

FIREARMS COLLECTORS

If you are a collector of firearms and/or ammunition it is important for you to be aware of your obligations regarding possession and use of firearms in South Australia. This guide is provided to assist you in understanding the key legislative changes contained in the *Firearms Act 2015* and *Firearms Regulations 2017* which commence on 1 July 2017. You should read this guide in conjunction with all the provisions of the new legislation.

This guide does not cover new provisions affecting recognised firearms clubs that are collector clubs. You can find further information on this and 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

Regulation of deactivated firearms

A deactivated firearm is one the Registrar of Firearms has provided you with a document certifying the firearm is 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 for any licensing and registration fees 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 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. a firearm designed to be vehicle mounted) and the firearm must be registered to you, **unless** its calibre exceeds 19.1 millimetres and it has either been rendered permanently unusable so as to be incapable of firing a projectile; or is a firearm for which ammunition is not commercially available.

An application to become the licensed and registered owner of such a firearm is made on a PD303 (licence) and PD306 (registration). Both forms are 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 firearm not designed to be carried by hand, a variation can be made via a PD307 form.

A prescribed firearm that has not been deactivated and is not designed to be carried by hand can only be possessed under a category 12 (miscellaneous) licence, and unless you are a museum or the Returned & Services League (RSL), you may only possess such a firearm if it was lawfully in your possession on 1 July 2017; and you register that firearm before 1 July 2018.

If you are a public museum, the RSL, a sub-branch of the RSL or a genuine collector of firearms who had possession of a firearm not designed to be carried by hand 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 for any licensing and registration fees as the owner of the firearm. However, where that 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 will apply.

The usual licensing and registration fees apply to any firearm not designed to be carried by hand acquired by you after 1 July 2017, or any such firearm possessed by you before 1 July 2017 but only registered after 1 July 2018.

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Regulated imitation firearm

The definition of regulated imitation firearm has changed. A firearm is a regulated imitation firearm and requires registration if it:

- can be adapted to fire ammunition with a moderate exercise of effort and skill; and
- is constructed of materials strong enough to sustain firing ammunition, paint-balls, airgun pellets or other similar projectiles.

A regulated imitation firearm belongs to the category to which it imitates.

Children's toys, BB guns and Airsoft guns

A device designed for the purposes of children's play (a children's toy) that fires toy projectiles is not a firearm and does not need to be registered. BB guns and Airsoft guns are firearms and must be registered to a licence holder (Regulation 5 of the *Firearms Regulations 2017*).

Deregulation of Very pistols

In some cases, a Very pistol is a registrable firearm under the *Firearms Act 2015* and *Firearms Regulations 2017*. However, if you hold a category 10 (collector) licence; or a category 12 (miscellaneous) licence that authorises the collection, or collection and display, of firearms, you may acquire, own or possess an unregistered Very pistol for collection and/or display purposes without an approved permit to acquire that firearm. You must not fire an unregistered Very pistol.

Membership of a collectors' club

If you hold a category 10 (collector) licence you must be an active member of a collectors' club for each year of your licence. This obligation ordinarily requires attendance at four club meetings each year, however you can now satisfy this requirement by teleconference, audio conference or video conference or other electronic means provided you physically attend at least one club meeting each year.

You must notify the Registrar within 28 days of becoming a member of a collectors' club, regardless of whether you already have membership of other collector's club(s).

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.

