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**THE LEGISLATIVE ASSEMBLY FOR THE  
AUSTRALIAN CAPITAL TERRITORY**

**ELEVENTH ASSEMBLY**

**FIREARMS (PUBLIC SAFETY) AMENDMENT BILL 2026**

**EXPLANATORY STATEMENT  
and  
HUMAN RIGHTS COMPATIBILITY STATEMENT  
(*Human Rights Act 2004*, s 37)**

**Presented by  
DR MARISA PATERSON MLA  
MINISTER FOR POLICE, FIRE, AND EMERGENCY SERVICES  
February 2026**

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# FIREARMS (PUBLIC SAFETY) AMENDMENT BILL 2026

This explanatory statement relates to the Firearms (Public Safety) Amendment Bill 2026 (the Bill). It has been prepared to assist the reader of the bill and to help inform debate. It does not form part of the Bill and has not been endorsed by the Legislative Assembly.

The Bill **is not** a Significant Bill. Significant Bills are bills assessed as likely to have significant engagement of human rights and require more detailed reasoning in relation to compatibility with the *Human Rights Act 2004* (Human Rights Act).

## OVERVIEW OF THE BILL

The Bill amends the *Firearms Act 1996* (Firearms Act) to strengthen gun laws in the ACT in accordance with National Cabinet commitments following the terror attack at Bondi Beach, New South Wales on 14 December 2025.

The policy objective of the Bill is to improve public safety by introducing quantitative limits on the possession and use of firearms, restricting access to high-capacity and rapid-fire weapons, and prohibiting the possession of blueprints for the illegal manufacture of firearms.

These measures are intended to reduce the capacity for harm caused by the misuse or diversion of firearms to illicit markets and will prevent the proliferation of untraceable and illegal weapons that threaten the security of the ACT community.

The amendments in the Bill were formulated in accordance with the National Firearms Agreement (NFA) and were refined through consultation with ACT Policing and the firearms sector.

The Bill will amend the Firearms Act to:

1. Limit the number of firearms that can be possessed and used;
2. Recategorize the types of firearms that can be possessed and used;
3. Prohibit belt-fed firearms;
4. Introduce an offence to possess digital blueprints for the computer-aided manufacture of firearms and firearm parts.

## CONSULTATION ON THE PROPOSED APPROACH

The amendments in the Bill are designed to meet the objective of strengthening gun laws as agreed by National Cabinet on 15 December 2025. These amendments were developed by the Justice and Community Safety Directorate (JACS) through close consultation with:

- ACT Policing;
- Human Rights and Social Policy Team (JACS); and

- Security and Emergency Management Division (JACS).

The amendments relating to the offence for possession of a digital blueprint were subject to targeted consultation with key firearms and justice stakeholders, as part of a broader suite of amendments to support the ACT's participation in the National Firearms Register (NFR) and otherwise to ensure that ACT firearms legislation remains fit for purpose and responds to emerging risk.

Stakeholders who responded to the consultation were largely supportive of the creation of an offence for the possession of digital blueprints and provided some feedback on the scope of the offence and associated matters. Feedback has been considered in the drafting of the new offence as far as possible.

## **CLIMATE IMPACT**

The Bill does not have any emissions or adaptation impacts.

## **CONSISTENCY WITH HUMAN RIGHTS**

During the development of this Bill, due regard was given to its compatibility with human rights as set out in the *Human Rights Act 2004* (HRA).

The preamble to the Human Rights Act notes that human rights may be subject only to the reasonable limits in law that can be demonstrably justified in a free and democratic society.

Section 28(2) of the Human Rights Act contains the framework that is used to determine the acceptable limitations that may be placed on human rights. Section 28 requires that any limitation on a human right must be authorised by a Territory law, pursue a legitimate aim, and be reasonable to achieve that aim. Whether a limitation is reasonable depends on whether it is proportionate.

Proportionality can be understood and assessed as explained in *R v Oakes*, in which it was held that the measures must be rationally connected to the legitimate aim, the limitation must impair the right as little as possible, and there must be proportionality between the effects of the limitation (the restriction on rights of those affected) and the importance of the legitimate aim.<sup>1</sup>

The limitations on human rights in the Bill are proportionate and justified in the circumstances because they are the least restrictive means available to achieve the purpose of promoting the safety of the community while balancing the interests and genuine needs of licenced firearms users.

## **Rights engaged**

The Bill engages, and promotes, the following human rights:

- The right to life – section 9.

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<sup>1</sup> [1986] 1 S.C.R. 10, [70]

The Bill engages, and limits, the following human rights:

- The right to privacy – section 12;
- The right to freedom of expression – section 16;
- The right to the presumption of innocence in criminal proceedings – section 22(1).

### ***Rights Promoted***

The Bill promotes the **right to life** pursuant to section 9 of the Human Rights Act, which gives express recognition of the right to life enshrined in Article 6 of the International Covenant on Civil and Political Rights (ICCPR). The right to life requires that governments take appropriate measures to protect the right to life of those within its jurisdiction. This right places a positive obligation on governments to take preventative measures to protect individuals from foreseeable threats to their lives, including acts of violence by individuals.

