

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

Name: Name suppressed
Date Received: 13 August 2020

Partially
Confidential

12 August 2020

RE: FIREARMS AND WEAPONS LEGISLATION AMENDMENT (CRIMINAL USE) BILL 2020

Dear Members,

I write to you as a law-abiding, licensed firearm owner with concerns over the “Firearms and Weapons Legislation Amendment (Criminal Use) Bill 2020”, currently before the NSW Parliament.

The NSW Government in proposing the above Bill, while well intentioned, is far reaching in its application and could inadvertently impact law-abiding, licensed firearms owners.

I passionately 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 law-abiding, licensed firearm owners. People who own and possess everyday tools and materials which could now be perceived as firearm precursors used to manufacture firearm parts, could be significantly and negatively impacted by this Bill.

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

The Bill does NOT differentiate between manufacture, modification, and maintenance.

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 materials and equipment are firearm precursors, where police have no evidence of firearms or parts being manufactured. (Section 51 J (2) (d))
2. (Section 51 K) The wording “Firearm Parts and Firearm Precursors” needs to be defined accurately and outlined in the Bill to ensure no misinterpretation of “Firearm Parts and Firearm Precursors”. Many law-abiding, licensed firearm owners may have in their possession alternative parts from previous or current firearms (such as sights, mounts, stocks for example) this could be misinterpreted as Firearm Precursors.
3. Amend the bill to make it perfectly clear that (a) the mere possession of everyday items or tools, materials (for example steel or aluminium), 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 manufacture a non-off the shelf part (for example sights mounts and rings) or minor modification (for example stock modification to improve accuracy, or replacement of sights) and maintenance to a registered firearm, are not captured by this Bill.

4. 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.

As a hard working law-abiding, licensed firearm owner who has worked hard to stay as such. I fear that the proposed changes to the “Firearms and Weapons Legislation Amendment (Criminal Use) Bill 2020” will make many law-abiding, licensed firearm owners criminals and in breach without further review of the proposed Bill.

As stated at the start of this letter, I can understand the need for this Bill, but I ask that, after considering the above comments, you take steps to ensure that innocent legal firearms owners are not found in contravention of the Bill through its wide ranging powers and the unintended consequences it could have.

Kind Regards