

# LEGISLATIVE SCRUTINY COMMITTEE

## Question Taken on Notice

**Date:** 24 March 2026

**Agency:** NT Police Force

**Subject:** Firearms Amendment Bill 2026

---

### QUESTION 1

Clause 10, Possession of digital blueprints for manufacture of firearms: a similar offence provision in the *Firearms Act 1996* for New South Wales sets out specific defences for a person accused of possessing a digital blueprint, including if a person did not know they possessed the blueprint or they took steps to get rid of it. Was the inclusion of specific defences considered in drafting this Bill and, if not, why? I might just add to that: do you foresee any risks that might arise from omitting any defence?

### RESPONSE 1

The *Firearms Act 1996* (NSW) ('the NSW Act') provides three categories of defences:

- Innocent production, dissemination or possession
- Public benefit
- Approved research

#### Innocent production, dissemination or possession

The construction of the offence under section 51F of the NSW Act is different to the offence proposed at clause 10 of the Bill.

A unique aspect of criminal law in the Northern Territory is that there are two separate streams of criminal responsibility. Offences proposed in the Bill are drafted in accordance with Part IIAA of the Criminal Code, which is the modern style of criminal drafting. Part IIAA of the Criminal Code requires all applicable offences to consider the fault elements attached to each physical element (conduct, circumstance or result) of an offence (noting in some cases the fault element for a physical element or the entire offence may be 'strict liability' or 'absolute liability').

In order for the offence proposed at section 61B to be established, the person must 'intentionally' produce, sell, distribute or possess the thing (*i.e.* the digital blueprint). The fault element of 'intention' is defined at section 43A1 of the Criminal Code. An equivalent to section 51G(1) of the NSW Act is not required as the offence cannot be established unless there is evidence to establish that the person meant to produce, sell, distribute or possess the digital blueprint.

The fault element of intention attached to the conduct of possession in new section 61B requires the person to 'mean' to possess the digital blueprint. In circumstances where a person does not intend to possess a digital blueprint, later realises that a thing in their possession is a digital blueprint, and then takes steps to get rid of the blueprint – the initial possession of the digital blueprint would not be intentional. An equivalent to section 51G(2) of the NSW Act is therefore not required.

However, if a person does not take steps to delete or destroy a thing after they realise that the thing is a digital blueprint, the ongoing possession of the digital blueprint would be intentional. The offence would exist at that point in time.

### Public benefit

Part 1 of the *Firearms Act 1997* (NT) ('the Act') sets out Preliminary matters including statutory exemptions. Specifically, section 4 of the Act sets out circumstances whereby the operation of the Act, or specific Parts or sections of the Act, do not apply.

Clause 4 of the Bill inserts an exemption specifically related to the proposed new offence at section 61B.

The three circumstances of 'public benefit' as defined under section 51G(4) of the NSW Act are covered by the new exemption proposed in clause 4 of the Bill, specifically new section 4(4AA)(a) of the Act.

### Approved research

The 'approved research' defence at section 51G(6) of the NSW Act fall into five (5) categories:

1. Scientific research,
2. Medical research,
3. Educational research
4. Military research
5. Law Enforcement research.

The Northern Territory Police Force does not consider a defence for scientific, medical or educational research to be warranted. However, in the event that a future research proposal is presented and the Commissioner considers possession of digital blueprints for the purpose of that research to be warranted, the Commissioner can exercise their power to issue an amnesty under section 4(6)(b) of the Act. Any such amnesty would be issued with relevant and appropriate conditions for the authorisation of possession of digital blueprints.

The Northern Territory Police Force does not consider a defence for 'military research' to be required. The Defence Force operates under Commonwealth jurisdiction. Under section 123 of the *Defence Act 1903* (Cth), members of the Defence Force are immune from any state or territory law requiring regulation or permissions (whether by licence or otherwise).

'Law Enforcement research' is a law enforcement function covered by the exemption discussed above in relation to clause 4 of the Bill.

## **QUESTION 2**

Can you provide detail of regular compliance checks as would be relevant to this Bill?

## **RESPONSE 2**

Section 96(1) of the Act enables a police officer to inspect the licence or permit when a person is in possession of a firearm. Section 96(2) of the Act provides that when requested by a police officer, a person in possession of a category A firearm, category B firearm, category C firearm (other than a paintball firearm), category D firearm or category H firearm must produce to the officer or another officer

the person's certificate of registration or permit, in respect of that firearm, at a time and place specified by the officer.

On-site compliance checks are generally undertaken in response to specific triggers, such as intelligence, complaints, or adverse interactions between a licence holder and police, where there may be concerns regarding compliance with firearms legislation or continued suitability to hold a licence.

The Firearms Policy and Recording Unit undertakes regular administrative and desk-based compliance activities. This includes governance-level audits and the daily review of relevant reports and information received from internal and external sources that may impact an individual's eligibility and suitability to continue to hold a firearms licence. These reviews inform risk assessment and may result in further inquiry or enforcement action where appropriate.

### **QUESTION 3**

Could you provide the process for compliance and safety checks when people are purchasing ammunition both from the Territory and interstate?

### **RESPONSE 3**

The sale of ammunition in the Northern Territory is subject to mandatory verification requirements under the Act.

Section 68A(2)(b) of the Act requires a person selling ammunition to physically sight the purchaser's firearms licence before completing a sale. This requirement ensures that ammunition is only sold to individuals who are lawfully authorised to possess firearms and ammunition.

In addition to these existing statutory requirements, a Licence and Permit Verification Service is being developed as part of the National Firearms Register project. Once operational, firearms dealers and ammunition retailers will be required to access this service to electronically verify the validity and status of a purchaser's firearms licence prior to processing any sale. This will provide an additional safeguard by enabling real-time confirmation of licence currency and authorisation.