The Bill promotes the right to life by placing quantitative and qualitative limits on the possession and use of firearms in the ACT, which protects members of the ACT community from potential threats of violence. By imposing numerical caps on the number of firearms an individual can possess or use, the Bill reduces the proliferation of firearms in the community and lowers the risk that firearms are stolen or misused by dangerous individuals. Similarly, in restricting the authorisation for rapid-fire and high-capacity magazine weapons and by prohibiting the use of belt-fed firearms, the Bill limits the risk of mass casualties in situations of attack or crisis.

The Bill also promotes the right to life by prohibiting the possession of digital blueprints enabling the computer-aided manufacture of firearms and parts, thereby protecting the ACT community from risks associated with the proliferation of privately manufactured firearms and helping to disrupt illicit markets. By prohibiting the possession of blueprints, the Bill enables early intervention in the illicit manufacturing process—including to prevent manufacture before it occurs.

### ***Rights Limited***

#### Right to privacy – section 12

***Nature of the rights and the limitation (s 28(a) and (c))*** The right to privacy in section 12 of the Human Rights Act protects individuals from unlawful interference with privacy, family, home or correspondence. The right encompasses the idea that individuals should have a separate area of autonomous development, interaction and liberty, free from excessive government intervention and unsolicited intrusion by other individuals.

The Bill engages and limits the right to privacy by imposing restrictions on the number and type of firearms that may be possessed or used, which limits the right of individuals to freely manage the property within their private possession.

### ***Legitimate purpose (s 28(b))***

The purpose of the restrictions on the number and type of firearms that may be possessed or used by licensees is to promote public safety.

### ***Rational connection between the limitation and the purpose (s 28(d))***

There is a direct rational connection between the imposition of stringent requirements on the management of highly regulated property, such as firearms, and the legitimate purpose of promoting public safety. By limiting the quantity and type of firearms an individual is authorised to possess or use, the Bill reduces the risk of dangerous firearms being misused or large numbers of firearms being diverted through theft from licenced owners to illicit markets.

### ***Proportionality (s 28(a) and (c))***

This limitation is proportionate as the interest in managing private property without government oversight is balanced by the mitigation of harm that could be caused to the community. The amendments designate the number and types of firearms permitted for possession or use by each licence holder according to their necessity in certain occupations or vocational sectors, while still allowing pathways to the lawful possession of firearms if required for genuine reasons. This ensures that the amendments are the least restrictive means available to achieve the legitimate purpose.

## Section 16 – Right to freedom of expression

### ***Nature of the rights and the limitation (s 28(a) and (c))***

The right to freedom of expression in section 16 (2) of the Human Rights Act includes freedom to seek, receive and impart information and ideas of all kinds, whether orally, in writing or in print, by way of art, or in any other way.

Clause 9 of the Bill inserts a new section 228A into the Firearms Act, to create the offence of possessing a digital blueprint enabling computer aided manufacture of a firearm or part.

The prohibition on possession of digital blueprints may limit sharing of information by digital means and may have downstream effects on artistic expression—for example by limiting possession of artistic impressions of firearm-related items and limiting the creation of artwork which relies on computer-aided processes.

### ***Legitimate purpose (s 28(b))***

The offence in section 228A (1) seeks to protect community safety by combatting the unauthorised use of computer-aided manufacturing technology to produce firearms and parts. This aims to reduce the proliferation of privately manufactured firearms and to disrupt illicit firearms markets.

### ***Rational connection between the limitation and the purpose (s 28(d))***

The offence in section 228A (1) directly prohibits possession of instructional material (digital blueprints) for computer-aided manufacture of firearms. Expressly targeting possession of digital blueprints aims to enable early intervention in the illicit manufacturing process—including to prevent manufacture from occurring.

### ***Proportionality (s 28(a) and (c))***

The limitation on the right to freedom of expression associated with the offence in section 228A (1) is a proportionate means of achieving the legitimate objective of the measure. The offence only imposes minor limitations on freedom of expression, justified by reference to the significant harms the offence seeks to prevent.

The offence would only prohibit the possession of digital blueprints capable of being used in combination with a programmable computer device to create a firearm or part. It is not envisaged that it would apply to physical or electronic representations of firearms or other things possessed for reasons of artistic, scientific, or general interest. For example, it is not envisaged that the offence would apply to an exploded diagram of a firearm in a book or journal article.

To the extent that an artwork or other thing can be used to manufacture a firearm or part, the offence would apply. However, the application of the offence to such things is considered justified in the interest of protecting public safety.

The exceptions in new section 228A (3) (c) assist the compatibility of the offence with the right to freedom of expression by allowing a person to possess a blueprint for research purposes, subject to approval from the registrar. The exceptions ensure the offence does not impose a blanket prohibition on possession of digital blueprints and that legitimate research is appropriately balanced against the overriding need to protect community safety. The registrar is required under section 228A (5) to keep a record of approvals and attached conditions, which may be used by a defendant wishing to raise approval by the registrar as an exception.

