



AUSTRALIAN CAPITAL TERRITORY

## **Weapons (Amendment) Act (No. 2) 1996**

**No. 18 of 1996**

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### **An Act to amend the *Weapons Act 1991***

*[Notified in ACT Gazette S87: 17 May 1996]*

The Legislative Assembly for the Australian Capital Territory enacts as follows:

#### **Short title**

1. This Act may be cited as the *Weapons (Amendment) Act (No. 2) 1996*.

#### **Commencement**

2. This Act commences on the day on which it is notified in the *Gazette*.

#### **Principal Act**

3. In this Act, “Principal Act” means the *Weapons Act 1991*.<sup>1</sup>

#### **Interpretation**

4. Section 4 of the Principal Act is amended by omitting from the definition of “self-loading” in subsection (1) “dangerous” (wherever occurring).

#### **Approved reasons**

5. Section 5 of the Principal Act is amended by omitting paragraph (1) (k).

**Grant of licence**

6. Section 24 of the Principal Act is amended—
- (a) by adding at the end of subparagraph (1) (c) (ii) “and”;
  - (b) by omitting from subparagraph (1) (d) (ii) “and” (last occurring);  
and
  - (c) by omitting paragraph (1) (e).

**Effect of licence**

7. Section 28 of the Principal Act is amended by omitting from subparagraph (1) (a) (i) “a self-loading centre fire rifle of a military type or”.

**Surrender etc. of weapons**

8. Section 53 of the Principal Act is amended by inserting in paragraph (6) (a) “as in force immediately before the commencement of the *Weapons (Amendment) Act (No. 2) 1996*” after “92”.

**Approval of application**

9. Section 57 of the Principal Act is amended—
- (a) by adding at the end of paragraph (2) (b) “and”;
  - (b) by omitting from paragraph (2) (c) “and”; and
  - (c) by omitting paragraph (2) (d).

**Refusal of registration—duties of licensee**

10. Section 58 of the Principal Act is amended by inserting in paragraph (2) (a) “as in force immediately before the commencement of the *Weapons (Amendment) Act (No. 2) 1996*” after “92”.

**Sale etc. of weapons**

11. Section 77 of the Principal Act is amended—
- (a) by omitting from paragraph (7) (a) “or” (last occurring);
  - (b) by omitting paragraph (7) (b); and
  - (c) by omitting subsection (8).

### **Substitution**

12. Section 92 of the Principal Act is repealed and the following section substituted:

### **Compensation**

“92. The owner of a weapon is entitled to compensation from the Territory if—

- (a) immediately before the commencement of the *Weapons (Amendment) Act (No. 2) 1996*, the weapon was lawfully in his or her possession;
- (b) the weapon is surrendered to the Registrar within 12 months after that commencement; and
- (c) at the time of surrender the sale of the weapon was prohibited.”.

### **Schedule 3**

13. Schedule 3 to the Principal Act is amended by omitting item 7 and substituting the following items:

- 7 A weapon that is capable of propelling projectiles in rapid succession during 1 pressure of the trigger or that substantially replicates such a weapon in design, function or appearance.
- 7A A weapon that—
  - (a) is a self-loading centre fire rifle of a military type or that substantially replicates such a rifle in design, function or appearance;
  - (b) is a self-loading rifle; or
  - (c) is a self-loading or pump action shotgun.

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### **NOTE**

#### **Principal Act**

1. Reprinted as at 28 February 1995. See also Acts No. 46, 1995; No. 10, 1996.

*[Presentation speech made in Assembly on 14 May 1996]*