



NSW Police Force  
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# FIREARMS REGISTRY

## Firearms Dealer - General Legislative Requirements

DEALERS

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

This FACT sheet provides information on these legislative requirements for Firearms Dealers.

### ***What is a Firearms Dealers licence?***

A firearms dealer licence authorises the licence holder, and any employee authorised in writing by the Commissioner of Police by an employee authority, to possess, manufacture, convert, acquire, supply, repair, maintain or test firearms, in the licence holder's capacity as a firearms dealer, **ONLY** for the category of the firearms specified on the licence **AND ONLY** at the premises specified on the licence.

The authority of a firearms dealer licence extends to an employee despite the employee being under the age of 18 years but only if the employee is supervised by the firearms dealer or by another employee who is over the age of 18 years.

The firearms dealer is also authorised to possess, manufacture, acquire or supply ammunition for the categories of firearms specified on the licence.

The firearms dealer licence also authorises test firing of firearms on an approved shooting range under the supervision of the range approval holder.

### ***What are the general legislative requirements for firearms dealers?***

- \* The licence holder (the dealer) must sign the licence upon receipt - section 18(2)(b) & (3) of the Act.
- \* The firearms dealer licence cannot be transferred to another person. Any change of licence holder must be made by making a new application - section 19(2)(e) of the Act.
- \* The dealer must carry on the business of a firearms dealer exclusively at the premises specified on the licence - section 8 of the Act - 'Authority conferred by firearms dealer licence'. Any change of premises to which the licence relates must be made by application to the Commissioner of Police - clause 44 of the Regulation.
- \* The dealer must notify the Commissioner of Police in writing within fourteen (14) days if the genuine reason for having the licence ceases to exist - clause 15(1) of the Regulation.
- \* The dealer must ensure that no unauthorised person is allowed to possess and use a firearm in the licensee's possession - section 19(2)(b) of the Act.
- \* The dealer must take all reasonable precautions to ensure that any firearm in their possession is safely kept, that it is not stolen or lost and that it does not come into the possession of an unauthorised person section 39(1) of the Act.
- \* The dealer is authorised to carry on the business of a firearms dealer only for the types of firearms specified on the licence - section 8 of the Act - 'Authority conferred by firearms dealer licence'.
- \* Each firearm in the dealer's possession must have a label affixed showing the register entry number and the serial & registration number of the firearm - section 47(1) of the Act.
- \* All firearms supplied as a stock order to the firearms dealer must be checked by the dealer upon receipt. Any firearms missing from the order must be reported to the Commissioner within 24 hours of delivery - clause 48 of the Regulation.
- \* The dealer must notify the Commissioner of Police in writing, or in such other manner as may be approved, within seven (7) days of acquisition if any firearm or spare barrel for the firearm, capable of taking and discharging ammunition, is not numbered or is not numbered clearly - clause 51 of the Regulation.
- \* The dealer must not take possession of a firearm for the purpose of maintaining or repairing it unless the current licence and current registration certificate (in the case of a firearm which requires registration) has been sighted by the dealer - section 47(5)(a) & (b).
- \* The dealer must not maintain or repair any firearm that is not registered - section 47(6) of the Act. Note: this does not apply if the firearm is exempt from the registration requirements - section 47(6A) of the Act.
- \* Any advertisement relating to the business of the firearms dealer must include and display the firearms licence number of the dealer's licence - clause 50 of the Regulation.
- \* Any advertisement for the supply of a firearm must include the licence or permit number of the seller clause 145 of the Regulation.
- \* The dealer must notify the Commissioner in writing, or in such other manner as may be approved, within 14 days of any change of details or circumstances which may affect the terms of the firearms dealer licence, or if the licence is lost, stolen or destroyed - clauses 13 and 16 of the Regulation.
- \* The dealer must notify the Commissioner in writing within 24 hours if a firearm or firearm part is lost, stolen or destroyed - section 47(3) of the Act.
- \* A firearms dealer who conducts business at retail premises open to the public must obtain and maintain public liability insurance, being a policy that provides for cover for an amount of not less than \$10,000,000 - clause 43 of the Regulation..

### ***Display***

- \* The dealer must ensure that any firearm on display is at all times under the immediate supervision and control of the dealer or an employee of the dealer - section 48(2)(a) of the Act.
- \* No firearms may be displayed unless reasonable precautions are taken to prevent it from being stolen - section 48(2)(b) of the Act.
- \* Any firearms displayed on the dealer's premises must be secured in a manner to prevent their removal other than by the dealer or employee of the dealer - S 48(1) of the Act.

# Firearms Dealer - General Legislative Requirements

## Reasonable Precautions

Reasonable precautions for safe keeping & storage, display of firearms and ammunition, safe keeping of registers & requirements for the premises of a firearms dealer, as approved by the Commissioner of Police (COP), are outlined in detail in the FACT Sheets 'Firearms Dealer Safe Storage - Display & Registers' & 'Firearms Dealer Safe Storage - Premises & Safes'.

## Ammunition

- \* The dealer may only possess ammunition corresponding to the type of firearm specified on the licence - section 8 of the Act - 'Authority conferred by firearms dealer licence'.
- \* Ammunition must be stored in a restricted area that is not easily accessible by the public - clause 47 of the Regulation - see also FACT Sheet 'Firearms Dealer Safe Storage - Display and Registers'.

## Ammunition Supply

Sections 65 & 65A of the Act prescribe that ammunition for a firearm may only be supplied by a firearms dealer to a person who produces to the dealer at the time of the supply:

- 1) A current firearms licence or permit in their name, issued in NSW or by an interstate authority, which authorises possession of a firearm of the type that takes the ammunition being acquired, and
- 2) A registration certificate in their name, issued in NSW or by an interstate authority for a firearm that takes that type of ammunition, or
- 3) A permit to acquire in their name for a firearm that takes that type of ammunition.

Where the person wishes to acquire ammunition, but does not have any firearms registered in their name, that person must produce an 'Ammunition Permit' authorising them to acquire and possess the ammunition and issued under the provisions of clause 75 of the Regulation..

## 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 - clause 49 of the Regulation.
- \* The dealer must 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 made by the dealer - section 45(6) of the Act.

## Close Associates

- \* The application for a firearms dealer licence must include the name and address of each person who is a close associate of the applicant and specify the nature of the association with the applicant - section 44(1) of the Act.
- \* The dealer must notify the COP in writing within seven (7) days if there is any change in the close associates of the firearms dealer - section 44(2) of the Act.
- \* The dealer must supply information in writing to the COP, upon request, concerning the management of the firearms dealer business or the close associates of the business - section 44(3) of the Act.
- \* The dealer must not allow prescribed persons, as described in section 44A (3) of the Act to be employed, act as an agent or participate in the management of the firearms dealer business.

## Related Information:

Please also see FACT Sheets:

- 'Firearms Dealer Legislative Requirements - Registers and Reporting'.
- 'Firearms Dealer Safe Storage - Premises and Safes'.
- 'Firearms Dealer Safe Storage - Display & Registers'.

## **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).

## Firearms Registry

### Address

Locked Bag 5102  
Parramatta NSW 2124

### Telephone

1300 362 562

### Interstate

02 66708590

### Fax

02 66709811

### Email

[dealers@police.nsw.gov.au](mailto:dealers@police.nsw.gov.au)  
OR  
[firearmsenq@police.nsw.gov.au](mailto:firearmsenq@police.nsw.gov.au)

### Website

[www.police.nsw.gov.au/firearms](http://www.police.nsw.gov.au/firearms)



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