The exceptions do not cover possession of blueprints for artistic purposes. This is considered appropriate given the significant risks associated with unauthorised possession of a digital blueprint and that artistic endeavours are typically subject to less stringent controls than research activities, which are typically subject to ethics approvals, academic protocols and statutory frameworks.

## Section 22 – Rights in criminal proceedings

### ***Nature of the rights and the limitation (s 28(a) and (c))***

Under section 22(1) of the HR Act, everyone charged with a criminal offence has the right to be presumed innocent until proven guilty according to law. A core component of this right is that the prosecution has the burden of proving beyond reasonable doubt that the defendant committed the offence.

Clause 9 of the Bill inserts new section 228A into the Firearms Act, to create an offence of possessing a digital blueprint which, in combination with a computer aided manufacturing device, enables the manufacture of a firearm or firearm part.

Section 228A (2) provides that strict liability applies to whether an item that may be manufactured using the digital blueprint is a firearm or firearm part, and to whether the firearm or part may be manufactured using the digital blueprint in combination with a computer-aided manufacturing device.

The application of strict liability to elements of the offence in section 228A (1) limits the right to be presumed innocent, as it allows the defendant to be convicted of the offence with no requirement for the prosecution to prove fault in relation to those elements.

Section 228A (3) creates exceptions to this offence, which apply if the defendant:

- is authorised by a firearms dealer licence or otherwise authorised under the Firearms Act to manufacture the firearm or firearm part to which the blueprint relates; or
- possesses the blueprint while carrying out public or official duties in relation to the administration of justice, or in relation to enforcing, administering, monitoring compliance with, or investigating a contravention of, a law of the ACT or another jurisdiction; or
- possesses the blueprint to undertake scientific, medical, educational, military or law enforcement research that has been approved by the registrar in writing and does not contravene a condition of the approval.

The exceptions in section 228A (3) impose an evidential burden on the defendant. This limits the right to be presumed innocent as it requires the defendant to raise evidence to establish a reasonable possibility that an exception exists. It is noted that once the defendant has raised relevant evidence, the prosecution must disprove the matters beyond reasonable doubt.

Section 228A (4) creates additional offence-specific defences. These apply where the defendant proves that:

- the defendant did not know, and could not reasonably be expected to have known, that the defendant possessed the digital blueprint; or

- the digital blueprint came into the defendant's possession unsolicited and, as soon as they became aware of its nature, the defendant took reasonable steps to remove the blueprint from the defendant's possession.

The defences in section 228A (4) impose a legal burden on the defendant. This limits the right to be presumed innocent as it requires the defendant to prove a defence is made out rather than requiring the prosecution to disprove this matter. It is acknowledged that the defendant is required to establish the defence on the balance of probabilities, after which the prosecution must disprove relevant matters beyond reasonable doubt.

### ***Legitimate purpose (s 28(b))***

The offence in section 228A (1) seeks to protect community safety by combatting unauthorised use of computer-aided manufacturing to produce firearms and related items. This aims to reduce the proliferation of privately manufactured items and to disrupt illicit firearms markets.

### ***Rational connection between the limitation and the purpose (s 28(d))***

The application of strict liability to elements of the offence in section 228A (1) aims to ensure the offence can be prosecuted and acts as an effective deterrent to unlawful conduct. Requiring the prosecution to prove fault in relation to whether a blueprint captures a firearm or part, or whether the blueprint can be used in computer-aided manufacture, would significantly limit the extent to which the offence can be effectively prosecuted.

The exceptions in section 228A (3) and defences in section 228A (4) similarly aim to ensure that the offence in section 228A (1) can be prosecuted. If the prosecution were required to disprove each exception and each defence, enforcement of the offence would be significantly more challenging if not impossible. This is particularly the case noting that relevant matters will be peculiarly within the knowledge of the defendant (discussed further below).

### ***Proportionality (s 28(a) and (c))***

The limitations on the right to be presumed innocent associated with the application of strict liability and the imposition of evidential and legal burdens (see below) are proportionate to achieving the legitimate objective of the measures, which aim to ensure that the offence can be effectively prosecuted and acts as a deterrent to the relevant misconduct. This is considered critical given the seriousness of the offence and the harms it aims to prevent—including harms associated with possession and use of privately manufactured firearms by criminal actors.

### ***Application of strict liability***

Strict liability is applied only to elements of the offence, and then only to fact-based elements which may be established on clear 'yes' or 'no' criteria. Whether a blueprint

captures a firearm or part, and whether the blueprint is capable of being used in manufacturing, can be clearly established by the application of technical expertise.

The proportionality of the measure is assisted by the fact that firearms are heavily regulated in the ACT (and across Australia), with possession, use, acquisition and disposal of firearms and related items subject to a strict regulatory regime. There is a clear assumption of responsibility to comply with applicable legal requirements, with regulated entities put on notice not to engage in prohibited conduct.

A less rights-restrictive approach (that is, a requirement to prove fault in relation to each element of the offence) would create significant challenges for the prosecution and accordingly undermine the objective of the offence, including its effectiveness as a deterrent to the unauthorised manufacture of firearms and related items.

