

**Submission
No 156**

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

Organisation: Sporting Shooters Association of Australia (SSAA) Orange
Date Received: 6 August 2020



Sporting Shooters Association of Australia Orange Branch Inc.

We welcome all shooters with a sensible attitude and safety in mind.
PO BOX 205 Orange NSW 2800
PH: 0490 433 481 ssaaorange@gmail.com
www.ssaaorange.org.au



6/8/2020

Dear Ministers,

The SSAA Orange Committee representing over 300 members from in the region have discussed the proposed and amendments and have summarised the following:

We have significant concerns over the "Firearms and Weapons Legislation Amendment (Criminal Use) Bill 2020", currently before the NSW Parliament.

We believe that the provisions of this Bill are too ambiguous and open to police misinterpretation and abuse of power. As it stands the Bill creates a serious threat to all licensed firearm owners and other persons. People who own and possess everyday tools which could now be perceived as firearm precursors used to make firearm parts, could be significantly negatively impacted by this Bill.

The Bill does NOT differentiate between licensed firearm owners and criminals.

The Bill entitles police to act on suspicion of an offence or without probable cause.

Changes required to the Bill are:

1. Remove the presumption that persons who rent premises, supply finance, materials or equipment are actually involved in the manufacture of firearms or firearm parts.
(Section (51 J (2) (a)-(c))
2. Remove the presumption that materials and equipment are firearm precursors, where police have no evidence of firearms or parts being manufactured. (Section 51 J (2) (d))
3. Decisions to confiscate firearms and equipment suspected of being firearms precursors, should only be made by police of the rank of Inspector and above, and only after careful consideration and such decision must be documented in writing.
4. Remove Section (51 K (2)) which breaches common law.
5. Add a requirement that internal reviews of decisions involving firearms matters have to be completed within a reasonable, defined period of time.
6. Amend the bill to make it perfectly clear that (a) the mere possession of everyday items or tools, published materials and other instructional materials in any form, by license firearm owners is not an offence under this bill; (b) licensed firearm owners who have a legitimate need to make a part or minor modification to a registered firearm, or a firearm that is not required to be registered under the Act, are not captured by this Bill.
7. Remove section (51 K (2) & (3)) which compels a person to provide assistance or information to police, as this breaches the right to silence under common law.

Boyd Mackinlay
Hon Secretary SSAA Orange Branch Inc.