

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.

W. S. MOWLE,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 24 December, 1920, A.M.*

New South Wales.



ANNO UNDECIMO

GEORGII V REGIS.

Act No. 42, 1920.

An Act to regulate and license the use, carriage, possession, sale, and hire of guns and firearms; to prohibit the use, possession, or sale of maxim silencers; and for other purposes connected therewith or incidental thereto. [Assented to, 31st December, 1920.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Gun License Short title. Act, 1920."

2.

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

R. J. STUART-ROBERTSON,
Chairman of Committees of the Legislative Assembly.

Gun License.

Definition.
cf. 33 & 34
Vic., c. 57, s. 2.
cf. 3 Edw. VII,
c. 18, s. 2.

2. In this Act, unless the context or subject-matter otherwise indicates or requires,—

“Gun” includes any lethal firearm from which any shot, bullet, or other missile can be discharged; but does not include a toy gun or an antique gun which is kept or sold as a curiosity or ornament.

“Gundealer” means a person who by way of trade or business manufactures, sells, or repairs guns, or exposes or has in his possession guns for sale or repair.

“Prescribed” means prescribed by this Act or by any regulation made thereunder.

License for
purchasing,
using,
carrying, or
possessing
a gun.
cf. South
Australian
Act, 1875,
No. 6, s. 1.
cf. 33 & 34
Vic., c. 57,
s. 7.

3. (1) Every person who desires to purchase or use or carry or have in his possession any gun shall take out a license under this Act, hereinafter called a “gun license.” A separate license shall be taken out in respect of each and every such gun.

(2) (a) Any person who has in his possession any gun without such license shall be liable to a penalty not exceeding ten pounds.

(b) Any person who uses or carries any gun without such license shall, if such offence be committed between the hours of seven ante meridian and seven post meridian, be liable to a penalty not exceeding twenty pounds, and shall, if the offence be committed between the hours of seven post meridian and seven ante meridian, be liable, in addition to the said penalty, to imprisonment for a term not exceeding six months.

Proviso.

(3) Provided that this section shall not apply to—

- (a) any person in the naval, military, or air service of His Majesty or in the police force or to a member of a rifle club who has in his possession any gun prescribed for the use of such service or force or club or who uses or carries any such gun in the performance of his duty or when engaged in drill or target practice; or
- (b) any gundealer or his servant who has in his possession or carries a gun in the ordinary course of the trade or business of a gundealer,
or

Gun License.

or who uses a gun by way of testing or regulating its strength or quality in a place specially set apart for such purpose; or

- (c) any common carrier or warehouseman or his servant who has in his possession or carries a gun in the ordinary course of the trade or business of a common carrier or warehouseman; or
- (d) any person who uses a gun for the purpose of shooting at a shooting gallery which is under the personal supervision of a responsible person in charge thereof; or
- (e) any person who has in his possession a gun acquired and held as a war trophy.

(4) Upon the hearing of any information for any breach of any of the provisions contained in this section the person complained against shall be required to prove that he is the holder of a gun license duly issued under this Act, or that he comes within the aforesaid proviso.

4. Applications in the form prescribed for gun licenses shall be made to, and such licenses in the form prescribed may be issued by the clerk of the court of petty sessions in or nearest to the place where the applicant resides, on the payment of the sum of five shillings for every such license, and each license shall be in force until the thirty-first day of December after the date of the issue thereof:

Provided that no such license shall be issued to any person under sixteen years of age.

5. (1) A special gun license, in the form prescribed, may, in the same manner, be issued, without fee, to any person above the age of sixteen years who desires to use a gun for the sole purpose of destroying birds or animals proclaimed under any Act of Parliament to be noxious birds or animals.

(2) Any person who under such special license, without reasonable excuse, uses or carries a gun for any other purpose than the purpose aforesaid shall be liable to a penalty not exceeding twenty pounds.

(3) The provisions of this Act with respect to gun licenses shall apply to such special licenses.

