



## SELECTION OF BILLS COMMITTEE

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### REPORT NO. 30 – 24 MARCH 2020

#### MEMBERS OF THE COMMITTEE

The Hon Natasha Maclaren-Jones MLC, *Chair*

The Hon Mark Buttigieg MLC, *Deputy Chair*

The Hon Mark Banasiak MLC

Mr Justin Field MLC

The Hon Trevor Khan MLC

The Hon Mark Latham MLC

The Hon Taylor Martin MLC

The Hon Shaoquett Moselmane MLC

Revd The Hon Fred Nile MLC

The Hon Mark Pearson MLC

Mr David Shoebridge MLC

#### Secretariat to the committee:

Ms Beverly Duffy, Clerk Assistant —Procedure  
(02 9230 3367)

The Selection of Bills Committee met on Tuesday 24 March 2020 at 1.15 pm to consider whether the following bills should be referred to a standing committee for inquiry and report:

- Evidence Amendment (Tendency and Coincidence) Bill 2020
- Firearms and Weapons Legislation Amendment (Criminal Use) Bill 2020
- Water Management Amendment (Water Rights Transparency) Bill 2020
- Civil Remedies for Serious Invasions of Privacy Bill 2020
- Better Regulation Legislation Amendment Bill 2020
- Better Regulation and Customer Service Legislation Amendment (Bushfire Relief) Bill 2020
- Anti-Discrimination Amendment (Complaint Handling) Bill 2020
- Local Government Amendment (Disqualification from Civic Office) Bill 2020
- COVID-19 Legislation Amendment (Emergency Measures) Bill 2020
- Treasury Legislation Amendment (COVID-19) Bill 2020

The committee makes the following recommendations:

1. That:
  - (a) the provisions of the Firearms and Weapons Legislation Amendment (Criminal Use) Bill 2020 be referred to Portfolio Committee No. 5 – Legal Affairs for inquiry and report,
  - (b) the bill be referred to the committee upon receipt of the message on the bill from the Legislative Assembly,
  - (c) that the committee report by Tuesday 22 September 2020, and
  - (d) on the report being tabled, a motion may be moved immediately for the first reading and printing of the bill
  
2. That the following bills not be referred to a standing committee for inquiry and report, this day:
  - (a) Evidence Amendment (Tendency and Coincidence) Bill 2020
  - (b) Water Management Amendment (Water Rights Transparency) Bill 2020
  - (c) Civil Remedies for Serious Invasions of Privacy Bill 2020
  - (d) Better Regulation Legislation Amendment Bill 2020
  - (e) Better Regulation and Customer Service Legislation Amendment (Bushfire Relief) Bill 2020
  - (f) Anti-Discrimination Amendment (Complaint Handling) Bill 2020
  - (g) Local Government Amendment (Disqualification from Civic Office) Bill 2020
  - (h) COVID-19 Legislation Amendment (Emergency Measures) Bill 2020
  - (i) Treasury Legislation Amendment (COVID-19) Bill 2020.

Natasha Maclaren-Jones MLC

**Chair**

24 March 2020

## SELECTION OF BILLS COMMITTEE

Proposal to refer a bill to a committee

Name of bill: **Firearms and Weapons Legislation Amendment (Criminal Use) Bill 2020**

Reasons for referral/principal issues for consideration:

- **Schedule 1 (3)** The definition of "firearm precursor" is extremely broad and includes "...any object, device, **substance, material** or document used or capable of being used..." This could include e.g. a block of steel, or a 5mm countersunk screw, or even cutting fluid most home handymen use when drilling steel. Open to misinterpretation and abuse.
- **Schedule 1 (3) Regardless of whether a firearm part is actually manufactured**  
This sets a lower test for criminality i.e. balance of probabilities
- **Require persons to provide assistance**  
This proposal removes a person's right to silence.
- Refusal of minister to engage in consultation with licensed firearm owners.

Possible submissions or evidence from:

Licensed firearm owners  
 Individual firearm collectors and museums  
 NSW dealers Association  
 NSW firearm manufacturers  
 NSW sport shooting and hunting clubs  
 NSW peak bodies for shooting and hunting clubs  
 Law Society of NSW  
 Law Council of Australia

Standing committee to which bill is to be referred:

Portfolio Committee 5 Legal Affairs

Stage which the bill should be referred:

- the provisions of the bill be referred (Assembly bills that have not been received by the Council)
- on the receipt of the message from the Assembly
- at the conclusion of the mover's 2R speech in the Council
- at the conclusion of the 2R debate in the Council

Reporting date ~~30/8/2020~~ *Tuesday 22/09/2020*

Signed:

**Selection of Bills Committee member**

Date:

22/3/2020