



NSW Police Force
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Safe Storage Level Seven - Prohibited Weapons Dealer & Theatrical Armourer - Display & Registers

Level 7

All persons possessing prohibited weapons in NSW must comply with the safe storage requirements as prescribed by the *Weapons Prohibition Act 1998* and as recommended by the Commissioner of Police.

This FACT sheet provides information on the requirements, as prescribed by the legislation and as approved by the Commissioner of Police, for display and registers for Prohibited Weapon Dealers & Theatrical Armourers.

There are general requirements for the safe keeping of weapons. What are these requirements?

All persons who are authorised by a permit to possess prohibited weapons in NSW are subject to the general requirement for safe keeping of weapons - section 32A of the *Weapons Prohibition Act 1998* (the Act).

Any person possessing a weapon must take all reasonable precautions to ensure the weapon is kept safely, is not lost or stolen and does not come into the possession of an unauthorised person.

What requirements must be met for displayed weapons?

Section 22 of the Act prescribes that weapons on display must be secured in such a manner as would reasonably prevent their removal, except by the dealer, armourer or an authorised employee.

Any weapons on display must be under the immediate supervision and control of the dealer, armourer or employee of the dealer or armourer - section 22(2)(a) of the Act.

No weapons can be displayed unless reasonable precautions have been taken to secure the weapons and prevent them from being stolen - section 22(2)(b) of the Act.

The Commissioner of Police has determined the following as reasonable precautions for the display of prohibited weapons.

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 has 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.

Display racks

Any rack used for display of prohibited weapons should be of solid construction - either metal or timber.

Weapons displayed within the rack must be secured to prevent removal by:

- * Plastic coated flexible steel cable, no less than 4mm passing through the weapon and secured to the wall; or
- * Chain of equivalent strength passing through the weapon 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 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 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.

What about security of weapons after hours?

Weapons must be secured in a manner to prevent their removal except by the dealer/armourer or authorised employee - section 22(1) of the Act.

In addition, clauses 30 and 35 of the *Weapons Prohibition Regulation 2017* (the Regulation) provide that adequate provisions for safe keeping must be provided for prohibited weapons by means of safes, strongrooms or otherwise and the premises must be secured against unauthorised entry.

What about registers?

Section 20A of the Act requires an authorised weapons dealer or an authorised theatrical weapons armourer within 24 hours of the sale of a prohibited weapon to record:

- * The name, address and permit number of the other person authorising possession of the prohibited weapon, and
- * The date of the sale, and
- * The description of the prohibited weapon sold, and
- * The serial number or identifier of any military-style weapon sold.

Entries must be made in the registers within 24 hours of a sale occurring. The registers must be kept in a place of safe keeping (separate from the weapons safe keeping).

Section 20A(5) of the Act prescribes that any record made or any prohibited weapon in possession of the authorised weapons dealer or authorised theatrical armourer must be produced on demand by police at any time.

Information must be furnished to police with respect to any prohibited weapon that has been manufactured, purchased or received under the authority of the weapons dealer or theatrical weapons armourer permit - section 20A(5)(c) of the Act.

Theatrical weapons armourers must also keep a register as provided by clause 37 of the Regulation with particulars of:

- * The type and number of prohibited weapons authorised by the permit,
- * The name of each person authorised to possess and use any such weapon,
- * The periods of time each person had possession or use of the weapon,
- * The periods for which any such weapon was removed from safe storage.

The register must be kept for a minimum of 3 years, must be kept in a place of safe keeping and must be immediately produced to a police officer upon demand- clauses 37(b), 37(c) & 37(d) of the Regulation.

When can police inspect weapons, safe keeping & storage?

Police may inspect safe keeping and storage at application, re-application or at any reasonable time.

Clause 12(2) of the Regulation provides for inspection by a police officer of the proposed safe storage site prior to issue of a permit.

Section 14 (2)(b) of the Act provides for inspection of the storage and safe keeping arrangements of a prohibited weapons dealer/armourer at any reasonable time.

Any reasonable time would be considered to be during business hours or when the dealer, armourer or authorised employee is on the premises. No prior written notification is required.

Is there a fee for inspection?

Yes - A prescribed fee of \$100 is payable, upon request, to police conducting an inspection on the premises or the storage and safe keeping facilities for prohibited weapons.

RELATED INFORMATION

See **FACT Sheets:**

'Safe Storage Prohibited Weapons Dealers & Armourers - Premises and Safes'.

Where can I find more information?

The information provided in the FACT Sheet is for general guidance only. Applicants and permit holders should familiarise themselves with the *Weapons Prohibition Act 1998* and the associated Regulation, which are available on the NSW Legislation website - www.legislation.nsw.gov.au.

Firearms Registry

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NSW Police Force
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