6. A clerk of the court of petty sessions shall not issue any such license, special or otherwise, unless the application for such license is endorsed by the officer in charge

Application
for, and issue
of gun
license

Special
licenses to use
gun to destroy
noxious
animals.

Endorsement
of applica-
tions by
police.

Gun License.

charge of the police station in or nearest to the place where the applicant usually resides with a statement that the applicant is a fit and proper person to have such license.

Appeal, if application for gun license refused.

7. Any applicant aggrieved by the refusal of such officer to make such endorsement or by the refusal of such clerk to issue such license may appeal from such refusal to the court of petty sessions in or nearest to the place where the applicant resides, and the decision of such court shall be final and binding upon the applicant and upon such officer or clerk, as the case may be.

Inspection of list of licenses. South Australian Act, 1875, No. 6, s. 4.

8. A list of all such licenses shall be kept open for inspection at all reasonable times at the courts of petty sessions where the same have been issued.

Sale or hire of guns. of 3 Edw. VII, c. 18, s. 3.

9. (1) It shall be unlawful to sell by retail or by auction or by private sale or to let on hire a gun to any person, unless at the time of the sale or hire such person either produces a gun license or gives reasonable proof that he is a person entitled to use or carry or have in his possession a gun without a gun license by virtue of the third section of this Act, or that he is about to proceed abroad for a period of not less than six months, and produces a statement to that effect signed by himself and by a police officer of the district within which he resides of a rank not lower than that of inspector, or by himself, and by a justice of the peace.

Entry of sale or hire.

(2) Every person who in the course of business sells by retail or by auction or lets on hire a gun shall, before delivery, make, or cause to be made, an entry in a book to be kept for that purpose, specifying the description of the gun sold or let on hire, the date of such sale or hire, the name and address of the purchaser or hirer, and the court of petty sessions from which the gun license produced by the purchaser or hirer was issued, the date of such license, or the circumstances exempting such purchaser or hirer from having such license. Such book must be produced for inspection on the request of any officer of police.

Penalty.

(3) Any person who—
(a) contravenes any of the foregoing provisions of this section; or

(b)

Gun License.

- (b) on the sale or hire of a gun knowingly makes, or causes to be made, any false entry or statement as to any matter concerning which he is required by this section to make an entry or statement,

shall be liable to a penalty not exceeding twenty pounds.

10. (1) Any person who carries on the trade or business of a gundealer, unless he shall first have obtained a certificate of registration, shall be liable for a first offence to a penalty not exceeding fifty pounds and for a second or subsequent offence to a penalty not exceeding one hundred pounds.

Registration
of gun-
dealers.

(2) Applications for such certificate shall be made in the prescribed form to, and such certificates may be issued in a prescribed form by, the clerk of the court of petty sessions in or nearest to the place where the applicant carries on the trade or business of a gundealer, on payment of the sum of one pound for every such certificate, and such certificate shall be in force until the thirty-first day of December after the date of the issue thereof.

11. Any person who knowingly sells, lets on hire, gives, or lends a gun to any person who is under the age of sixteen years or is intoxicated or is not of sound mind, shall be liable to a penalty not exceeding twenty-five pounds.

Sale, &c., of guns
to persons under
16, or to persons
intoxicated or
insane.
cf. 3 Edw. VII,
c. 18, s. 5.

12. Any member of the police force may demand from any person who, at the time of such demand, may be using or carrying any gun the production of the license for so doing, and may also demand from such person his name and address; and if such person refuses to produce such license or does not give his name and address, or gives a false name or address, he shall for every such offence be liable to a penalty not exceeding ten pounds.

Demands for
production of
gun licenses.
cf. South
Australian
Act, 1875,
No. 6, s. 6.

13. Any member of the police force may seize any gun found in the possession of, and being used or carried for the purpose of use by, any person not being the holder of a gun license under this Act, and such gun may be forfeited to His Majesty.

