

Firearms (Use of Noise Suppression Devices) Declaration 2016 (No 3)

Disallowable instrument DI2016-267

made under the

Firearms Act 1996, s 31 (Firearms declarations by registrar)

1 Name of instrument

This instrument is the *Firearms (Use of Noise Suppression Devices) Declaration 2016 (No 3)*.

2 Commencement

This instrument commences on the day after its notification day.

3 Declaration

I declare that a firearm to which there is attached a noise suppression device is not a prohibited firearm when it is being used by an authorised person for a prescribed purpose.

4 Definitions

In this declaration,

Authorised person means a person who is—

- a) authorised by a licence, permit or otherwise under the *Firearms Act 1996* to possess or use a firearm; and
- b) authorised by a permit under s 9(1)(b) of the *Prohibited Weapons Act 1996* to possess a noise suppression device; and
- c) either—
 - i. appointed as a conservation officer under section 28 of the *Nature Conservation Act 2014* (a conservation officer); or
 - ii. contracted or otherwise authorised by the ACT Government; or
- d) authorised by a licence under the *Firearms Act* to carry on a business as a firearms dealer, including manufacturing, acquiring, disposing of, repairing, maintaining or testing firearms or firearm parts.

Fauna includes—

- (a) a native animal; or
- (b) an animal declared to be a pest animal under section 16 of the *Pest Plants and Animals Act 2005*.

Noise suppression device means an article or device capable of muffling, reducing or stopping the noise created by firing the firearm, commonly known as a silencer.

Prescribed purpose means—

- a) killing fauna on public land (as reserved in the Territory Plan under s 315 of the *Planning and Development Act 2005*), at the direction or under the authority of a conservation officer; or
- b) for a conservation officer, killing a native animal to alleviate its suffering; or
- c) carrying out activities that are reasonable and necessary for a firearms dealer to manufacture, acquire, dispose of, repair, maintain or test firearms or firearm parts at the place the person is registered to carry on the business of a firearms dealer.

5 Revocation

This instrument revokes DI2016-175.

Susan Ball
Registrar of Firearms

27 September 2016