

# FIREARMS REGISTRY

## Schedule 1 Prohibited Firearms

### Safe Storage Levels 1, 2 & 3

All persons who possess firearms in NSW must comply with the safe keeping and storage requirements as prescribed by the Firearms Act 1996, associated Regulation and as recommended by the Commissioner of Police.

This FACT sheet provides information on the safe keeping and storage requirements for prohibited firearms.

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

All licence holders in NSW 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.

Licensees who store their firearms at residential premises are restricted to premises that are the principal place of residence of a person (whether or not that person is the licensee), OR residential premises where a person is residing while the firearms are stored there (whether or not that person is the licensee). In addition, if the firearms are stored in a building or structure that is separate from the residential premises, that building or structure must be easily observed from the residential premises - refer clause 38 of the *Firearms Regulation 2017*.

#### **What are prohibited firearms?**

A prohibited firearm is any firearm described in Schedule 1 of the Act (see overleaf). In addition, an imitation of any prohibited firearm is considered to be a prohibited firearm for the purpose of safe storage, as prescribed by section 4D(2) (b) of the Act.

Any authority to possess prohibited firearms will be issued subject to the condition that the licence or permit holder stores the firearms in accordance with the levels of safe storage recommended by the Commissioner of Police.

#### **What are the requirements for safe storage of prohibited firearms?**

Prohibited firearms are subject to Levels 1, 2 or 3 safe storage, with level 3 safe storage being the highest level.

The Commissioner has determined which of the three safe storage levels applies to each prohibited firearm listed in Schedule 1 of the Act and these levels can be found on the reverse side of this FACT Sheet.

Any variation from the recommended minimum requirements of safe storage for prohibited firearms must be approved in writing by the Commissioner.

#### **What is Level 1 safe storage?**

Level 1 safe storage requirements are outlined in section 40 of the Act and can be found in detail in the FACT Sheet 'Safe Storage Level 1' found on the Safe Storage page on the Firearms Registry Internet site.

#### **What is Level 2 safe storage?**

Level 2 safe storage requirements are outlined in section 41 of the Act and can be found in detail in the FACT Sheet 'Safe Storage Level 2' found on the Safe Storage page on the Firearms Registry Internet site.

#### **What is Level 3 safe storage?**

Level 3 safe storage requirements for prohibited weapons are prescribed in the *Weapons Prohibition Act 1998* and the Commissioner has determined that certain prohibited firearms should be stored in the same manner as level 3 prohibited weapons. Level 3 prohibited weapon safe storage requires weapons must be kept in a secure room.

#### **What are the requirements for the secure room for certain prohibited firearms?**

Minimum requirements for the safe keeping and storage of prohibited firearms is as follows:

- \* The area or room where the prohibited firearms are stored must be part of a permanent building with secure locks on all entrances.
- \* The area or room must have solid walls that provide a substantial barrier to forced entry.
- \* Any window or roof skylight in the area or room must be covered with a security grill or screen.
- \* Doors leading into the area or room must be made of solid material or be reinforced by steel.
- \* Each door must be fitted with a 'dead latch' type lock, or be fitted with a hasp/barrel bolt and padlock.
- \* Door hinges must be concealed or the hinge pins must be welded to prevent them from being punched out.
- \* The firearm must be stored in the area or room in a locked steel safe of a type approved by the Commissioner and that cannot be easily penetrated.
- \* The safe must be bolted to the structure of the area or room where the prohibited firearms are authorised to be kept.
- \* Ammunition for any firearm must not be kept in the area or room in which the firearms are stored, unless the ammunition is stored in a separate locked container.

#### **What other requirements must be met?**

If firearms are to be displayed outside of their locked containers at any time, the licence holder must be physically present in the area or room at that time.

## Level Schedule 1 Prohibited Firearms

- 3 1. Any machine gun, sub-machine gun or other firearm capable of propelling projectiles in rapid succession during one pressure of the trigger.
- 2 2. Any self-loading rimfire rifle (including any such firearm described elsewhere in this Schedule).
- 2 3. Any self-loading centre-fire rifle (including any such firearm described elsewhere in this Schedule).
- 2 4. Any self-loading or pump action shotgun (including any such firearm described elsewhere in this Schedule).
- 2 4A. Any lever action shotgun with a magazine capacity of more than 5 rounds (including any such firearm described elsewhere in this Schedule).
- 3 5. Any self-loading centre-fire rifle of a kind that is designed or adapted for military purposes.
- 3 6. Any self-loading shotgun of a kind that is designed or adapted for military purposes.
- 3 7. Any firearm that substantially duplicates in appearance (regardless of calibre or manner of operation) a firearm referred to in item 1, 5 or 6.
- 3 8. A firearm, not being a pistol, of the Uberti or Armi-Jager brands, or any similar firearm fitted with a revolving ammunition cylinder (other than a firearm manufactured before 1920).
- 3 9. A shotgun fitted with or designed to be fitted with a drum magazine of the "Striker 12" assault shotgun type or any similar weapon.
- 3 10. Any firearm to which there is attached any article or device capable of muffling, reducing or stopping the noise created by firing the firearm.
- 3 11. A firearm, not being a pistol, fitted with a stock that is specially designed so as to be readily detachable, or to operate on a swivel, folding or telescopic basis.
- 2 12. A firearm made up in the form of a stylographic or propelling pen or pencil, capable of being used for the discharge of gas, bullets, shot, dye or pyrotechnic flares.
- 1 Pump  
2 Semi Auto  
2 Pistol 13. A firearm capable of discharging by any means:  
(a) any irritant matter in liquid, powder, gas or chemical form, or  
(b) any pyrotechnic flare or dye.
- 1 14. A firearm that:  
(a) substantially duplicates in appearance some other article (such as a walking stick, walking cane or key ring), and  
(b) disguises or conceals the fact that it is a firearm.
- Secured by chain and padlock in locked structure  
2 15. A cannon or other weapon by whatever name known of a type which will expel a projectile by the action of an explosive or other propellant, and which has a barrel with a bore in excess of 10 gauge, not being a firearm of the Very or rocket type designed and intended for use for life saving or distress signalling purposes, an antique muzzle loading firearm, or a rifle or shotgun manufactured before 1920.
- 2 16. Any firearm which, or part of which, has a dimension less than the minimum dimension prescribed for the firearm or part by the regulations.
17. Omitted.
- 1 18. Any device known as a "powerhead" that can be attached to the end of a spear gun and that is designed to propel a projectile by means of an explosive.

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### 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](http://www.legislation.nsw.gov.au).



**NSW Police Force**  
[www.police.nsw.gov.au](http://www.police.nsw.gov.au)