Confiscation
of guns used
or carried by
persons with-
out a license.

14.

Gun License.

Power to search premises, &c., for guns.

14. If a justice is satisfied by information on oath that there is reasonable ground for suspecting that any gun is concealed or lodged in any premises or place in breach of this Act, he may grant a search warrant authorising any member of the police force named therein to enter at any time, if necessary by force, and to search any premises or place named in such warrant, and every person found therein, and to seize and detain any gun which he may find on the premises or place or on such person and in respect of which he has reasonable grounds for suspecting that there has been or is a breach of this Act.

Precautions to be taken by gun owners for safe keeping.

15. Any person who has a gun in his possession and who does not take all reasonable precautions to ensure the safe keeping of such gun shall be liable to a penalty not exceeding ten pounds.

Liability of parent or guardian of a child under sixteen found using a gun.

16. Any parent or guardian of any child, who is under the age of sixteen years and who uses, carries, or has in his possession any gun, shall be liable to a penalty not exceeding ten pounds, unless he proves that such use, carriage, or possession was without his consent or knowledge and that he took all reasonable precautions to prevent the same: Provided that nothing in this Act shall prevent any person under the age of sixteen years from using a gun when under the supervision of a person licensed under this Act.

Maxim silencers.

17. Any person who within the boundary of any municipality uses any contrivance commonly known as or in the nature of a maxim silencer shall be liable to a penalty not exceeding twenty pounds.

Regulations.

18. (1) The Governor may make regulations prescribing all forms necessary under this Act, and generally for carrying out the provisions of this Act, and may in those regulations impose any penalty not exceeding ten pounds for any breach of the same.

(2) Such regulations shall—

- (i) be published in the Gazette;
- (ii) take effect from the date of publication, or from a later date to be specified in such regulations; and

(iii)

Gun License.

- (iii) be laid before both Houses of Parliament within fourteen days after publication if Parliament is in session, and if not, then within fourteen days after the commencement of the next session. If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part shall therefrom cease to have effect.

In the name and on behalf of His Majesty I assent to this Act.

W. E. DAVIDSON,
Government House, Governor.
Sydney, 31st December, 1920.

1897
The following is a list of the names of the persons who were present at the meeting of the Board of Directors of the company held on the 15th day of March 1897.

Mr. J. M. Smith
Mr. A. B. Jones
Mr. C. D. White
Mr. E. F. Black
Mr. G. H. Green
Mr. I. J. Brown
Mr. K. L. Gray
Mr. M. N. Blue
Mr. O. P. Red
Mr. Q. R. Yellow
Mr. S. T. Purple
Mr. U. V. Orange
Mr. W. X. Pink
Mr. Y. Z. Grey
Mr. A. B. White
Mr. C. D. Black
Mr. E. F. Green
Mr. G. H. Brown
Mr. I. J. Gray
Mr. K. L. Blue
Mr. M. N. Red
Mr. O. P. Yellow
Mr. Q. R. Purple
Mr. S. T. Orange
Mr. U. V. Pink
Mr. W. X. Grey
Mr. Y. Z. White

Witness my hand and seal this 15th day of March 1897.

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

W. S. MOWLE,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 16 December, 1920.*

THE LEGISLATIVE COUNCIL *has this day agreed to this Bill with an Amendment.*

Clerk of the Parliaments.

*Legislative Council Chamber,
Sydney, December, 1920.*

New South Wales.



ANNO UNDECIMO

GEORGII V REGIS.

Act No. , 1920.

An Act to regulate and license the use, carriage, possession, sale, and hire of guns and firearms; to prohibit the use, possession, or sale of maxim silencers; and for other purposes connected therewith or incidental thereto.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Gun License Act, 1920." Short title.

93295

33—

2.

NOTE.—The words to be *inserted* are printed in black letter.

Gun License.

