

Serial 121  
Firearms Legislation Amendment Bill 2020  
Ms Purick

A Bill for an Act to amend the *Firearms Act 1997* and the *Firearms Regulations 1997*



NORTHERN TERRITORY OF AUSTRALIA

FIREARMS LEGISLATION AMENDMENT ACT 2020

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Act No. [ ] of 2020

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# NORTHERN TERRITORY OF AUSTRALIA

Act No. [ ] of 2020

An Act to amend the *Firearms Act 1997* and the *Firearms Regulations 1997*

[Assented to [ ] 2020]  
[Introduced [ ] 2020]

The Legislative Assembly of the Northern Territory enacts as follows:

## Part 1 Preliminary matters

### 1 Short title

This Act may be cited as the *Firearms Legislation Amendment Act 2020*.

### 2 Commencement

This Act commences on the day after the day on which the Administrator's assent to this Act is declared.

## Part 2 Amendment of Firearms Act 1997

### 3 Act amended

This Part amends the *Firearms Act 1997*.

**4 Section 3 (Interpretation)**

Section 3(1)

*insert*

**category D firearms range licence** means a licence in force under Part 3, Division 12A, for the business of operating a category D firearms range for the purposes of training and recreational shooting.

**5 Section 9 amended (Application for licence)**

After section 9(8)

*insert*

- (8A) An application for a category D firearms range licence must:
- (a) describe the applicant's proposed business; and
  - (b) specify the names and addresses of the following persons:
    - (i) the person who will be primarily responsible for the control and management of the business (the **representative**);
    - (ii) prospective employees and contractors of the business; and
  - (c) be accompanied by a safe work method statement that:
    - (i) identifies the hazards associated with the operation of the proposed business and the risks associated with those hazards; and
    - (ii) describes the measures to be implemented to control the risks; and
    - (iii) describes how the risk control measures are to be implemented, monitored and reviewed; and
  - (d) be accompanied by evidence that the applicant has public liability insurance for the amount prescribed by regulation.

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**6 Section 14 amended (Period of licence)**

After section 14(1)(f)

*insert*

(fa) a category D firearms range licence remains in force for 5 years; and

**7 Part 3, Division 12A inserted**

After section 30B

*insert*

**Division 12A Category D firearms range licence****30BA Application to category D firearms**

This Division applies to category D firearms other than the following:

- (a) firearms less than 70 cm in length and capable of being concealed on or about the person;
- (b) inoperable machine guns.

**30BB Category D firearms range licence**

- (1) A category D firearms range licence authorises the holder, and the representative, to possess and use category D firearms and ammunition for carrying on the business of operating a category D firearms range for the purposes of training and recreational shooting.
- (2) To avoid doubt, a category D firearms range licence authorises the possession and use of .50 calibre centrefire firearms and ammunition.
- (3) The premises and range for a category D firearms range must be approved under section 49(2).
- (4) A holder of a firearms instructor licence may instruct customers of the holder of a category D firearms range licence on the approved premises.
- (5) Customers of the holder of a category D firearms range licence who are permitted by the holder of the licence to be on premises may use category D firearms under the supervision of the holder of a firearms instructor licence.

- (6) The carrying on the business of operating a category D firearms range for the purposes of training and recreational shooting is a genuine reason for possessing and using category D firearms.

**30BC Records to be kept by category D firearms range operator licence**

- (1) The holder of a category D firearms range licence must keep and maintain records containing the following information:
- (a) the name and address of all present and past employees and contractors of the holder of the licence;
  - (b) the name and address of all customers and other persons using the range;
  - (c) the names of firearms instructors, range officers and other persons responsible for conducting shooting events organised or co-ordinated by the holder of the licence and the dates and times when they were responsible for conducting a competition or event.
- (2) The holder of a category D firearms range licence must, on demand by a police officer, produce to the officer a record required to be kept under subsection (1).
- Maximum penalty: 20 penalty units or imprisonment for 6 months.
- (3) A police officer may:
- (a) examine a record kept under subsection (1); and
  - (b) make copies of, or take extracts from, the record; and
  - (c) retain the record for any reasonable period that the officer thinks fit.
- (4) The holder of a category D firearms range licence must provide to the Commissioner, within 3 months after the end of each financial year, an annual report in the approved form giving the following details:
- (a) the name and address of each person who was an employee of the holder of the licence during the year;
  - (b) particulars of all category D firearms used on the premises or possessed by the holder of the licence;



- (c) particulars of any category D sports shooting events during the year organised or co-ordinated by the holder of the licence, including the dates of the events.

Maximum penalty: 100 penalty units.

## **Part 3                      Amendment of Firearms Regulations 1997**

### **8                      Regulations amended**

This Part amends the *Firearms Regulations 1997*.

### **9                      Regulation 13A inserted**

After regulation 13

*insert*

#### **13A                  Restrictions on granting category D firearms range licence**

The Commissioner is not to grant a category D firearms range licence authorising the possession or use of category D firearms unless the applicant produces evidence to the Commissioner's satisfaction that:

- (a) the premises proposed for the range are capable of being safely used for carrying on the business of operating a category D firearms range for the purposes of training and recreational shooting; and
- (b) the applicant has a reasonable expectation of successfully operating a category D firearms range for the purposes of training and recreational shooting.

### **10                  Regulation 18A inserted**

After regulation 18

*insert*

#### **18A                  Conditions applying to category D firearms range licence**

- (1) A category D firearms range licence is subject to the following conditions:
- (a) firearms must not be used outside the approved range;
- (b) firearms must not be used by persons under 16 years of age;
- (c) firearms may be fired only during daylight hours;

- (d) customers must not use category D firearms unless under the supervision of a holder of a firearms instructor licence;
  - (e) the range must be operated in accordance with the safe work method statement referred to in section 9(8A) of the Act;
  - (f) the range must be located in a place sufficiently safe and remote that shots fired at the range cannot endanger:
    - (i) any habitation or place frequented by people; or
    - (ii) any public road or highway; or
    - (iii) any park or sanctuary declared under the *Territory Parks and Wildlife Conservation Act 1976*.
- (2) For section 9(8A)(d) of the Act, the prescribed amount is \$10 million.

## **Part 4 Repeal**

### **11 Repeal**

This Act is repealed on the day after it commences.