

How may firearms be delivered to a dealer in NSW?

Firearms may be delivered to a NSW firearms dealer by:

- * Another licensed NSW or Interstate firearms dealer, by a form of mail requiring delivery in person (registered mail), or
- * A person responsible for the security of the firearm during delivery - section 55 of the Act, or
- * By a commercial courier - section 56 of the Act.

The commercial transporter of firearms must comply with the security requirements of clause 147 of the Regulation:

- * The firearm must be stored in a secured locked container which is secured to the vehicle, or
- * The firearm must be stored in a locked compartment within the vehicle.

All reasonable precautions must be taken to ensure the firearm is not lost or stolen during delivery. At no time should the firearm be able to be seen while it is being conveyed.

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.

Firearms Registry

Address

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Parramatta NSW 2124

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1300 362 562

Interstate

02 66708590

Fax

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Email

dealers@police.nsw.gov.au
OR
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Website

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