



New South Wales

Firearms Amendment (Ammunition Control) Bill 2012

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 *Firearms Act 1996* as follows:

- (a) to prevent the sale of ammunition by a licensed firearms dealer to a shooter unless the purchaser is the registered owner of, or has a permit to acquire, a firearm that takes the ammunition (in addition to the existing requirement that the purchaser must hold a licence or permit for a firearm that takes the ammunition),
- (b) to require licensed firearms dealers to keep records of purchases and sales of ammunition.

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 a day or days to be appointed by proclamation.

Schedule 1 Amendment of Firearms Act 1996 No 46

Restrictions on sales of ammunition

Schedule 1 [3] imposes additional requirements on a sale of ammunition by a licensed firearms dealer to a purchaser who holds a licence or permit for a firearm that takes the ammunition. The purchaser will now also be required to be the registered owner of, or hold a permit to acquire, a firearm that takes the ammunition. The firearms dealer will be required to sight the purchaser's notice of registration or permit to acquire at the time ammunition is purchased. There are exceptions for sales of ammunition between licensed firearms dealers and sales by club armourers to club members for use in club firearms. **Schedule 1 [2]** makes a consequential amendment.

Records of ammunition transactions

Schedule 1 [1] requires a licensed firearms dealer to keep records of ammunition sales and purchases by the dealer. The new requirement parallels existing requirements for the keeping of records of transactions involving firearms and firearm parts.

Savings and transitional

Schedule 1 [4] enables savings and transitional regulations to be made as a consequence of the enactment of the proposed Act.

First print



New South Wales

Firearms Amendment (Ammunition Control) Bill 2012

Contents

	Page
1 Name of Act	2
2 Commencement	2
Schedule 1 Amendment of Firearms Act 1996 No 46	3



New South Wales

Firearms Amendment (Ammunition Control) Bill 2012

No. , 2012

A Bill for

An Act to amend the *Firearms Act 1996* to make further provision for the purchase and sale of ammunition.

The Legislature of New South Wales enacts:	1
1 Name of Act	2
This Act is the <i>Firearms Amendment (Ammunition Control) Act 2012</i> .	3
2 Commencement	4
This Act commences on a day or days to be appointed by proclamation.	5

Schedule 1	Amendment of Firearms Act 1996 No 46	1
[1]	Section 45A	2
	Insert after section 45:	3
	45A Recording of ammunition transactions	4
	(1) A licensed firearms dealer must keep a record of all sales and purchases of ammunition by the firearms dealer.	5 6
	(2) The record must contain the following particulars for each sale of ammunition by the dealer:	7 8
	(a) the name and address of the person (<i>the buyer</i>) to whom the ammunition was sold,	9 10
	(b) the number of the buyer's licence or permit for a firearm that takes the ammunition or for a permit that authorises the buyer to purchase the ammunition,	11 12 13
	(c) in the case of a sale of ammunition that is subject to the requirements of section 65A—the number of the relevant notice of registration for a firearm or permit to acquire a firearm that was seen by the dealer at the time of the sale,	14 15 16 17
	(d) in the case of a sale of ammunition to a member of a shooting club by the club armourer for the club for use in a club firearm (as referred to in section 65A)—the number of the relevant notice of registration for the club firearm concerned,	18 19 20 21 22
	(e) such other particulars as may be prescribed by the regulations.	23 24
	(3) The record must contain the following particulars for each purchase of ammunition by the dealer:	25 26
	(a) the name and address of the person from whom the ammunition was purchased,	27 28
	(b) such other particulars as may be prescribed by the regulations.	29 30
	(4) The record of a sale or purchase of ammunition must, subject to the regulations, be made within 24 hours after the sale or purchase.	31 32 33
	(5) The record must be kept in the form approved by the Commissioner.	34 35
	(6) A licensed firearms dealer who ceases to hold such a licence must provide the Commissioner with the record kept under this section for all sales and purchases of ammunition during the 2 years	36 37 38

	immediately preceding the date on which the licence ceased to be in force.	1 2
(7)	A licensed firearms dealer must, on demand made by a police officer at any time:	3 4
	(a) produce to that officer the record kept by the dealer under this section and permit that officer to inspect and make copies of any entries in it, and	5 6 7
	(b) furnish to that officer any information in the dealer's possession with respect to any ammunition purchased or sold by the dealer.	8 9 10
(8)	Any person making an alteration to an entry in a record kept under this section must do so by interlineation or striking out and not by erasure.	11 12 13
	Maximum penalty: 20 penalty units.	14
[2]	Section 65 Sale, purchase and possession of ammunition	15
	Insert at the end of section 65 (1):	16
	Note. Section 65A imposes additional requirements for sales of ammunition by licensed firearms dealers.	17 18
[3]	Section 65A	19
	Insert after section 65:	20
65A	Sales of ammunition by firearms dealers—additional requirements	21
(1)	A licensed firearms dealer must not sell ammunition for any firearm to a purchaser who is the holder of a licence or permit for the firearm unless:	22 23 24
	(a) a firearm that takes the ammunition is registered in the name of the purchaser or the purchaser is authorised by a permit (or its equivalent under the law of another State or Territory) to acquire a firearm that takes the ammunition, and	25 26 27 28 29
	(b) the dealer has seen the current notice of registration issued for the firearm or the permit to acquire the firearm.	30 31
	Maximum penalty: 50 penalty units.	32
(2)	The requirements of this section are in addition to the requirements of section 65.	33 34
(3)	This section does not apply to a sale of ammunition by a licensed firearms dealer to another licensed firearms dealer.	35 36

-
- (4) This section does not apply to a sale of ammunition to a member of a shooting club by the club armourer for the club for use at the club in a firearm registered to the club (a *club firearm*). 1
2
3

[4] Schedule 3 Savings and transitional provisions 4

Omit clause 1 (1). Insert instead: 5

- (1) The regulations may contain provisions of a savings or transitional nature consequent on the enactment of this Act and any Act that amends this Act. 6
7
8