

Note: This information sheet does not constitute legal advice and is for general information purposes only. Applicants and licensees are required to understand and comply with the Firearms Act 1996 (“the Act”) and associated Regulations, which are available on the Tasmanian legislation website – legislation.tas.gov.au. This document was prepared in August 2024 based on the relevant legislation at that time.

A person needs to have a ‘genuine reason’ to possess or use a firearm to apply for a firearms licence. The Act includes ‘fishing for commercial purposes within the meaning of the *Living Marine Resources Management Act 1995*’ as a genuine reason to possess or use a firearm. This information sheet explains how to apply for a firearms licence for the purpose of fishing for commercial purposes within the meaning of the *Living Marine Resources Management Act 1995*.

What categories of licence are available for fishing for commercial purposes within the meaning of the *Living Marine Resources Management Act 1995*?

Category A and/or Category B licences.

See Information Sheet 3 Firearms Licence Categories for more details.

To obtain a firearms licence for fishing for commercial purposes within the meaning of the *Living Marine Resources Management Act 1995*, the applicant’s activities must include:

- I. Fishing, which is defined by the Living Marine Resources Management Act 1995 to include any of the following activities (other than an activity carried out under the authority of a marine farming licence):
 - a. searching for, attempting to take, catching, taking or harvesting fish;
 - b. any other activity which may reasonably be expected to result in catching, taking or harvesting fish;
 - c. an activity under an arrangement that is necessary for an activity under paragraph a or b to occur under that arrangement.



AND

2. The fishing must be for commercial purposes. Commercial purposes is defined by the *Living Marine Resources Management Act 1995* to mean the purpose of sale, processing, manufacture, marine farming or any other purpose that is directed to gain or reward.

What documents are required to apply for a firearms licence for this purpose?

Category A:

Evidence that the applicant has a genuine reason for possessing or using a firearm for the purpose of fishing for commercial purposes within the meaning of the *Living Marine Resources Management Act 1995* is required. Relevant information is likely to include:

- A copy of any current licence and / or permit held by the applicant or the applicant's employer pursuant to the *Living Marine Resources Management Act 1995* or any other relevant Act;
- The business name and ACN / ABN of the applicant's business or the business that the applicant is employed by;
- Information in relation to the commercial fishing activities undertaken by the applicant; and
- Information in relation to the applicant's role and why the role requires the use of a firearm.

Category B:

All Category A documents plus evidence to the Commissioner's satisfaction that there is a need for the person to possess or use a Category B firearm.

Frequently asked questions:

- What does the Marine Resources Management Act 1995 define as fish?
 - See section 4 of the *Marine Resources Management Act 1995*.
- How should firearms be conveyed on a boat?
 - When the licence holder is travelling/ sailing from one place to another for the purpose of using it at the next location, they are conveying the firearm. Safety requirements for conveying firearms apply. See *Information Sheet 29 Storage – Conveying Firearms and Ammunition* for more information.