The availability of the defence of honest and reasonable mistake of fact acts as an important safeguard. This defence may be enlivened where the defendant holds an honest and reasonable belief that material in their possession did not relate to a firearm or part or would not enable the manufacture of such an item in combination with a computer-aided manufacturing device. An example of where this latter situation may arise is in relation to the possession of an electronic reproduction of a technical drawing of which the defendant is in possession for reasons of artistic, scientific or general interest.

In addition to allowing the defence of honest and reasonable mistake of fact in relation to elements of the offence in section 228A (1), additional exceptions and defences are created by sections 228A (3) and (4) (discussed further below). These act as further safeguards which assist the proportionality of the measure.

#### *Imposition of evidential and legal burdens—exceptions and defences*

The imposition of an evidential burden on the defendant by the exceptions in section 228A (3) is considered justified, noting that relevant matters are peculiarly within the knowledge of the defendant and will not be readily ascertainable by the prosecution. In this regard:

- If the defendant is the holder of a firearm dealer licence or otherwise authorised under the Firearms Act to manufacture a firearm or part (for section 228 (3) (a)), they could readily produce a copy of the relevant authority and demonstrate that possession of the blueprint was necessary for activities to which the authority relates. This information is unlikely to be readily available to the prosecution.
- Whether a defendant possesses a blueprint in the course of their official duties relating to the administration of justice or the administration or enforcement of laws (for section 228(3)(b)) would be uniquely known to the defendant. The defendant could readily adduce evidence (for example, employment or project documentation) demonstrating the scope of their duties and the associated need

to hold a digital blueprint. The prosecution may face significant challenges in establishing the relevant matters.

- The defendant is best placed to adduce evidence demonstrating that possession of a blueprint is necessary for approved research (for section 228(2)(c)). For example, if the defendant is a scientist conducting approved academic research, they could adduce evidence such as research protocols, ethics approvals and related documents to establish that possession of the blueprint is necessary for the relevant activities and that the conduct of the research involving the blueprint does not contravene any associated conditions. Information of this nature is unlikely to be readily available to the prosecution.

The exceptions also operate on the same principle as ‘lawful authority’ defences in section 43 of the *Criminal Code 2002* and equivalent legislation in other jurisdictions.

Proportionality of the measures is further assisted by the fact that matters covered by the exceptions do not go to the core substance of the new offence (that is, whether the defendant was intentionally in possession of a blueprint). Rather, they create fact-specific exemptions which protect certain classes of people from liability.

The imposition of a legal burden on the defendant by the defences in section 228A (4) is also justified on the basis that relevant matters are peculiarly within the knowledge of the defendant. Indeed, the defences go directly to the defendant’s state of mind. The prosecution would have significant difficulty proving beyond reasonable doubt that the defendant knew that a blueprint was in their possession. Moreover, whether the steps taken by a defendant to remove a blueprint from their possession are reasonable will depend on the defendant’s personal circumstances.

As a common example of where the defences might apply, a defendant may search for files enabling manufacture of lawful items (for example, 3D-printed figurines or components of an artistic work) and may of convenience download a package of files. Unknown to the defendant, the package could include a digital blueprint for the computer-aided manufacture of a firearm or part. It may take time for the defendant to discover the blueprint and indeed may never discover the blueprint if they only select and use certain (lawful) files.

In these circumstances, it may be difficult if not impossible for the prosecution to prove that the defendant knew the digital blueprint was in their possession, although they may be able to establish that the defendant ought reasonably to have known about this matter (for example by reference to the defendant’s activities, the number and nature of files downloaded, and the behaviour of a reasonable person).

Moreover, if the defendant discovered a digital blueprint in the package of files that they had downloaded (or if, for example, they were sent a blueprint unsolicited by another person), the steps the defendant took to rid themselves of the blueprint and whether the steps were reasonable would be peculiarly within their knowledge. What is a ‘reasonable’ would depend on the defendant’s own circumstances.

There are not less rights-restrictive means of achieving the legitimate objective of the limitation on the right to be presumed innocent. In this regard:

- Casting the exceptions and defences in sections 228A (3) and (4) as elements of the offence in section 228A (1) would require the prosecution to prove or disprove (as appropriate) each matter beyond reasonable doubt. Given that matters covered by those sections—and particularly those captured by section 228A (4)—are peculiarly within the defendant's knowledge, this would create very significant challenges for the prosecution and make the offences virtually unenforceable.
- Casting the defences in section 228A (4) as exceptions (such that they impose an evidential, rather than a legal, burden) would similarly make the offence in section 228A (1) difficult if not impossible to enforce. This is because the defendant would only be required to raise evidence to indicate the existence of the defence, after which the prosecution would be required to prove the defence is not made out.

