



Arms (Licence Holders' Applications for New Licences) Amendment Bill

8 November 2022

Presented to the House of Representatives in accordance with Standing Order 272 J.17

Introduction

The objective of the Bill is to ensure that if the holder of a current firearms licence applies for a new licence before the expiry of their current licence, their current licence will continue to be in force until they are notified of the outcome of their application.

After the passing of the Bill, the Police will implement an intelligence-based triaging system to prioritise licence applications that require further investigation. This will help Police to flatten anticipated peaks in demand for new applications and process licence applications in a more sustainable manner.

There are also minor amendments to the commencement date for dealers' licences and to enable documents to be sent to an electronic address.

Background

The intent of the Bill is to ensure that existing licence holders are not legally impacted by the delays Police are currently experiencing with processing licence applications.

Key aspects of the Bill

The Bill amends the Arms Act 1983 (the Act) to address concerns raised by the firearms community about the current delays in processing licence holders' applications for new firearms licences. The Bill provides that if the holder of a current firearms licence applies before the expiry of their current licence, their current licence will continue in force until they are notified of the outcome of their application.

The Bill also:

- aligns the commencement date for both firearms and dealer's licences. This will be the issue date of the licence if issued after the expiry date of the previous licence. However, if the licence is issued before the expiry date of the previous licence, the new licence will commence on the expiry date of the previous licence
- makes a minor technical change to enable the police to issue notices and documents to an electronic address (enabling the electronic delivery of notices would overcome administrative inefficiencies for Police and reduce inconvenience for licence holders, representatives of clubs and range operators.)

The Bill will come into effect on the day after Royal assent. There are transitional provisions to ensure that the Bill applies to both existing and future applications.

Structure of the Bill

The Bill is in two parts.

Part 1 amends the current requirements for issuing new dealers or firearms licences to existing licence holders. The new requirements state that a new licence continues to be in force until the date on which the licence holder is notified of the determination of an application (unless it was surrendered or revoked).

Part 2 of the Bill amends section 72A of Act to provide Police with the option of issuing a document or notice under the Act to an electronic address.

Transitional arrangements are also covered in Part 3 of Schedule 1. These transitional arrangements confirm that licence holders who apply prior to the commencement of the Amendment Act will also be treated as current (provided their licence was not revoked or suspended).

Conclusion

The Bill ensures that law-abiding gun owners can continue to use and possess firearms until the Police are able to issue a new licence. There are also minor amendments to the commencement date for dealers' licences and to enable documents to be sent to an electronic address.