

Australian Capital Territory

Firearms Amendment Regulation 2020 (No 1)

Subordinate law SL2019–1

made under the

Firearms Act 1996

EXPLANATORY STATEMENT

Overview

The Firearms Amendment Regulation 2020 (No 1) amends the *Firearms Regulation 2008* to allow the Firearms Registrar to issue a permit to authorise the possession and display of a mortar if the Firearms Registrar is satisfied that certain conditions have been met.

A mortar is a prohibited firearm pursuant to item 16, Schedule 1 of the *Firearms Act 1996*. Under section 42 of the *Firearms Act 1996* it is an offence for a person to possess or use a prohibited firearm unless authorised by a licence, permit or otherwise under the Act.

A person must demonstrate to the Firearms Registrar that they are a collector of military firearms memorabilia, and that they intend to display the mortar at a historical or military event or other associated or similar event. Additionally, the mortar must be permanently inoperable.

This amendment applies conditions on storage and display that must be followed, so as to minimise alarm to the public.

Detail

Clause 1 – Name of regulation

This is a technical clause that establishes the name of the Regulation as the *Firearms Amendment Regulation 2020 (No 1)*.

Clause 2 – Commencement

This provision specifies when the Regulation will commence. The Regulation will commence on the day after its notification day.

Clause 3 – Legislation amended

This clause provides that the Regulation amends the *Firearms Regulation 2008*.

Clause 4 – New section 71A

This clause inserts a new section 71A into the *Firearms Regulation 2008*. New section 71A provides that a permit may be issued to authorise the possession of a mortar if the registrar is satisfied that the applicant is a collector of military firearms, intends to display the mortar at historical, military or similar events, and that the mortar is permanently inoperable. It further specifies conditions of the permit including storage requirements, display requirements, and permit requirements.

Clause 5 – Dictionary, note 3

This clause omits the term ‘inoperable firearm’ from the dictionary to facilitate interpretation.

Clause 6 – Dictionary, new definition of *permit*

This clause inserts the term ‘permit’ into the dictionary to facilitate interpretation of the new Section 71A.