The imposition of an evidential or legal burden on the defendant does not reduce the obligation on the prosecution (that is, the ACT Director of Public Prosecutions (ACT DPP)) to consider whether there are reasonable prospects of a conviction being secured before proceeding with a prosecution, including consideration of whether the prosecution is in the public interest. As part of making this determination, the ACT DPP is required to make an evaluation of how strong the case is likely to be when presented to court, including any lines of defence which are plainly open to, or have been indicated by, the alleged offender. This provides a safeguard, as it would ensure the prosecution considers the existence of a defence before proceeding with a prosecution and does not proceed with the prosecution unless they are satisfied that they have reasonable prospects of success.

## Firearms (Public Safety) Amendment Bill 2026

### *Human Rights Act 2004 - Compatibility Statement*

In accordance with section 37 of the *Human Rights Act 2004* I have examined the **Firearms (Public Safety) Amendment Bill 2026**. In my opinion, having regard to the Bill and the outline of the policy considerations and justification of any limitations on rights outlined in this explanatory statement, the Bill as presented to the Legislative Assembly is consistent with the *Human Rights Act 2004*.

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Tara Cheyne MLA  
Attorney-General

## CLAUSE NOTES

### Chapter 1 Preliminary

#### Clause 1 Name of Act

This clause provides that the name of this Act is the Firearms (Public Safety) Amendment Act 2026.

#### Clause 2 Commencement

This clause provides that section 3 and section 13 commence on the day after this Act's notification day, and that the remaining provisions commence on a day fixed by the Minister by written notice.

This clause provides that if the Act has not commenced before 1 January 2028, it automatically commences on that day, and that the Legislation Act, section 79 does not apply to this Act.

This commencement date requires the provisions to commence no later than the day after 31 December 2027, the day the buyback period of the National Buy-Back Scheme ends, pursuant to Schedule 2, Division 1 of the *Combatting Antisemitism, Hate and Extremism (Firearms and Customs Laws) Act 2026* (Cth).

#### Clause 3 Legislation amended

This clause provides that this Act amends the *Firearms Act 1996* (Firearms Act).

#### Clause 4 New section 52A

This clause inserts new section 52A to the Firearms Act, which provides for the limitation on the number of firearms that may be possessed or used by licensees under their licence. Compliance with a limitation under section 52A is a condition of an adult firearms licence (section 73), a minors firearms licence (section 94) and a temporary international firearms licence (section 130).

Section 52A (1) provides that a firearms licensee is authorised to possess or use up to five firearms, unless certain exceptions apply. The policy intention of section 52A is to introduce numerical limits to restrict the total number of firearms a licensee can possess or use on an individual basis.

Existing restrictions on possession of firearms in the Firearms Act that prescribe a limit that is lower than five firearms, such as section 68 (Adult firearms licences – restrictions on issue of heirlooms licence), will continue to apply.

Under paragraph (a) of subsection (1), an exception applies for licensees who possess or use a firearm for a relevant genuine reason. A 'relevant genuine reason' is defined in subsection (4) to mean animal welfare, business or employment,

occupational requirements relating to rural purposes, primary production, sport or target shooting or vertebrate pest animal control.

Licensees who possess or use a firearm for a relevant genuine reason may possess not more than the greater of 10 firearms or the number of firearms approved by the registrar subject to any requirements prescribed by regulation.

This exception recognises the legitimate vocational or occupational requirements for additional numbers of firearms to continue their employment and fulfil essential community roles. The exception also enables for the prescription by regulation of certain requirements that allow the registrar to approve the possession or use of additional firearms that exceed the 10 firearm limit, to provide flexibility for certain circumstances in which the possession or use of additional firearms is required.

Under paragraphs (b) to (d) of subsection (1), an exception also applies for holders of firearms dealer licences, collector licences and composite entity licences. These licensees are not subject to any limitation on the number of firearms that may be possessed or used.

This exception recognises the commercial, conservation or occupational purposes for these types of licences that may require the possession or use of larger quantities of firearms. This exception also recognises that these licensees are subject to strict regulatory requirements, including obligations on safe storage, ammunition and record-keeping, that subject these licensees to a significantly higher level of oversight than individual licensees.

Paragraph (e) of subsection (1) provides for the prescription by regulation of a licensee that may be approved by the registrar to possess a number of firearms subject to requirements prescribed by regulation. This provision provides the registrar with discretion to approve a number of firearms that may be possessed or used by a licensee on a case-by-case basis subject to regulations, to empower the registrar to deal with individual circumstances of genuine necessity that may not be accounted for under the exceptions provided under subsection (1).

Subsection (2) provides for the circumstance in which a licensee holds more than one 'relevant licence', which is defined in subsection (4) as a kind mentioned in subsection (1) (a), (e) or (f). This provision clarifies that the total number of firearms a licensee may possess or use is limited to the number under whichever relevant licence provides the highest number of firearms, not the combined numerical total.

For example, if a licensee holds a licence that permits the possession of 10 firearms, and another licence that permits the possession of five firearms, the licensee will only be authorised to possess or use up to 10 firearms in total, and not a combined numerical total of 15 firearms. Similarly, if a licensee holds two licences that each permit the possession of 10 firearms, the licensee will only be authorised to possess or use up to 10 firearms in total, and not a combined numerical total of 20 firearms.

