



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 – www.legislation.tas.gov.au. This document was prepared in October 2024 based on the relevant legislation at that time.

This information sheet explains what happens when a firearms licence is suspended, including the grounds of suspension and what to do with your firearms.

The Commissioner, may suspend a licence, if satisfied that there may be grounds for cancelling a licence or if the holder of a licence becomes subject to:

- an interim restraint order,
- interim family violence order,
- recognised DVO within the meaning of the *Domestic Violence Orders (National Recognition) Act 2016*, or
- police family violence order.

The Commissioner must cancel or suspend a licence if the holder is subject to any restraint order, other than in the following circumstances when a licence is automatically cancelled:

- firearms prohibition order,
- restraint order relating to personal injury,
- family violence order, or
- recognised DVO within the meaning of the *Domestic Violence Orders (National Recognition) Act 2016*

You are not allowed to use or possess any firearm, firearm parts or ammunition specified in the licence if your licence has been suspended. You must immediately surrender any firearm, ammunition and firearm parts in your possession, and your licence to a police officer.

What happens when a licence is suspended?

- When a licence is suspended, a 'Notice of Suspension' is served on the licence holder, either by post or by a police officer. In some instances, police may attend in person to serve the notice of suspension and/or to seize any firearms, firearm parts and ammunition.
- The Notice of Suspension will state the reasons why the licence was suspended and provide guidance on what happens next.
- If a licence expires during a period of suspension, advice can be sought from Firearms Services about whether to lodge an application to renew.

- If a person's licence is suspended and they are the holder of a permit to acquire, the Commissioner may also suspend the permit by serving on the holder of the permit, a notice stating the permit is suspended and the reasons for suspending it.

Frequently asked questions (FAQ)

WILL MY LICENCE BE REINSTATED WHEN A COURT ORDER EXPIRES?

- If a licence is suspended consequent to an interim restraint order, recognised DVO, or interim family violence order, the licence is suspended for the duration of that order or such lesser period as a court may determine.
- If a licence is suspended pursuant to a restraint order (other than a firearms prohibition order, restraint order relating to personal injury, family violence order or a recognised DVO) in accordance section 51(6) of the Act a person may apply to the Commissioner for the reinstatement of their licence.

WHAT IF MY LICENCE WAS SUSPENDED FOR ANOTHER REASON?

In any other case, where a person's licence is suspended if the Commissioner is satisfied that the person remains a fit and proper person to hold a firearms licence, the person's licence and any firearms seized by police will be returned. The person may be asked to provide further information the Commissioner reasonably needs to be satisfied about the person's physical or mental health.

HOW LONG CAN A PERSON'S LICENCE BE SUSPENDED FOR?

- For such a period not exceeding 6 months as the Commissioner specifies in the notice of suspension.
- There is nothing preventing the Commissioner from issuing a further notice of suspension if the Commissioner continues to be satisfied that there may be grounds for cancelling a licence.

WHAT HAPPENS IF MY LICENCE EXPIRED DURING THE SUSPENSION?

If it is within 14 days after the expiration of the licence, a licence holder may apply to the Commissioner for renewal of the licence or otherwise a new firearms licence application must be completed.

WHEN A PERSON APPLIES TO HAVE THEIR LICENCE REINSTATED, HOW LONG DOES IT TAKE?

Not less than 28 days

CAN MY LICENCE BE SUSPENDED IF I AM CHARGED WITH NON-FIREARMS RELATED OFFENCES?

Yes, for example, your firearms licence may be suspended pending the outcome of any criminal proceedings, on the basis you may no longer be a fit and proper person to hold a firearms licence.

CAN A PERSON TRANSFER THEIR FIREARMS TO ANOTHER PERSON IF THEIR LICENCE IS SUSPENDED?

Yes, if the person has the same category of firearms licence and suitable storage required for the firearms.

- Only a Firearms Dealer can transfer the ownership of a firearm in Tasmania.
- To permanently transfer ownership of the firearms to any other person, the intended registrant will need to complete an Application for Permit to Acquire for each firearm and organise the transfer with a Firearms Dealer.
- A Firearms Dealer cannot transfer ammunition.

WHAT IF I DO NOT HAVE ANYONE TO TRANSFER OWNERSHIP TO?

If you do not have anyone to transfer the ownership of your firearm/s to, you can either permanently or temporarily surrender them to a police officer.



TASMANIA POLICE FIREARMS SERVICES

Department of Police, Fire and Emergency Management

Phone (03) 6173 2720

Email firearms.services@police.tas.gov.au

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