



Australian Capital Territory

# Firearms Legislation Amendment Act 2020

A2020-19

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J2019-1483

Authorised by the ACT Parliamentary Counsel—also accessible at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)

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Australian Capital Territory

# Firearms Legislation Amendment Act 2020

**A2020-19**

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An Act to amend legislation about firearms, and for other purposes

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

## Part 1 Preliminary

### 1 Name of Act

This Act is the *Firearms Legislation Amendment Act 2020*.

### 2 Commencement

This Act commences on the day after its notification day.

*Note* The naming and commencement provisions automatically commence on the notification day (see [Legislation Act](#), s 75 (1)).

### 3 Legislation amended

This Act amends the following legislation:

- [Firearms Act 1996](#)
- [Firearms Regulation 2008](#)
- [Prohibited Weapons Act 1996](#).

## Part 2 Firearms Act 1996

### 4 Schedule 2, part 2.1, section 2.1

*substitute*

#### 2.1 Definitions—sch 2

In this schedule:

***coach***, in the sport of biathlon or modern pentathlon, means a person who, within the previous 5 years, has provided training or instruction in the sport to someone else.

***corrections officer*** includes a person employed by an entity responsible under a law of a State or another Territory for providing correctional services for offenders.

*Note* ***Corrections officer***—see the [Legislation Act](#), dict, pt 1.

***participating***, in the sport of biathlon or modern pentathlon, means receiving instruction, practising, training or competing in the sport.

### 5 Exemptions from Act Schedule 2, part 2.2, new item 6

*insert*

6	aviation security inspector	possessing or using firearm in exercise of inspector's functions under the <a href="#">Aviation Transport Security Act 2004</a> (Cwlth)
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**6 Schedule 2, part 2.3, new items 3A to 3G***insert*

3A	sporting (biathlon or modern pentathlon) organisation prescribed by regulation	possessing or using an imitation firearm if— (a) firearm is a biathlon or modern pentathlon laser target shooting device; and (b) possession or use is for a person participating in the sport of biathlon or modern pentathlon
3B	member of a sporting (biathlon or modern pentathlon) organisation prescribed by regulation	possessing or using an imitation firearm if— (a) firearm is a biathlon or modern pentathlon laser target shooting device; and (b) possession or use is in exercise of functions as member
3C	person attending a demonstration of the sport of biathlon or modern pentathlon conducted by a sporting (biathlon or modern pentathlon) organisation prescribed by regulation	possessing or using an imitation firearm if— (a) firearm is a biathlon or modern pentathlon laser target shooting device; and (b) possession or use happens under supervision of member of the organisation
3D	official in a sporting competition conducted by a sporting (biathlon or modern pentathlon) organisation prescribed by regulation	possessing or using an imitation firearm if— (a) firearm is a biathlon or modern pentathlon laser target shooting device; and (b) possession or use is in exercise of functions as official
3E	adult participating in a competition in the sport of biathlon or modern pentathlon, conducted by a sporting (biathlon or modern pentathlon) organisation prescribed by regulation	possessing or using an imitation firearm if— (a) firearm is a biathlon or modern pentathlon laser target shooting device; and (b) possession or use is for the purpose of participating in the sport of biathlon or modern pentathlon

3F	child participating in a competition in the sport of biathlon or modern pentathlon, conducted by a sporting (biathlon or modern pentathlon) organisation prescribed by regulation	possessing or using an imitation firearm if— (a) firearm is a biathlon or modern pentathlon laser target shooting device; and (b) possession or use— (i) is for the purpose of participating in the sport of biathlon or modern pentathlon; and (ii) happens under supervision of the person’s coach for the sport
3G	coach in the sport of biathlon or modern pentathlon	possessing or using an imitation firearm if— (a) firearm is a biathlon or modern pentathlon laser target shooting device; and (b) possession or use is for the purpose of giving training or instruction to a person participating in the sport of biathlon or modern pentathlon

## 7 Dictionary, new definitions

*insert*

***coach***, in the sport of biathlon or modern pentathlon, for schedule 2 (Exemptions from Act)—see section 2.1.

***participating***, in the sport of biathlon or modern pentathlon, for schedule 2 (Exemptions from Act)—see section 2.1.

## Part 3                      Firearms Regulation 2008

### **8                      Sporting organisations—Act, s 23, sch 2, pt 2.3, items 2 and 3 New section 67 (fa) to (fc)**

*insert*

- (fa) Australian Biathlon Association;
- (fb) Modern Pentathlon Australia;
- (fc) Modern Pentathlon Association of NSW Inc;

### **9                      New section 67A**

*insert*

### **67A                  Sporting (biathlon or modern pentathlon) organisations— Act, s 23, sch 2, pt 2.3, items 3A to 3G**

The following sporting (biathlon or modern pentathlon) organisations are prescribed:

- (a) Australian Biathlon Association;
- (b) Modern Pentathlon Australia;
- (c) Modern Pentathlon Association of NSW Inc.



## Part 4 Prohibited Weapons Act 1996

### 10 Application of Act Section 4 (2) and note

*substitute*

- (2) Also, a person does not commit an offence against this Act only because of something done by the person in the exercise of the person's functions as—
- (a) a corrections officer; or
  - (b) an aviation security inspector under the *Aviation Transport Security Act 2004* (Cwlth).

*Note* *Exercise, function* and *corrections officer* are defined in the [Legislation Act](#), dict, pt 1.

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## Endnotes

**1 Presentation speech**

Presentation speech made in the Legislative Assembly on 13 February 2020.

**2 Notification**

Notified under the [Legislation Act](#) on 27 May 2020.

**3 Republications of amended laws**

For the latest republication of amended laws, see [www.legislation.act.gov.au](http://www.legislation.act.gov.au).

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I certify that the above is a true copy of the Firearms Legislation Amendment Bill 2020, which was passed by the Legislative Assembly on 21 May 2020.

Clerk of the Legislative Assembly

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