

Submission  
No 172

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

**Organisation:** 73rd Regiment of Foot Inc

**Date Received:** 10 August 2020

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10.8.2020

Dear Ministers,

**PROVISIONS OF THE FIREARMS AND WEAPONS LEGISLATION (CRIMINAL USE) BILL 2020.**

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I am writing to you as a licensed shooter and Law-abiding firearm owner (LAFO).

I have reviewed the considered changed to the “Firearms and Weapons Legislation Amendment (Criminal Use) Bill 2020”, currently before NSW Parliament and I have significant concerns regarding the proposed amendments.

Based upon my review of the proposed amendments, I believe that the provisions of this Bill are too ambiguous, and allowing for large areas of “grey” and are open to police misinterpretation and potential abuse of policing power, furthermore, the Bill entitles police to act on suspicion of an offence or without probable cause and the Bill does not differentiate between licensed firearm owners and or criminals.

As it stands the Bill creates a serious threat to all licensed firearm owners and other persons who may undertake their own maintenance repairs and or on the behalf of others. 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 definition of ‘firearm precursor’ is too broad and ambiguous and again open to misinterpretation by the Police. Given the ambiguity of the definition it is open to include materials such as a piece of metal, pipe, or devices such as a drill, lathe or even something as simple as a screwdriver; whilst substances could be viewed as a lubricating oil such as WD-40. All of these materials and objects can be found in any workshop or garage.

Changes required to the Bill include but not limited to;

- If a LAFO was to change a barrel, ad a bipod, changed a scope at a rifle range, target event, in the field i.e. hunting trip or similar, is it an offence?
- Is it an Offence to undertake repairs of your own or others rifle?
- 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)
- Decisions to confiscate firearms and equipment suspected of being firearms precursors, should only be made by police of the rank of Inspector and or above, and only after careful consideration and such decision must be documented in writing.
- Remove Section (51 K (2) which breaches common law.
- Add a requirement that internal reviews of decisions involving firearms matters have to be completed within a reasonable, defined period of time.

- 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 LAFO 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
  - (c) a firearm that is not required to be registered under the Act, are not captured by this Bill,
- 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.

Yours Faithfully,

Regards

73<sup>rd</sup> Regiment of Foot Inc - Committee Member  
Hunting Co-ordinator



**73<sup>RD</sup> REGIMENT OF FOOT INC.**  
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*NSW Firearms Registry Approvals-*  
*Target Shooting 405992802; Hunting 405992813 Collecting 405992829*  
*Historical Re-enactment Permit 406746654; Pistol 409656857*

Affiliated with NSW Muzzle Loading Association Inc.