2. In this Act, unless the context or subject-matter otherwise indicates or requires,—

“Gun” includes any lethal firearm from which any shot, bullet, or other missile can be discharged; but does not include a toy gun or an antique gun which is kept or sold as a curiosity or ornament.

“Gundealer” means a person who by way of trade or business manufactures, sells, or repairs guns, or exposes or has in his possession guns for sale or repair.

“Prescribed” means prescribed by this Act or by any regulation made thereunder.

3. (1) Every person who desires to purchase or use or carry or have in his possession any gun shall take out a license under this Act, hereinafter called a “gun license.” A separate license shall be taken out in respect of each and every such gun.

(2) (a) Any person who has in his possession any gun without such license shall be liable to a penalty not exceeding ten pounds.

(b) Any person who uses or carries any gun without such license shall, if such offence be committed between the hours of seven ante meridian and seven post meridian, be liable to a penalty not exceeding twenty pounds, and shall, if the offence be committed between the hours of seven post meridian and seven ante meridian, be liable, in addition to the said penalty, to imprisonment for a term not exceeding six months.

(3) Provided that this section shall not apply to—

(a) any person in the naval, military, or air service of His Majesty or in the police force or to a member of a rifle club who has in his possession any gun prescribed for the use of such service or force or club or who uses or carries any such gun in the performance of his duty or when engaged in drill or target practice; or

(b) any gundealer or his servant who has in his possession or carries a gun in the ordinary course of the trade or business of a gundealer,

or

Definition.

cf. 33 & 34
Vic., c. 57, s. 2.

cf. 3 Edw. VII,
c. 18, s. 2.

License for
purchasing,
using,
carrying, or
possessing
a gun.

cf. South
Australian
Act, 1875,
No. 6, s. 1.

cf. 33 & 34
Vic., c. 57,
s. 7.

Proviso.

Gun License.

or who uses a gun by way of testing or regulating its strength or quality in a place specially set apart for such purpose ; or

- 5 (c) any common carrier or warehouseman or his servant who has in his possession or carries a gun in the ordinary course of the trade or business of a common carrier or warehouseman ; or
- (d) any person who uses a gun for the purpose of shooting at a shooting gallery which is under 10 the personal supervision of a responsible person in charge thereof.
- (e) any person who has in his possession a gun acquired and held as a war trophy.

(4) Upon the hearing of any information for any 15 breach of any of the provisions contained in this section the person complained against shall be required to prove that he is the holder of a gun license duly issued under this Act, or that he comes within the aforesaid proviso.

4. Applications in the form prescribed for gun licenses 20 shall be made to, and such licenses in the form prescribed may be issued by the clerk of the court of petty sessions in or nearest to the place where the applicant resides, on the payment of the sum of five shillings for every such license, and each license shall be in force 25 until the thirty-first day of December after the date of the issue thereof:

Application for, and issue of gun license

Provided that no such license shall be issued to any 30 person under sixteen years of age.

Special licenses to use gun to destroy noxious animals.

5. (1) A special gun license, in the form prescribed, 30 may, in the same manner, be issued, without fee, to any person above the age of sixteen years who desires to use a gun for the sole purpose of destroying birds or animals proclaimed under any Act of Parliament to be noxious birds or animals.

35 (2) Any person who under such special license, without reasonable excuse, uses or carries a gun for any other purpose than the purpose aforesaid shall be liable to a penalty not exceeding twenty pounds.

40 (3) The provisions of this Act with respect to gun licenses shall apply to such special licenses.

6. A clerk of the court of petty sessions shall not issue any such license, special or otherwise, unless the application for such license is endorsed by the officer in charge

Endorsement of applications by police.

Gun License.

charge of the police station in or nearest to the place where the applicant usually resides with a statement that the applicant is a fit and proper person to have such license.

- 5 **7.** Any applicant aggrieved by the refusal of such officer to make such endorsement or by the refusal of such clerk to issue such license may appeal from such refusal to the court of petty sessions in or nearest to the place where the applicant resides, and the decision of
10 such court shall be final and binding upon the applicant and upon such officer or clerk, as the case may be.

