



Statement of compatibility with human rights

Firearms Legislation Amendment Bill 2020

Prepared in accordance with the Thirteenth Assembly Orders (part 12.3) as adopted on 24th August 2017

Overview of the Bill

The purpose of this Bill is to amend the Firearms Act 1997 and Firearm Regulations 1997 to enable a qualified person to establish a genuine recreational/sporting business for the use of 50 calibre firearm licenced under category D of the Firearms Act 1997 and for the establishment of a Category D range licence for the purposes of using 50 calibre firearms.

The Bill details criteria that must be met in order to gain a range licence and reporting requirements.

Human Rights Implications

This Bill has been reviewed against the international instruments in *Human Rights (Parliamentary Scrutiny) Act 2011* (Cth) and the Bill is compatible with these instruments.

The only area of human rights which the Bill engages is the International Covenant on Civil and Political Rights, Article 17 - prohibition on interference with privacy.

The Bill engages with a person's right to protect their privacy by authorising the collecting of information for records by category D firearms range operator licence holders, including the name and addresses of:

- all present and past employees and contractors of the holder of the licence; and,
- all customers and other persons using the range.

The limiting of the right to protect privacy can be necessary in a democratic society in the interests of public order and protection of another person's rights and freedoms. The relevant clauses are consistent with similar provisions (e.g. Section 30B) of the *Firearms Act 1997*. This limitation of the right to protect privacy may be reasonable, necessary and proportionate because the effect of the limitation is likely to be less than the objective of keeping public order.

Conclusion

The Bill is partially incompatible with human rights, but to the extent that it limits human rights, those limitations are reasonable, necessary and proportionate

10. Regulations to be inserted

Conditions applying to category D firearms range licence to ensure the range is located in a suitable place and safety is assured and no activities in a NT Park under the Territory Parks and Wildlife Conservation Act 1976

11. Repeal of the Act

This is a standard clause for legislation which consists entirely of amendments to other legislation. It provides that the Act ceases to have effect on the day after it commences. As this is an amending Act, there is no need to retain it on the statute book once the amendments to the Firearms Act 1997 (NT) and the Firearms Regulations 1997 (NT) have been effected.