

Passed by both Houses



New South Wales

# Firearms Legislation Amendment Bill 2022

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*I certify that this public bill, which originated in the Legislative Assembly, has finally passed the Legislative Council and the Legislative Assembly of New South Wales.*

*Clerk of the Legislative Assembly.  
Legislative Assembly,  
Sydney,*

*, 2022*



New South Wales

## **Firearms Legislation Amendment Bill 2022**

Act No \_\_\_\_\_, 2022

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An Act to amend the *Firearms Act 1996* to clarify certain requirements in relation to Category D firearms licences and to amend the *Firearms Regulation 2017* to make consequential amendments and update references to government agencies.

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*I have examined this bill and find it to correspond in all respects with the bill as finally passed by both Houses.*

*Assistant Speaker of the Legislative Assembly.*

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**The Legislature of New South Wales enacts—**

**1 Name of Act**

This Act is the *Firearms Legislation Amendment Act 2022*.

**2 Commencement**

This Act commences on the date of assent to this Act.

## **Schedule 1 Amendment of Firearms Act 1996 No 46**

### **[1] Section 8 Licence categories and authority conferred by licence**

Omit “, 10 or 11”, from section 8(1), the matter relating to Category D licence.  
Insert instead “or 10”.

### **[2] Section 21 Term of licence**

Omit section 21(2). Insert instead—

- (2) A category D licence issued to a person referred to in section 12, Table, the matter relating to Reason: vertebrate pest animal control, paragraph (c) continues in force until the earlier of the following—
  - (a) the period of 12 months, 2 years or 5 years as specified in the licence,
  - (b) the licence is surrendered, revoked or otherwise ceases to be in force.

### **[3] Schedule 1 Prohibited firearms**

Omit items 5 and 6. Insert instead—

- 5 a self-loading centre-fire rifle that is designed or adapted for military purposes, other than a self-loading centre-fire rifle mentioned in Schedule 3, clause 35
- 6 a self-loading shotgun that is designed or adapted for military purposes, other than a self-loading shotgun mentioned in Schedule 3, clause 35

### **[4] Schedule 3 Savings and transitional provisions**

Insert after clause 34—

## **Part 12 Provisions consequent on enactment of Firearms Legislation Amendment Act 2022**

### **35 Prohibited firearms**

- (1) This clause applies if—
  - (a) a person legally acquires a self-loading centre-fire rifle or a self-loading shotgun under this Act, and
  - (b) self-loading centre-fire rifles or self-loading shotguns of that type are subsequently adapted for military purposes.
- (2) The person’s self-loading centre-fire rifle or self-loading shotgun is not a prohibited firearm under Schedule 1, item 5 or 6 while the rifle or shotgun remains in the person’s possession.

## **Schedule 2 Amendment of Firearms Regulation 2017**

**[1] Clause 8 Term of licence**

Insert “(other than a category D licence referred to in the Act, section 21(2))” after “D” in clause 8(1).

**[2] Clause 8(3A)**

Insert after clause 8(3)—

- (3A) In making an application for a category D licence referred to in the Act, section 21(2), the applicant may apply for a licence for a period of 12 months, 2 years or 5 years.

**[3] Clause 8(4)**

Omit “a category D licence referred to in section 21 (2) of the Act,”.

**[4] Clause 35 Vertebrate pest animal control—prescribed government agencies**

Omit clause 35(a). Insert instead—

- (a) the Department of Planning and Environment,  
(b) the Department of Regional NSW,