Appeal, if application for gun license refused.

8. A list of all such licenses shall be kept open for inspection at all reasonable times at the courts of petty sessions where the same have been issued.

Inspection of list of licenses. South Australian Act, 1875, No. 6, s. 4.

- 15 **9.** (1) It shall be unlawful to sell by retail or by auction or by private sale or to let on hire a gun to any person, unless at the time of the sale or hire such person either produces a gun license or gives reasonable proof that he is a person entitled to use or carry or have in his
20 possession a gun without a gun license by virtue of the third section of this Act, or that he is about to proceed abroad for a period of not less than six months, and produces a statement to that effect signed by himself and by a police officer of the district within which he resides
25 of a rank not lower than that of inspector, or by himself, and by a justice of the peace.

Sale or hire of guns. cf. 3 Edw. VII c. 18, s. 3

- (2) Every person who in the course of business sells by retail or by auction or lets on hire a gun shall, before delivery, make, or cause to be made, an entry
30 in a book to be kept for that purpose, specifying the description of the gun sold or let on hire, the date of such sale or hire, the name and address of the purchaser or hirer, and the court of petty sessions from which the gun license produced by the purchaser or hirer was
35 issued, the date of such license, or the circumstances exempting such purchaser or hirer from having such license. Such book must be produced for inspection on the request of any officer of police.

Entry of sale or hire.

- (3) Any person who—
40 (a) contravenes any of the foregoing provisions of this section; or

Penalty.

(b)

Gun License.

(b) on the sale or hire of a gun knowingly makes, or causes to be made, any false entry or statement as to any matter concerning which he is required by this section to make an entry or statement,
5 shall be liable to a penalty not exceeding twenty pounds.

10. (1) Any person who carries on the trade or business of a gundealer, unless he shall first have obtained a certificate of registration, shall be liable for
10 a first offence to a penalty not exceeding fifty pounds and for a second or subsequent offence to a penalty not exceeding one hundred pounds.

(2) Applications for such certificate shall be made in the prescribed form to, and such certificates
15 may be issued in a prescribed form by, the clerk of the court of petty sessions in or nearest to the place where the applicant carries on the trade or business of a gundealer, on payment of the sum of one pound for every
20 such certificate, and such certificate shall be in force until the thirty-first day of December after the date of the issue thereof.

11. Any person who knowingly sells, lets on hire, gives, or lends a gun to any person who is under the age of sixteen years or is intoxicated or is not of sound
25 mind, shall be liable to a penalty not exceeding twenty-five pounds.

12. Any member of the police force may demand from any person who, at the time of such demand, may be using or carrying any gun the production of the license
30 for so doing, and may also demand from such person his name and address; and if such person refuses to produce such license or does not give his name and address, or gives a false name or address, he shall for every such offence be liable to a penalty not exceeding ten
35 pounds.

13. Any member of the police force may seize any gun found in the possession of, and being used or carried for the purpose of use by, any person not being the holder of a gun license under this Act, and such gun
40 may be forfeited to His Majesty.

14.

Registration
of gun-
dealers

Sale, &c., of guns
to persons under
16, or to persons
intoxicated or
insane.
cf. 3 Edw. VII,
c. 18, s. 5.

Demands for
production of
gun licenses.
cf. South
Australian
Act, 1875,
No. 6, s. 6.

Confiscation
of guns used
or carried by
persons with-
out a license.

Gun License.

14. If a justice is satisfied by information on oath that there is reasonable ground for suspecting that any gun is concealed or lodged in any premises or place in breach of this Act, he may grant a search warrant authorising any member of the police force named therein to enter at any time, if necessary by force, and to search any premises or place named in such warrant, and every person found therein, and to seize and detain any gun which he may find on the premises or place or on such person and in respect of which he has reasonable grounds for suspecting that there has been or is a breach of this Act.