Subsection (3) provides that the authorisation to possess or use a firearm temporarily under section 14 of the Firearms Act or as otherwise entitled by a law of another State or Territory does not count towards the number of firearms that is possessed or used under this section. This clarifies that if a person is temporarily authorised to possess or use a firearm in the circumstances set out under section 14 or while lawfully possessing or using a firearm temporarily interstate, this does not otherwise affect the limitations imposed under subsection (1).

**Clause 5    New section 73 (1) (aa)**

This clause inserts new paragraph (aa) to section 73 (1) to clarify that it is a condition of an adult firearms licence to comply with any limitation on the number of firearms that may be possessed or used by the licensee under section 52A.

**Clause 6    New section 94 (1) (aa)**

This clause inserts new paragraph (aa) to section 94 (1) to clarify that it is a condition of a minors firearms licence to comply with any limitation on the number of firearms that may be possessed or used by the licensee under section 52A.

**Clause 7    Temporary international firearms licenses – conditions**  
**New section 130 (1) (aa)**

This clause inserts new paragraph (aa) to section 1301 (1) to clarify that it is a condition of a temporary international firearms licence to comply with any limitation on the number of firearms that may be possessed or used by the licensee under section 52A.

**Clause 8    Permits to acquire – refusal to issue generally**  
**New section 145 (1) (c)**

This clause inserts subsection (c) to section 145 (1) of the Firearms Act, which provides that the registrar must refuse to issue a permit to acquire a firearm unless certain circumstances are satisfied.

This clause provides that, in addition to the circumstances set out in subsections (a) and (b), the registrar must also be satisfied on reasonable grounds that the acquisition would not result in the acquirer possessing or using more firearms than the number of firearms permitted by the acquirer's licence. If the registrar is not satisfied of these circumstances, the registrar must refuse to issue a permit to acquire a firearm.

This clause adds an additional requirement for the acquisition of firearms, by ensuring that the registrar does not issue a permit for a firearm if that would cause the applicant to exceed the number of firearms they are authorised to possess or use under new section 52A.

**Clause 9    Permits to acquire – refusal to issue to temporary international**

**firearms licensees**  
**New section 146 (2) (c)**

This clause inserts subsection (c) to section 146 (2) of the Firearms Act, which provides that the registrar must refuse to issue a permit to acquire a firearm to a foreign acquirer unless certain circumstances are satisfied.

This clause provides that, in addition to the circumstances set out in subsections (a) and (b), the registrar must also be satisfied on reasonable grounds that the acquisition would not result in the acquirer possessing or using more firearms than the number of firearms permitted by the acquirer's licence. If the registrar is not satisfied of these circumstances, the registrar must refuse to issue a permit to acquire a firearm.

This clause adds an additional requirement for the acquisition of firearms, by ensuring that the registrar does not issue a permit for a firearm if that would cause the applicant to exceed the number of firearms they are authorised to possess or use under new section 52A.

**Clause 10 User registration – refusal**  
**New section 171 (1) (c)**

This clause inserts subsection (c) to section 171 (1) of the Firearms Act, which provides that the registrar must refuse to register an applicant as a user of a firearm unless certain circumstances are satisfied.

This clause provides that, in addition to the circumstances set out in subsections (a) and (b), the registrar must also be satisfied on reasonable grounds that the registration would not result in the applicant possessing or using more firearms than the number of firearms permitted by the applicant's licence, if the registered owner of the firearm is anyone other than a relevant registered owner.

A 'relevant registered owner' is defined in new section 171 (3), which is inserted by clause 11. The 'relevant registered owner' of a firearm is defined as a licensed firearms dealer, a composite entity, an approved club or a registered owner as prescribed by regulation.

If the registered owner of the firearm is a relevant registered owner, then new section 171 (1) (c) does not apply. This means that if an applicant applies to be the registered user of a firearm that is owned by a licensed firearms dealer, a composite entity, an approved club or a registered owner prescribed by regulation, the limitations imposed on the number of firearms the applicant can possess or use under new section 52A will not apply.

The policy intention of section 52A is to restrict the number of firearms a licensee can possess or use on an individual basis. However, this provision is not intended to unreasonably impact the ordinary business operations of licensed dealers,

composite entities or approved clubs, which may require employees or members to be registered users of firearms owned by the dealer, entity or club that exceed the number permitted for the user under section 52A.

Similarly, there may be a class of licensees that may require other individuals to become registered users of firearms owned by those licensees for legitimate reasons. For example, a licensee who is subject to a limit of 10 firearms under section 52A may require employees or other relevant licence holders to become registered users of the firearms owned by the licensee for genuine employment or practical reasons. Section 171 (3) (d) enables the prescription by regulation of other categories of 'relevant registered owner' to account for the requirements of those licensees.

Accordingly, the purpose of this provision is to allow licensees to become registered users of firearms that are owned by a licensed firearms dealer, a composite entity, an approved club or a registered owner as prescribed by regulation without limitation.

However, the provisions dealing with user registration will continue to apply. These include the requirements under section 172 of the Firearms Act, which stipulate the circumstances in which a registered user is authorised to possess and use a firearm that is owned by a licensed firearms dealer, composite entity or approved club.

