

FIREARMS REGISTRY

Exemption Notification - Posted to NSW from Other Jurisdictions

This FACT sheet provides information about an exemption for an interstate licence holder who resides in NSW as a result of being posted to a position in NSW or is required to reside in NSW as a condition of employment.

Clause 125 of the *Firearms Regulation 2017* refers.

What is the exemption and what does it cover?

Interstate firearm licence holders who move to NSW permanently are required to obtain a NSW firearm licence if they wish to continue to possess and use firearms - sections 7 and 7A of the *Firearms Act 1996* (the Act) refers.

However, a person who holds an interstate licence and who is a resident in NSW as a result of being posted to a position in this State or is required to reside in NSW as a condition of their employment, is exempt from the requirement to be authorised to possess or use a firearm of a kind to which a corresponding NSW licence applies, but only for the following purposes:

- a) any genuine reason established by the licensee (for the purposes of the interstate licence) for possessing or using a firearm;
- b) supervising a person who, in accordance with section 6B(1)(a) of the Act, possesses or uses a firearm at an approved shooting range.

NOTE:

- * Corresponding NSW licence means a category A, category B or category H licence that is equivalent to the interstate licence the person holds.
- * An interstate licence means a licence issued under the law of another State or Territory that is equivalent to a category A, category B or category H licence under the Act.
- * A person who is a resident of another State or Territory does not commit an offence under section 36(4) of the Act of possessing or using an unregistered firearm if the firearm is registered under a law in force in that other State or Territory.

What conditions apply?

You must notify the NSW Firearms Registry within 30 days after becoming a resident of NSW and you must remain the holder of a valid interstate firearm licence for the period of your deployment to NSW. You are not eligible for the benefit of this exemption unless you provide notification to the NSW Firearms Registry, in writing or in such other manner as may be approved, within 30 days after becoming a resident of NSW.

If your interstate firearm licence is suspended or revoked or expires, the authority conferred by clause 125 of the *Firearms Regulation 2017* (the Regulation) ceases.

What notification is required?

Complete the 'Exemption Notification - Posted to NSW from Other Jurisdictions' form including:

- * Your Interstate firearms licence number plus details of authorised firearm category/s and genuine reason/s
- * The number of firearms you will be storing in NSW
- * Personal information and contact details
- * NSW residential address and mailing address
- * NSW safe keeping address for your firearms.

Details of each firearm being stored in NSW can be provided on the separate 'Firearms in Possession of Persons Posted to NSW' form. Both forms are available on the 'Interstate' page of the Firearms Registry website.

NOTE: A designated officer of your company/corporation/department must complete the Employer Declaration section of the 'Exemption Notification - Posted to NSW from Other Jurisdictions' form confirming your posting and the period of deployment.

Do I need to notify the Firearms Registry in my home State or Territory?

You should seek advice from the Firearms Registry in your home State or Territory regarding what notification they require. Because this exemption is only afforded while your interstate firearm licence remains valid, you should make arrangements for the delivery of licence renewal documents if your licence comes up for renewal while you are posted to NSW.

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What if my situation changes during the period I am posted interstate?

If there is a change to your situation during the period of being posted to NSW, contact the NSW Firearms Registry and provide details of the change. For example, if there's a change to your NSW address or the period of being posted, this information needs to be updated on your file with the NSW Firearms Registry.

Safe keeping of firearms

Firearms registered to your interstate firearms licence and being stored in NSW must comply with the safe keeping requirements of Part 4 of the Act.

In addition, clause 38 of the Regulations specifies that firearms must be stored at residential premises that are the principal place of residence of a person or a person is residing at the premises when the firearm is 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.

The level of safe storage applicable is dependent on the type of firearms for which you are authorised - further information is available on the 'Safe Storage' page on our website.

You must either provide details of each firearm you will be storing in NSW on the 'Firearms in Possession of Persons Posted to NSW' form or provide a copy of the Interstate Firearm Registration Certificate for each firearm.

Security Guards

Please contact the Security Firearms Unit, Firearms Registry on 1300 362 562 or email frsec@police.nsw.gov.au for further information.

[Related Information](#) -

'Exemption Notification-Posted to NSW from Other Jurisdictions' Form,
'Firearms in Possession of Persons Posted to NSW' Form,
'Safe Storage Level One - Category A and B Requirements',
'Safe Storage Level Two - Category C, D and H' Requirements',

[Checklist](#)

Please ensure you complete:

- Exemption Notification-Posted to NSW from Other Jurisdictions Form
- Employer Declaration
- Firearms in Possession of Persons Posted to NSW Form
- Safe keeping arrangements for your firearms in NSW

Firearms Registry

Address

Locked Bag 5102
Parramatta NSW 2124

Telephone

1300 362 562

Interstate

02 66708590

Fax

02 66708558

Email

firearmsenq@police.nsw.gov.au

Website

www.police.nsw.gov.au/firearms

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.



NSW Police Force
www.police.nsw.gov.au