

Tasmanian Farmers and  
Graziers Association –  
Consultation Submission:

# ***Firearms Amendment (Community Safety)***

## ***Bill 2023***

17<sup>th</sup> March 2023



# Consultation Submission: Firearms Amendment (Community Safety) Bill 2023



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## **RE: TFGA Submission – Firearms Amendment (Community Safety) Bill 2023**

Dear Tasmania Police,

The Tasmanian Farmers and Graziers Association (TFGA) is the leading representative body for agriculture in the state. Agriculture is a key pillar to the Tasmanian economy and the TFGA is committed to ensuring that the sector remains profitable and sustainable.

The TFGA has consulted on the proposed amendments detailed in this Bill with its Wildlife, Policing and Firearms Committee – whose primary objective as a sub-Committee of the TFGA Board, is to inform the Board and operational staff on industry matters pertaining to their area of expertise.

The TFGA is grateful for the opportunity to provide feedback to the Tasmanian Government's Firearms Amendment (Community Safety) Bill 2023. We have structured a small number of areas for your consideration as follows.

### **Proposed amendments 6, 7 and 8 pertaining to the re-classification of lever action shotguns:**

The proposed reclassification of lever action shotguns as Category B firearms is acceptable, provided that it does not act as an additional obstacle to primary producers in obtaining the appropriate firearm for their requirements.

The TFGA supports the re-classification from Cat. A to Cat. B but does not support any suggestion to re-classify lever action shotguns to Category C.

### **Proposed amendment 10 pertaining to Section 104 (Conveying firearms and ammunition):**

As outlined in the Bill, proposed amendment 10 states the below:

*Section 104(4) of the Principal Act is amended by omitting "Minister" and substituting "Commissioner"*

Further, the proposed substitution of Schedule 1A to include the new item 24 referencing Section 104(1) of the Act, provides Tasmanian Police officers the authority to issue infringement notices to persons who fail to comply with the prescribed safety requirements (convey firearm or ammunition), rather than a summons to court.

As a consequence of being issued the infringement notice, under current practice, Firearm Services Tasmania automatically cancel or suspend a person's firearms license and require surrender of their firearms. By making the new offences 'police offences', they can be issued with an infringement notice, rather than being a matter to be heard in court.

Given previous experiences of some of our members regarding inconsistencies in enforcement approaches around the conveying of firearms and ammunition on properties, the TFGA does have concerns that a reduced level of Ministerial oversight (third party involvement) may have unintended or unreasonable compliance consequences for farmers going about their business.

Until such time that the Act appropriately reflects the needs of primary producers, TFGA can't support this amendment as it is currently proposed.

#### **Proposed amendment 14 pertaining to the insertion of Section 119A**

The Bill details the inclusion of section 119A, of which the TFGA holds concern regarding the proposed first subsection (119A(1)) in conjunction with interpretations from proposed Section 119A (8):

After section 119 of the Principal Act, the following section is inserted in Division 3:

#### **119A. Possession of digital blueprints for manufacture of firearms**

(1) A person is guilty of an indictable offence punishable under the Criminal Code if the person possesses a digital blueprint for the manufacture, on a 3D printer or an electronic milling machine, of a firearm, a firearm part or a firearm sound suppressor.

(8) In this section –

*digital blueprint* means –

- (a) Any type of digital, or electronic, reproduction of a technical drawing of the design of an object and
- (b) any electronic coding by the application of which an object may be manufactured

The TFGA believes a more clear and precise definition of "digital blueprint" is required. By way of example, if a person was arranging to have a firearm repaired, restored or renovated by a suitably qualified gunsmith, and in the process that person were to scan a 'technical drawing' of a firearm or firearm part, and then email that scan to another person, both the sender and the receiver could



potentially be deemed to be in possession of a 'digital blueprint', even if it could not be used on a 3D printer or electronic milling machine.

Greater clarity as to what constitutes a 'technical drawing' in proposed Section 119A(8)(a) is required, and perhaps "*possession with intent to use to unlawfully manufacture*" should be added.

TFGA recommends that this insertion receives further consideration and definition before being progressed, to ensure there are no unanticipated consequences for primary producers.

We acknowledge that the majority of the amendments proposed in this Bill are important to enhancing the safety of the broader community, including the regional and agricultural communities. However, it has remained the position of the TFGA that any amendments made to the Firearms Act 1996 should facilitate compliance without unnecessarily complicating the process or putting further impediments in the way for our members to use their firearms as a required tool of their trade.

We welcome further discussions or consultation on this submission.

Yours sincerely,

Hugh Christie  
*TFGA Chief Executive Officer*