

FIREARMS CHANGES 2017

WHAT DO I NEED TO KNOW?

TRANSITIONING TO THE NEW FIREARMS LEGISLATION

This guide is provided to assist you in understanding how the process of transition from the *Firearms Act 1977* and *Firearms Regulations 2008* to the *Firearms Act 2015* and *Firearms Regulations 2017* will operate. You should read this guide in conjunction with the new legislation. You can also find further information on the operation and effect of the new legislation by accessing the various guides located on the SAPOL website at:

www.police.sa.gov.au/services-and-events/firearms-and-weapons

Firearms licences, firearm dealer licences and firearms permits

If you are the holder of a current firearms licence, firearm dealer licence or firearms permit on 1 July 2017, your licence or permit will remain in force until its expiry date (except if you are a licensed dealer assistant in which case it will remain in force until it expires, but no later than 1 July 2018).

Your licence or permit will continue to authorise the same categories of firearms for the same purposes of use, however it will become subject to the conditions and limitations of the equivalent licence or permit under the new Act along with any Registrar imposed conditions or limitations. If the category of licence granted to you before 1 July 2017 has changed as a result of the re-categorisation of licenses set out in Division 2 of Part 2 of the new Regulations, then when you next seek to renew the licence after 1 July 2017 it will be realigned with the relevant new categorisation.

Suspension of licences and permits

If a licence or permit previously held by you was suspended prior to 1 July 2017, the operation of that suspension remains in force after 1 July 2017.

Permits to acquire firearms

Any permit to acquire which was issued under the old Act will still be valid for the period set out in the permit.

Registration of firearms

If you are the owner of a firearm that is registered as of 1 July 2017, your registration will be maintained after 1 July 2017. You do not need to re-register previously registered firearms.

Regulation of deactivated firearms

A deactivated firearm is one the Registrar of Firearms has provided you a document certifying the firearm as deactivated after undergoing inspection by a SAPOL armourer. A firearm which has been rendered unusable is not considered deactivated until the Registrar has provided formal certification.

After 1 July 2017, a deactivated firearm in your possession must be registered to you. An application to become the licensed and registered owner of a deactivated firearm is made on a PD303 (licence) and PD306 (registration) which are both available online and need to be submitted to the Registrar at a police station along with 100 points of ID. If you are required to vary your existing licence or obtain an additional category of licence in order to possess a deactivated firearm, an application for variation can be made via a PD307 form.

If a deactivated firearm was in your possession before 1 July 2017, and you apply to become the licensed and registered owner of the firearm before 1 July 2018, you will not be liable to pay any licensing and registration fee as the owner of the firearm. However, where your deactivated firearm is linked to a licence that ordinarily attracts a renewal fee (e.g. a collector licence against which your other operable firearms are registered) the ongoing renewal fees for that licence will apply.

The usual licensing and registration fees apply to any deactivated firearm acquired by you after 1 July 2017, or any deactivated firearm possessed by you before 1 July 2017 but only registered by you after 1 July 2018.

Regulation of firearms not designed to be carried by hand

After 1 July 2017 you must be licensed to possess any firearm not designed to be carried by hand (e.g. firearm designed to be vehicle mounted) and the firearm must be registered to you, unless its calibre exceeds 19.1 millimetres and it is either rendered permanently unusable so as to be incapable of firing a projectile; or ammunition is not commercially available. This topic is detailed in a separate guide entitled *Firearms Collectors* located at www.police.sa.gov.au/services-and-events/firearms-and-weapons

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Firearm security

If you are a current firearms licence holder on 1 July 2017 and you are required to upgrade your firearm security, you will have the benefit of the transition period (12 months) until 1 July 2018 to make the necessary security upgrades.

If you are in possession of fewer than 20 firearms you may also be entitled to continue to use a Prescribed safe beyond 1 July 2017. Further information is contained in a separate guide entitled *Prescribed safes for existing licencees* located at www.police.sa.gov.au/services-and-events/firearms-and-weapons

Permits to acquire ammunition

If you hold a current and valid permit to acquire ammunition at 1 July 2017, your permit will continue to be valid after 1 July 2017 subject to all conditions and limitations of the equivalent permit or Registrar conditions under the new Act.

Recognised clubs and operators

If you were declared a recognised firearms club, commercial range or paint-ball operator before 1 July 2017, your recognition and approvals will continue after 1 July 2017 under the new Act and Regulations, subject to any conditions and limitations imposed by the legislation or the Registrar.

If you are a recognised paint-ball operator, after 1 July 2018, any person you employ who possesses or uses paint-ball firearms in your business must be an accredited paint-ball employee – refer to Regulations 88-90 of the *Firearms Regulations 2017*.

Company nominees

If you are an appointed company nominee at 1 July 2017, you will be taken to be a company's principal nominee until 1 July 2018, or until a person becomes appointed as a company nominee under the new legislation, whichever occurs first, after which the provisions of the new legislation apply.

Applications

If you have made an application for a licence, permit, registration, recognition or approval under the previous Act, which has not been determined before 1 July 2017, the application will be treated as an application made under the new Act.

Exemptions, approvals and authorisations

Any exemption, approval, authorisation or consent given to you under the previous legislation before 1 July 2017, continues to have effect for corresponding provisions of the new legislation, subject to all conditions and limitations of the equivalent exemption, etc. under the new Act and any conditions or limitations that the Registrar may impose, or had previously imposed.

Where can I find more information?

The information provided in this document is for general guidance only. Applicants and licensees should familiarise themselves with the *Firearms Act 2015* and the *Firearms Regulation 2017* which are available at www.legislation.sa.gov.au A suite of information guides on the legislative changes is provided on SAPOL's website at www.police.sa.gov.au/services-and-events/firearms-and-weapons

For further information, contact Firearms Branch via sapol.firearmsbranch@police.sa.gov.au or by telephone 7322 3346.



SOUTH AUSTRALIA POLICE
KEEPING SA SAFE



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