

INQUIRY INTO PROVISIONS OF THE FIREARMS AND WEAPONS LEGISLATION (CRIMINAL USE) BILL 2020

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All my comments are based upon firearms that are appropriately registered where necessary and the person handling the firearms are licensed in the appropriate category of firearm where necessary.

The meaning of a “firearm precursor” and “weapon precursor” in 51J (3) and 25E (3) is too broad. “any object, device, substance, material or document used or capable of being used in the process of manufacturing” Includes plastics, metals, drill press, CNC or milling machine, grinder, finisher, welding machine, scrap metal dealer or engineering supplier, or the owners or landlords of those places, or even servers on the internet, for containing images that could be downloaded and used. There are any number of publications available on the internet that demonstrate and explain the manufacture of firearms and weapons for research purposes. Will it be illegal to have these sort of publications in one's library?

The meaning needs to be clarified to take into account the following circumstances which I have come across in my more than 40 years of experience involving firearms and prohibited weapons.

What if;

- i. The firearm has a broken firing pin or small part that only needs welding or a small repair. Can this be done by the owner of the firearm or someone that can weld just the part if it is removed from the firearm by the owner?
- ii. The firearm is an antique that does not require registration and has a missing part that can be made by someone with the appropriate tools or machinery?
- iii. The firearm is an imitation firearm or an imitation antique firearm, that requires a repair or replacement part to be made?
- iv. The firearm is missing a part and the missing part dimensions and drawings are available on the internet to enable the part to be made and someone downloads the information from the internet and has the information in their computer, or prints the drawing to enable the part to be made?
- v. A prohibited weapon such as a magazine for a semi automatic firearm with a capacity of more than 10 rounds has a broken spring or floor plate or ammunition follower. Can that be welded or repaired or manufactured by the owner or person with the appropriate equipment without having the complete prohibited item?
- vi. The police searching premises are not able to tell the difference between some machinery part and a firearm or prohibited weapons precursor? Will they just seize everything anyway? What qualifications will the police be required to have to identify and seize, a firearm/weapon precursor?

Parts for a compound bow and a crossbow are similar as are parts for various paintball guns/markers. At what stage does a piece of plastic, metal, spring, nut, screw, piece of chain, or casting compound, become a firearm/weapon precursor?

Based on my current perception of a firearm/weapon precursor as per the pending legislation, anyone with an average domestic garage for the family car and DIY activities could be in possession of a firearm/weapon precursor.

David Anthony Garland (Tony)
2nd May 2020