

Agreement in Principle

Mr PETER DRAPER (Tamworth) [4.42 p.m.]: I move:

That this bill be now agreed to in principle.

The amendments in the Firearms Legislation Amendment Bill 2010, which was introduced in the other place by the late the Hon. Roy Smith of the Shooters and Fishers Party, propose a number of changes to the Firearms Act 1996, the Firearms Regulation 2006 and the Crimes Act 1900. I think this bill, which the Hon. Roy Smith's colleagues refer to fondly as Roy's bill, will be viewed by many as Roy Smith's legacy to his party and also to his constituency, many of whom live in the electorate of Tamworth.

I am pleased that the new Shooters and Fishers Party member, the Hon. Robert Borsak, has continued Roy Smith's good work and has overseen the passage of this bill through the other place. I had the honour of introducing the Firearms Amendment Bill 2008 into this House, a bill that also introduced changes that simplified some of the red tape and bureaucratic nonsense that so many law-abiding shooters get immensely frustrated with. More than 16,000 licensed shooters live in the electorate of Tamworth. They participate in clay target shooting, rifle shooting and pistol shooting, as well as hunting and pest control programs. I have had a number of interested locals look at this bill. Allen Devine, the President of Boggabri-Gunnedah Gun Club, points out that things are not easy for law-abiding sporting shooters. He went on to say:

I agree with all aspects of the proposed bill. To give you an idea how hard it is for accredited organizations, we have just held a major shoot where we were donated a shotgun as a prize. As president of the club I had to apply for permission to acquire the gun in my name to be displayed at the shoot. The winner of the gun now has to also pay for permission to acquire. Maybe something can be done to avoid double payment in such situations?

The proposed amendments to the Act and regulations reduce some of the administrative burden that often frustrates law-abiding shooters and hunters. These amendments have been drafted following extensive consultation with police, the Firearms Registry, and accredited sport shooting, hunting and collecting clubs, and will have no impact at all upon public safety. As these amendments were first introduced in the other place, a *Hansard* record of their detail exists; however, I will now take the opportunity to briefly outline some of their intended effects.

The Firearms Legislation Amendment Bill 2010 proposes to extend the authority to use a category C firearm possessed by a primary producer in recognition of the fact that pest animals roam across an area defined by habitat, and not by fences or lines on a map. This is a positive step forward, although the Government amendment to limit this to land immediately adjoining that of the primary producer holding the licence most likely will continue to hinder primary producers from conducting full and effective pest control programs. If a fox goes through a fence onto a neighbour's property, it is still a menace to stock and wildlife, so being able to shoot the fox—with the permission of the neighbour, of course—is a positive move. The period for which a permit to acquire another firearm is issued will be extended from 30 days to 90 days. This is a sensible amendment, in that it recognises the lengthy period of time it can take to find and purchase the right firearm, at the right price.

The bill includes an amendment to fix a drafting error that had resulted in licence holders who sold all firearms of a particular category prior to applying for a permit to acquire another firearm of that category, being denied the exemption from the 28-day waiting period that they would have enjoyed had they not sold those firearms. The Government has amended the provision so that a person will be exempt from the 28-day waiting period if they had a firearm of that category registered to them at any time during the period of 90 days immediately prior to applying for the permit to acquire. This is another very sensible change.

Firearms dealers can take some comfort from amendments under the bill that will exempt them from having to report to the Firearms Registry on transactions involving firearms that are not required to be registered or where the transaction does not involve a change of ownership. This will reduce the administrative burden for dealers in regard to antique firearms, and also in regard to firearms that are received by the dealership for repair or storage. The Government amendment in the other place in regard to this matter makes it clear that while the Firearms Registry does not need to be advised of the transaction, any other requirements under the legislation to record the transaction in the dealer's records are not waived. Along with his wife, Melissa, John Sleightholme is the proprietor of Tamworth Firearms. John commented to me:

I am pleased to see the tidying up of the 28 day restriction for licensed shooters who have possessed a firearm of the same category. This overcomes a ridiculous anomaly and will make it that much easier for licensed firearms owners and for traders. The easing of red tape exempting transactions on firearms that don't require registration or a change of ownership, will also benefit those in the trade by reducing the copious amounts of regulations we have to fulfil.

Pensioners will also benefit from the extension of the exemption from licence fees for pensioners who apply for a handgun licence. This will remove previous discrimination against pensioners who pursue the sport of pistol shooting. Previously they were required to pay a full licence fee, whereas a pensioner who shot a rifle or a shotgun was exempt from this fee. The bill amends the Firearms Regulation so as to extend the period of a range approval from three years to five years. This will reduce the work of the Firearms Registry's range inspector, and it recognises the fact that ranges, once established, do not deteriorate or require frequent re-approval.

As I said previously, this legislation will be seen as a legacy of the late Roy Smith, but I will point out that it has been amended quite substantially from the original bill introduced by Roy in the other place. For example, the Government removed the provision that would have allowed a person who was legally in possession of a firearm to travel on a public road through a national park with the firearm in the car—unloaded, of course. The intention behind this was to remove the current requirement for persons who travel through a national park on their way to somewhere else to seek written permission from a National Parks and Wildlife Service officer every time they make such a trip.

All members of Parliament representing country electorates would be aware that quite a few private properties are surrounded by national parks, and that in some instances the only way in or out of the property is on a road that travels through the national park. This provision did not provide in any way for the person to shoot in a national park, yet the Government has viewed the proposal as something sinister and, through its amendments, has reacted as if it were sinister. Bill Caley is the Secretary of Tamworth Pistol Club, an organisation that has seen more than \$1 million donated in cash and kind to expand the club's facilities in Tamworth. When completed it will be a world-class facility that will attract competitors from around Australia and throughout the world. I was pleased to obtain \$18,000 through the Community Building Partnership to assist the club with the project. Bill commented:

There is nothing wrong with what's in the bill, but the Government removed a lot of substance from the original proposal, that would not have affected public safety, but leaving unnecessary restrictions for licensed firearms owners who carry out their sport at registered shooting ranges.

All of our members have gone through stringent training and police checks, and they deserve a fairer go when enjoying their sport of choice, while still ensuring a high level of public safety. They shouldn't be made to feel like criminals or compared to unlicensed shooters who have unregistered firearms and those who commit criminal acts. All we ask for is a fair go and to be treated like law abiding citizens.

I completely share Bill Caley's sentiments. The Government also rejected some other minor changes to the way in which air rifles are treated under the law, and that is also a shame. Roy Smith will be missed by many, but through this bill his legacy lives on. I commend the bill to the House.