



16th March 2023

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Submission on the draft Firearms Amendment (Community Safety) Bill 2023

Having looked at the proposed changes to the Firearms Act in some detail I feel I must comment.

Some of my comments do not directly relate to the proposed amendments, but, should be addressed while these changes are proposed as they would allow smoother functioning and better clarity in the use of the Act..

Section 3

Update the definition of "pistol" to mean all handguns including revolvers.

A cut down rifle or shotgun is not a pistol but fits the current definition

Section 16

How is this proposal to be implemented?

1. Will those currently legally owning a 5 shot lever action shotgun be required to surrender their shotguns?
2. Will those currently legally owning a 5 shot lever action shotgun, if required to surrender their shotguns, be compensated at fair market price?

Given the proliferation of new generation shotgun action activation systems, this process seems redundant.

Section 29 (1) (d)

The Act requires "*has satisfactorily completed an approved firearms safety course*"

Why are Tas Tafe the only organization approved to deliver the course?

Why is recreational use treated the same as professional use? The AQF should not be applied to recreational activity.

Section 47(3)(b)

The holder of a category H licence for sport and target shooting who does not own a Cat H firearm, should be able to maintain their genuine reason for Category H by providing current proof of membership of an approved club. Currently, this provision could be interpreted that a holder of a category H license for Sport and Target Shooting must participate in a minimum of 6 matches a year, even though they don't own a Cat H firearm.

Section 104(4)

I do not believe that the Commissioner should be given this power with no check in place. The minister should be retained as an independent check. The decision on such disposal of property more rightly belongs with a Magistrate through application by the Commissioner.

Section 114

“Toy” implies something to be played with. Something of bright pink plastic replicating a science fiction style firearm such as NERF guns could be included by over zealous persons. Toy guns directly replicating a real firearm in form and colour is perhaps a better parameter

Section 118(1)

Suppressors are widely accepted and indeed mandated on target ranges overseas, with benefits to shooters of decreased hearing attenuation.

Section 118(2)(a)

Increase the capacity to 10 rounds many modern firearms are manufactured to use and come with 10 round magazines.

Section 119A

I cannot believe the stupidity of this one, there is no defence for people such as “plastic scale modellers” who replicate scale firearms. I would have thought something about life size and functional would be appropriate.

Section 129

An open amnesty allowing firearms or parts to be surrendered to a dealer for registration or disposal with no personal details having to be supplied to the dealer, would give those surrendering firearms etc far more confidence to do so. Currently unregistered firearms are more likely to be legalised. Remove (2) as a person potentially being able to legalise and sell a firearm is more likely to hand it in.

Section 148

Remove “pistol” – we see the benefit of a representative of *any* approved shooting club being able to notify the commissioner of any concern held by the club. The current wording prevents rifle shooting clubs from notifying the commissioner of concerns.

Section 151(1)

Replace subsection b with “shooting club” to cover all disciplines.

Section 155

An Exemption should be made available to those wishing to try shooting with a Prohibited Pistol. Presently the only legal way to try a Prohibited Pistol is to own it, an expensive exercise in both time and money. It seems ridiculous that there is no legal provision to “Try before you Buy”

Schedule 1(6)

This should be removed. Classifying firearms based on appearance as opposed to function is arbitrary at best and subject to abuse without recourse.

Yours sincerely

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