



New South Wales

# Constitution Amendment (Right to Possess and Carry Firearms) Bill 2025

## Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

## Overview of Bill

The object of this Bill is to amend the *Constitution Act 1902* to establish a right to possess and carry firearms.

## Outline of provisions

**Clause 1** sets out the name, also called the short title, of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act on the date of assent to the proposed Act.

## Schedule 1 Amendment of Constitution Act 1902 No 32

**Schedule 1** inserts proposed Part 11 (proposed sections 58–60) into the *Constitution Act 1902*.

Proposed section 58 provides that each Australian citizen and permanent resident who is resident in the State has the right to possess and carry firearms.

Proposed section 59 provides that the right to possess and carry firearms must not be limited other than by an Act of Parliament.

Proposed section 60 is a savings and transitional provision that provides that proposed Part 11 does not affect the *Firearms Act 1996*, or the regulations under that Act, as in force on the commencement of the proposed part. However, an amendment to the *Firearms Act 1996*, or the regulations under that Act, that limits the right to possess and carry firearms must not be made other than by an Act of Parliament.



New South Wales

# Constitution Amendment (Right to Possess and Carry Firearms) Bill 2025

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*This PUBLIC BILL, originated in the LEGISLATIVE COUNCIL and, having this day passed, is now ready for presentation to the LEGISLATIVE ASSEMBLY for its concurrence.*

*Legislative Council*

*Clerk of the Parliaments*



New South Wales

## **Constitution Amendment (Right to Possess and Carry Firearms) Bill 2025**

No , 2025

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### **A Bill for**

An Act to amend the *Constitution Act 1902* to establish a right to possess and carry firearms; and for related matters.

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*The LEGISLATIVE ASSEMBLY has this day agreed to this Bill with/without amendment.*

*Legislative Assembly*

*Clerk of the Legislative Assembly*

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**Tabling copy**

<b>The Legislature of New South Wales enacts—</b>	1
<b>1 Name of Act</b>	2
This Act is the <i>Constitution Amendment (Right to Possess and Carry Firearms) Act 2025</i> .	3
	4
<b>2 Commencement</b>	5
This Act commences on the date of assent to this Act.	6

<b>Schedule 1</b>	<b>Amendment of Constitution Act 1902 No 32</b>	1
<b>Part 11</b>		2
Insert after Part 10—		3
<b>Part 11</b>	<b>Right to possess and carry firearms</b>	4
<b>58</b>	<b>Right established</b>	5
	Each Australian citizen and permanent resident who is resident in the State has the right to possess and carry firearms.	6 7
<b>59</b>	<b>Right not to be abridged except by Act of Parliament</b>	8
	The right to possess and carry firearms must not be limited other than by an Act of Parliament.	9 10
<b>60</b>	<b>Transitional provision</b>	11
(1)	This part does not affect the <i>Firearms Act 1996</i> , or the regulations under that Act, as in force on the commencement of this part.	12 13
(2)	However, an amendment to the <i>Firearms Act 1996</i> , or the regulations under that Act, that limits the right to possess and carry firearms must not be made other than by an Act of Parliament.	14 15 16