Power to search premises, &c., for guns.

15. Any person who has a gun in his possession and who does not take all reasonable precautions to ensure the safe keeping of such gun shall be liable to a penalty not exceeding ten pounds.

Precautions to be taken by gun owners for safe keeping.

16. Any parent or guardian of any child, who is under the age of sixteen years and who uses, carries, or has in his possession any gun, shall be liable to a penalty not exceeding ten pounds, unless he proves that such use, carriage, or possession was without his consent or knowledge and that he took all reasonable precautions to prevent the same: Provided that nothing in this Act shall prevent any person under the age of sixteen years from using a gun when under the supervision of a person licensed under this Act.

Liability of parent or guardian of a child under sixteen found using a gun.

17. Any person who within the boundary of any municipality uses any contrivance commonly known as or in the nature of a maxim silencer shall be liable to a penalty not exceeding twenty pounds.

Maxim silencers.

18. (1) The Governor may make regulations prescribing all forms necessary under this Act, and generally for carrying out the provisions of this Act, and may in those regulations impose any penalty not exceeding ten pounds for any breach of the same.

Regulations.

(2) Such regulations shall—

- (i) be published in the Gazette;
- (ii) take effect from the date of publication, or from a later date to be specified in such regulations; and

(iii)

Gun License.

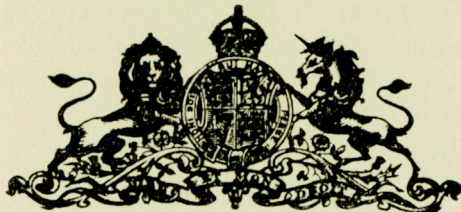
(iii) be laid before both Houses of Parliament within fourteen days after publication if Parliament is in session, and if not, then within fourteen days after the commencement of the next session. If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part shall therefrom cease to have effect.

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

W. S. MOWLE,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 16 December, 1920.*

New South Wales.



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GEORGII V REGIS.

Act No. , 1920.

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BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of
5 the same, as follows :—

1. This Act may be cited as the "Gun License Short title. Act, 1920."

Gun License.

2. In this Act, unless the context or subject-matter otherwise indicates or requires,—

5 “Gun” includes any lethal firearm from which any shot, bullet, or other missile can be discharged; but does not include a toy gun or an antique gun which is kept or sold as a curiosity or ornament.

10 “Gundealer” means a person who by way of trade or business manufactures, sells, or repairs guns, or exposes or has in his possession guns for sale or repair.

“Prescribed” means prescribed by this Act or by any regulation made thereunder.

15 3. (1) Every person who desires to purchase or use or carry or have in his possession any gun shall take out a license under this Act, hereinafter called a “gun license.” A separate license shall be taken out in respect of each and every such gun.

20 (2) (a) Any person who has in his possession any gun without such license shall be liable to a penalty not exceeding ten pounds.

(b) Any person who uses or carries any gun without such license shall, if such offence be committed between the hours of seven ante meridian and seven post 25 meridian, be liable to a penalty not exceeding twenty pounds, and shall, if the offence be committed between the hours of seven post meridian and seven ante meridian, be liable, in addition to the said penalty, to imprisonment for a term not exceeding six months.

30 (3) Provided that this section shall not apply to—

35 (a) any person in the naval, military, or air service of His Majesty or in the police force or to a member of a rifle club who has in his possession any gun prescribed for the use of such service or force or club or who uses or carries any such gun in the performance of his duty or when engaged in drill or target practice; or

40 (b) any gundealer or his servant who has in his possession or carries a gun in the ordinary course of the trade or business of a gundealer,

or

Definition.
cf. 33 & 34
Vic., c. 57, s. 2.
cf. 3 Edw. VII,
c. 18, s. 2.

License for
purchasing,
using,
carrying, or
possessing
a gun.

cf. South
Australian
Act, 1875,
No. 6, s. 1.

cf. 33 & 34
Vic., c. 57,
s. 7.