For clarity, the limits under section 52A will still apply to a licensee who applies to be the registered user of a firearm that is owned by a registered owner that is not a licensed firearms dealer, composite entity, approved club or a registered owner prescribed by regulation. This means that the registered use of that firearm will count towards the total number of firearms the licensee is authorised to possess or use under section 52A.

This ensures that the policy intention of limiting the number of firearms an individual can possess or use may continue to be met, while allowing licensees who are employed by a licensed firearms dealer or a composite entity, or who are a member of an approved club, to continue using firearms as required for their employment and participation in activities.

If the registrar is not satisfied of these circumstances, the registrar must refuse to register the applicant as a user of the firearm.

### **Clause 11    New section 171 (3)**

This clause inserts new subsection (3) to section 171 of the Firearms Act to define 'relevant registered owner' for this section.

The 'relevant registered owner' of a firearm is defined as a licensed firearms dealer, a composite entity, an approved club or a registered owner prescribed by regulation.

## Clause 12 New section 228A

This clause inserts a new section 228A into the Firearms Act, to create an offence of possession of a digital blueprint for the computer-aided manufacture of firearms and firearm parts. The offence is intended to be technology-neutral and to complement the existing manufacturing offence in section 228 of the Act.

Section 228A (1) provides that a person commits an offence if they have possession of a digital blueprint for a firearm or firearm part, and the firearm or part may be manufactured by using the digital blueprint in combination with a computer-aided manufacturing device.

As outlined in the note to section 228A(1)(c), a computer aided manufacturing device includes but is not limited to a 3D printer or an electronic milling machine.

The maximum penalty that may be imposed for the offence is 500 penalty units, imprisonment for 5 years, or both.

Section 228A (2) provides that strict liability applies to whether the item captured by a blueprint is a firearm or firearm part and whether the item can be manufactured by using the blueprint in combination with a computer aided manufacturing device.

Section 228A (3) provides that the offence in new section 228A (1) does not apply if the defendant:

- is authorised by a firearms dealer licence or otherwise authorised under the Firearms Act to manufacture the firearm or firearm part to which the blueprint relates; or
- possesses the blueprint while carrying out public or official duties in relation to the administration of justice, or in relation to enforcing, administering, monitoring compliance with, or investigating a contravention of, a law of the ACT or another jurisdiction; or
- possesses the blueprint to undertake scientific, medical, educational, military or law enforcement research that has been approved by the registrar in writing, so long as the person does not contravene a condition of the approval.

Provisions of section 228A (3) operate as exceptions. The defendant bears an evidential burden in relation to these matters in accordance with section 58 of the *Criminal Code 2002*.

Section 228A (4) creates defences to the offence in section 228A (1), which apply where the defendant proves that:

- the defendant did not know, and could not reasonably be expected to have known, that the defendant possessed the digital blueprint; or
- the digital blueprint came into the defendant's possession unsolicited and, as soon as they became aware of its nature, the defendant took reasonable steps to remove the blueprint from the defendant's possession.

The defendant bears a legal burden in relation to the defences in section 228A (4), in accordance with section 59 of the *Criminal Code 2002*.

Section 228A (5) requires that the registrar keep records of each approval given in relation to research for which a person may possess a digital blueprint, for the purpose of the exception in section 228A (3) (c). This aims to ensure that there is a record available to the registrar and a defendant where the defendant wishes to rely on this exception, and guards against the circumstances where an approval may be lost or is otherwise inaccessible.

New section 228A (6) defines key terms for the purpose of the offence in section 228A (1), as follows:

- **computer** is defined to include a tablet, mobile phone and any other electronic device for storing or processing information. This definition is based on the definition of 'computer' in the *Crimes (Surveillance Devices) Act 2010*.
- **digital blueprint** is defined to mean any type of digital or electronic reproduction of a technical drawing, any electronic coding, or any computer aided design.
- **possession**, of a digital blueprint, is defined to include:
  - possession of a computer or data storage device holding or containing the blueprint; or
  - possession of a document in which the blueprint is recorded; or
  - control of the blueprint—
    - held in a computer or data storage device that is in the possession of another person (whether the computer or data storage device is in the ACT or elsewhere); or
    - held on a remote computer or remote data storage device accessible from a computer or data storage device (whether the remote computer or remote data storage device is in the ACT or elsewhere). An example of a remote data storage device is a cloud storage system.

The definitions are intentionally broad and inclusive and are drafted to ensure that a person cannot escape prosecution for the offence on a merely technical basis.

Other key terms, including **firearm** and **firearm part**, are already defined elsewhere in the Firearms Act.

### **Clause 13 New part 27**

This clause inserts new part 27 – Transitional – Firearms (Public Safety) Amendment Act 2026 into the Firearms Act. This part includes transitional provisions to accommodate changes to the firearms licensing scheme that will come into force on the day after this Act is notified until commencement of the other provisions of this Act.

New section 419 provides for the meaning of ‘amendment Act’, which for this part means the *Firearms (Public Safety) Amendment Act 2026*.

