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Surrendering Firearms & Amnesty



If you come into possession of a firearm and you are not authorised to possess it (for example, if it is unregistered or you don't have a licence of the correct category) you must **immediately surrender** the firearm to a police officer or licensed dealer (Section 109, *Firearms Act*). **You do not commit an offence by surrendering a firearm under Section 109.**

If you have possession of a firearm unlawfully (for example, if you do not have a licence or you do not have a licence of the correct category) and you voluntarily surrender the firearm at a police station, **no action will be taken against you in relation to that unauthorised possession.** (Section 129, *Firearms Act*).

Two Options for Surrendered Firearms:

- The firearm can be **permanently surrendered** – for disposal / destruction.
- The firearm can be **temporarily surrendered** – if you wish to reclaim or sell it.

	Police	Dealer
Where can the firearms be surrendered?	Yes	Yes
What can be surrendered?	Firearms (registered or unregistered), Firearm parts, Firearms licence card	Firearms (registered or unregistered), Firearm parts
Are there any limitations on what firearms can be surrendered?	No	No (However, there are some firearms that a dealer is then required to surrender to police – See <i>Information Sheet 34</i>)



	Police	Dealer
What about ammunition?	Ammunition can be surrendered to police	Ammunition is not covered in Section 109. Any ammunition you surrender to a dealer will be forwarded to Police
Could I be charged with unauthorised possession of firearms if I surrender them?	No	Not if the firearms are surrendered immediately after you come into possession of them
Can I surrender firearms without leaving my details?	Yes – unless you wish to sell or reclaim the firearms later	Yes – unless you wish to sell or reclaim the firearms later
Can I get the firearms back later if/when I'm licenced / allowed to have them?	Yes – At the time of surrender you will need to tell police if you intend to reclaim them	Yes – At the time of surrender you will need to tell the dealer if you intend to reclaim them
Can I permanently surrender the firearms?	Yes	Yes
Can I sell the firearm?	It depends on the type of firearm. You should contact Firearms Services for more information Note: Police cannot pay you for any surrendered firearms, firearm part or ammunition	It depends on the type of firearm You should contact the dealer or Firearms Services for more information

For Further Questions: Contact Firearms Services

The Process

- If possible, we ask that you telephone the police before taking any firearms, firearm parts or ammunition into a station. This is because there may be a police security response if a person comes into a police station with firearms, firearm parts or ammunition without warning.
- You can telephone police without leaving your name.
- To speak with someone at your local police station, call 131 444.
- You can request that police collect any firearm(s), firearm part or ammunition from you if you are unable or unwilling to bring them into a police station.
- When you surrender a firearm, you will be asked to complete a form which lists the items you are surrendering and states whether they are being permanently or temporarily surrendered.
- It is not mandatory for the form to be completed, but if you are permanently surrendering the firearm it will assist police in more efficiently processing the disposal/ destruction of the firearm, firearms parts and ammunition.
- Also, if you are temporarily surrendering the firearm to police because you wish to reclaim or sell it, you will need to provide your contact details to police.

Amnesty information:

- As stated above, you will not be charged if you surrender a firearm under the amnesty provisions in section 109 or 129 of the *Firearms Act* (even if you sign a form and leave your name).
- If police find you in possession of a firearm illegally (with no evidence that you were surrendering it) you could be charged with an offence under the Act. Therefore, any illegal firearms should always be surrendered voluntarily.

Other circumstances in which firearms must be surrendered

INHERITANCE

- If you inherit a firearm that is not registered you are required to surrender it to police – Section 147(1)(b), *Firearms Act*.

SURRENDERING A FIREARMS LICENCE CARD:

- If you no longer want a firearms licence you can surrender it by notifying the Commissioner in **writing**, care of Firearms Services.
- The notification needs to include your name, licence number and signature. You should also say when you want the licence to stop. If you don't specify a date, the licence will cease to have effect when the notification is received by Firearms Services.
- The notification cannot be provided to a firearms dealer instead of the Commissioner.
- It is requested that you provide your licence card with the notice.
- If you surrender your licence you are required to **immediately surrender** any firearms, ammunition, and firearm parts to which that licence relates – Section 54(3).

CANCELLED REGISTRATION

- If the registration of a firearm is cancelled and it was in your name, you must **immediately surrender** it to police – Section 79(4).

LICENCE SUSPENSION OR CANCELLATION

- If your firearms licence is suspended or cancelled, you must **immediately surrender** any firearm, ammunition, and firearm parts in your possession – Section 54(4).