Proviso.

Gun License.

or who uses a gun by way of testing or regulating its strength or quality in a place specially set apart for such purpose ; or

- 5 (c) any common carrier or warehouseman or his servant who has in his possession or carries a gun in the ordinary course of the trade or business of a common carrier or warehouseman ; or
- 10 (d) any person who uses a gun for the purpose of shooting at a shooting gallery which is under the personal supervision of a responsible person in charge thereof.

(4) Upon the hearing of any information for any breach of any of the provisions contained in this section the person complained against shall be required to prove
15 that he is the holder of a gun license duly issued under this Act, or that he comes within the aforesaid proviso.

4. Applications in the form prescribed for gun licenses shall be made to, and such licenses in the form prescribed may be issued by the clerk of the court of petty
20 sessions in or nearest to the place where the applicant resides, on the payment of the sum of five shillings for every such license, and each license shall be in force until the thirty-first day of December after the date of the issue thereof:

25 Provided that no such license shall be issued to any person under sixteen years of age. Application for, and issue of gun license.

5. (1) A special gun license, in the form prescribed, may, in the same manner, be issued, without fee, to
30 any person above the age of sixteen years who desires to use a gun for the sole purpose of destroying birds or animals proclaimed under any Act of Parliament to be noxious birds or animals. Special licenses to use gun to destroy noxious animals.

(2) Any person who under such special license, without reasonable excuse, uses or carries a gun for any
35 other purpose than the purpose aforesaid shall be liable to a penalty not exceeding twenty pounds.

(3) The provisions of this Act with respect to gun licenses shall apply to such special licenses.

6. A clerk of the court of petty sessions shall not
40 issue any such license, special or otherwise, unless the application for such license is endorsed by the officer in charge Endorsement of applications by police.

Gun License.

charge of the police station in or nearest to the place where the applicant usually resides with a statement that the applicant is a fit and proper person to have such license.

5 **7.** Any applicant aggrieved by the refusal of such officer to make such endorsement or by the refusal of such clerk to issue such license may appeal from such refusal to the court of petty sessions in or nearest to the place where the applicant resides, and the decision of
10 such court shall be final and binding upon the applicant and upon such officer or clerk, as the case may be.

Appeal, if application for gun license refused.

8. A list of all such licenses shall be kept open for inspection at all reasonable times at the courts of petty sessions where the same have been issued.

Inspection of list of licenses. South Australian Act, 1875, No. 6, s. 4.

15 **9.** (1) It shall be unlawful to sell by retail or by auction or by private sale or to let on hire a gun to any person, unless at the time of the sale or hire such person either produces a gun license or gives reasonable proof that he is a person entitled to use or carry or have in his
20 possession a gun without a gun license by virtue of the third section of this Act, or that he is about to proceed abroad for a period of not less than six months, and produces a statement to that effect signed by himself and by a police officer of the district within which he resides
25 of a rank not lower than that of inspector, or by himself, and by a justice of the peace.

Sale or hire of guns. cf. 3 Edw. VII. c. 18, s. 3

(2) Every person who in the course of business sells by retail or by auction or lets on hire a gun shall, before delivery, make, or cause to be made, an entry
30 in a book to be kept for that purpose, specifying the description of the gun sold or let on hire, the date of such sale or hire, the name and address of the purchaser or hirer, and the court of petty sessions from which the gun license produced by the purchaser or hirer was
35 issued, the date of such license, or the circumstances exempting such purchaser or hirer from having such license. Such book must be produced for inspection on the request of any officer of police.

Entry of sale or hire.

(3) Any person who—
40 (a) contravenes any of the foregoing provisions of this section; or

Penalty.

(b)

Gun License.

(b) on the sale or hire of a gun knowingly makes, or causes to be made, any false entry or statement as to any matter concerning which he is required by this section to make an entry or statement,

5 shall be liable to a penalty not exceeding twenty pounds.

