LEGISLATIVE COUNCIL

Work Health and Safety Amendment (Review) Bill 2020

Second print

Proposed amendment

No. 1  Power of SafeWork NSW to issue permits for prohibited weapons
Page 4, Schedule 1. Insert after line 5—

[11A] Section 153A
Insert after section 153—

153A  Powers of regulator—permits to possess or use prohibited weapons

(1) Subject to subsection (2), the regulator has the functions of the Commissioner of Police under Part 2 of the Weapons Prohibition Act 1998 to issue permits for the possession or use of prohibited weapons of a kind described in clause 4(3) of Schedule 1 to that Act, namely, silencers or any other device designed for attachment to a firearm for the purpose of muffling, reducing or stopping the noise created by firing the firearm (a silencer).

(2) The regulator may only issue a permit under this section—
(a) if satisfied that the genuine reason for possessing or using the silencer is to secure the health and safety of workers, and
(b) to a person aged 18 years or older.

(3) A firearm to which an authorised silencer is attached is no longer a prohibited firearm for the purposes of the Firearms Act 1996.

(4) For the purposes of subsection (3), an authorised silencer is a silencer that is possessed or used under the authority of, and in accordance with, a permit issued under this section.