New section 420 provides for applications for other categories of licence after relevant amendments commence. This section applies if, before commencement of relevant amendments in this Act, a licensee was authorised to possess or use a firearm under a category of licence, but on commencement will require a different licence to possess that firearm. In this circumstance, the licensee will need to apply for that other licence before commencement, unless a regulation prescribes otherwise. If the licensee has applied for the other licence, the licensee will continue to be authorised under their existing licence until the application is determined by the registrar, or as otherwise prescribed by regulation.

This provision ensures that licensees who apply for new licences during this period will be entitled to continue possessing or using firearms while the application for the new licence is being decided and will not inadvertently commit an offence by reason of their possession or use of those firearms.

This provision also provides that a regulation may prescribe circumstances in which a licensee will not need to apply for the other licence before commencement and/or circumstances where the licensee may continue to be authorised to possess or use firearms under their existing licence. This allows for the development of further transitional arrangements through regulation to ensure that licensees who are unable to comply with new section 420 for genuine reasons are not inadvertently criminalised by the effect of the amendments in this Act.

New section 421 provides for a limitation on the number of firearms a licensee may possess or use during the period starting on the day after this Act’s notification day and ending on the day section 4 of this Act (new section 52A of the Firearms Act) commences.

Section 421 (1) provides that a licensee must not, during this period, apply for a permit to acquire a firearm if the issuing of the permit would mean that the number of firearms possessed or used by the licensee would exceed the number of firearms they will be authorised to possess or use under new section 52A. An application for such a permit would be taken never to have been made and have no effect.

This provision is intended to restrict licensees from seeking to acquire further firearms in excess of numerical limits during the period between notification and commencement of the amendments of this Act.

New section 422 provides that this part will expire 1 year after the day section 4 of this Act (new section 52A of the Firearms Act) commences.

**Clause 14 Prohibited firearms**  
**Schedule 1, new item 25**

This clause inserts new item 25, ‘a belt-fed firearm’, into Schedule 1 of the Firearms Act, which provides for a list of prohibited firearms. The definition of ‘belt-fed firearm’ is inserted into the Dictionary at clause 18.

**Clause 15 Licence categories and authority conferred**  
**Schedule 3, item 1, column 3, paragraphs (a) to (d)**

This clause substitutes the list of firearms to which category A adult firearms licences apply to impose further restrictions on the magazine capacity and action mechanisms of the firearms authorised under this category. The policy intention of this amendment is to qualify and limit access to high-capacity magazines and rapid-fire firearms by holders of category A adult firearms licences.

**Clause 16 Schedule 3, item 2, column 3, paragraphs (a) to (d)**

This clause substitutes the list of firearms to which category B adult firearms licences apply to impose further restrictions on the magazine capacity and action mechanisms of the firearms authorised under this category. The policy intention of this amendment is to qualify and limit access to high-capacity magazines and rapid-fire firearms by holders of category B adult firearms licences.

**Clause 17 Schedule 3, item 3, column 3**

This clause substitutes the list of firearms to which category C adult firearms licences apply to impose further restrictions on the magazine capacity and action mechanisms of the firearms authorised under this category. The policy intention of this amendment is to qualify and limit access to high-capacity magazines and rapid-fire firearms by holders of category C adult firearms licences. This clause also explicitly excludes the authorisation of belt-fed firearms under category C adult firearms licences.

**Clause 18 Schedule 3, item 4, column 3**

This clause substitutes the list of firearms to which category D adult firearms licences apply to impose further restrictions on the magazine capacity and action mechanisms of the firearms authorised under this category. The policy intention of this amendment is to qualify and limit access to high-capacity magazines and rapid-fire firearms by holders of category D adult firearms licences. This clause also explicitly excludes the authorisation of belt-fed firearms under category D adult firearms licences.

**Clause 19 Licence categories and authority conferred**  
**Schedule 3, items 11 and 12, column 3, paragraphs (a) to (d)**

This clause substitutes the list of firearms to which category A minors firearms licences apply to impose further restrictions on the magazine capacity and action mechanisms of the firearms authorised under this category. The policy intention of this amendment is to qualify and limit access to high-capacity magazines and rapid-fire firearms by holders of category A minors firearms licences.

**Clause 20 Schedule 3, items 13 and 14, column 3, paragraphs (a) to (d)**

This clause substitutes the list of firearms to which category B minors firearms licences apply to impose further restrictions on the magazine capacity and action mechanisms of the firearms authorised under this category. The policy intention of this amendment is to qualify and limit access to high-capacity magazines and rapid-fire firearms by holders of category B minors firearms licences.

**Clause 21 Dictionary, new definitions**

This clause inserts new definitions for ‘belt-fed firearm’, ‘pump action’, ‘repeating action’, ‘self-closing action’, ‘self-opening action’, ‘semiautomatic airgun’, and ‘straight pull repeating action’. These definitions inform and facilitate the restrictions imposed on the types of firearms authorised for possession or use under clauses 15 to 20, by making clear the specific actions of firearms and airgun types that are limited under category A, B, C and D licences.