10. (1) Any person who carries on the trade or business of a gundealer, unless he shall first have obtained a certificate of registration, shall be liable for
 10 a first offence to a penalty not exceeding fifty pounds and for a second or subsequent offence to a penalty not exceeding one hundred pounds.

Registration
of gun-
dealers

(2) Applications for such certificate shall be made in the prescribed form to, and such certificates
 15 may be issued in a prescribed form by, the clerk of the court of petty sessions in or nearest to the place where the applicant carries on the trade or business of a gundealer, on payment of the sum of one pound for every such certificate, and such certificate shall be in force
 20 until the thirty-first day of December after the date of the issue thereof.

11. Any person who knowingly sells, lets on hire, gives, or lends a gun to any person who is under the age of sixteen years or is intoxicated or is not of sound
 25 mind, shall be liable to a penalty not exceeding twenty-five pounds.

Sale, &c., of guns
to persons under
16, or to persons
intoxicated or
insane.
cf. 3 Edw. VII,
c. 18, s. 5.

12. Any member of the police force may demand from any person who, at the time of such demand, may be using or carrying any gun the production of the license
 30 for so doing, and may also demand from such person his name and address; and if such person refuses to produce such license or does not give his name and address, or gives a false name or address, he shall for every such offence be liable to a penalty not exceeding ten
 35 pounds.

Demands for
production of
gun licenses.
cf. South
Australian
Act, 1875,
No. 6, s. 6.

13. Any member of the police force may seize any gun found in the possession of, and being used or carried for the purpose of use by, any person not being the holder of a gun license under this Act, and such gun
 40 may be forfeited to His Majesty.

Confiscation
of guns used
or carried by
persons with-
out a license.

14.

Gun License.

- 14.** If a justice is satisfied by information on oath that there is reasonable ground for suspecting that any gun is concealed or lodged in any premises or place in breach of this Act, he may grant a search warrant
5 authorising any member of the police force named therein to enter at any time, if necessary by force, and to search any premises or place named in such warrant, and every person found therein, and to seize and detain
10 on such person and in respect of which he has reasonable grounds for suspecting that there has been or is a breach of this Act.
- 15.** Any person who has a gun in his possession and who does not take all reasonable precautions to
15 ensure the safe keeping of such gun shall be liable to a penalty not exceeding ten pounds.
- 16.** Any parent or guardian of any child, who is under the age of sixteen years and who uses, carries, or has in his possession any gun, shall be liable to a penalty
20 not exceeding ten pounds, unless he proves that such use, carriage, or possession was without his consent or knowledge and that he took all reasonable precautions to prevent the same: Provided that nothing in this Act shall prevent any person under the age of sixteen years
25 from using a gun when under the supervision of a person licensed under this Act.
- 17.** Any person who within the boundary of any municipality uses any contrivance commonly known as or in the nature of a maxim silencer shall be liable to a
30 penalty not exceeding twenty pounds.
- 18.** (1) The Governor may make regulations pre-
scribing all forms necessary under this Act, and generally for carrying out the provisions of this Act, and may in those regulations impose any penalty not exceeding ten
35 pounds for any breach of the same.
- (2) Such regulations shall—
- (i) be published in the Gazette;
- (ii) take effect from the date of publication, or from a later date to be specified in such regulations; and
- (iii)

Power to search premises, &c., for guns.

Precautions to be taken by gun owners for safe keeping.

Liability of parent or guardian of a child under sixteen found using a gun.

Maxim silencers.

Regulations.

Gun License.

5 (iii) be laid before both Houses of Parliament
within fourteen days after publication if Par-
liament is in session, and if not, then within
fourteen days after the commencement of the
next session. If either House of Parliament
10 passes a resolution of which notice has been
given at any time within fifteen sitting days
after such regulations have been laid before
such House disallowing any regulation or part
thereof, such regulation or part shall therefrom
cease to have effect.

